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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**
(HANSARD)

Wednesday 5 December 2018

House of Commons

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

WALES

The Secretary of State was asked—

Drug-related Crime

1. **Mary Glindon** (North Tyneside) (Lab): What recent discussions he has had with the Home Secretary on drug-related crime in Wales. [907936]

The Parliamentary Under-Secretary of State for Wales (Nigel Adams): Ministers from the Office of the Secretary of State for Wales hold regular discussions with Cabinet colleagues, including the Home Secretary, on a range of issues that are of importance to Wales. Drugs can devastate lives, ruin families and damage communities. The Government's approach to them remains clear: we must prevent drug use and support people through treatment and recovery.

Mary Glindon: The chair of the National Police Chiefs' Council has warned that relying on local taxpayers while slashing funding from Westminster will mean tough choices about priorities for many local forces. Surely rising drug-related crime should be a priority. Will the Minister commit to fighting for more central Government funding for the police in Wales, so that they can effectively tackle those particular crimes?

Nigel Adams: I thank the hon. Lady for her question and for all her work in the all-party groups on this issue. I know the subject is close to her heart.

We understand that police demand is changing and complex. That is why, after speaking to all forces in England and Wales, we have provided a comprehensive settlement that is increasing total investment in the police system by more than £460 million in 2018-19.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Diolch yn fawr, Mr Llefarydd. Croesawaf y Gweinidog newydd. I welcome the new Minister to his place. The Minister will be aware that last night the National Assembly for Wales supported a Plaid Cymru motion to reject his Government's deal. What, if any, attention will he pay to that crystal-clear mandate from Wales? Will he make representations to secure an official say for our nation on the European Union (Withdrawal Agreement) Bill, assuming we even get to that stage?

Nigel Adams: That was a rather creative way of bringing in a question about Europe under drug-related crime. However, I remember that the Welsh population voted to leave.

Mr Speaker: I am sure that the hon. Lady will seek to render her inquiry more relevant and apposite to the context of the question on the Order Paper. I feel sure that that is not beyond her creative genius.

Liz Saville Roberts: The debate in my country is how to deal with crime post Brexit and the challenges that we face, with drug crime in their midst. None the less, I feel that I must explain the answer. Yesterday the Welsh Assembly voted in favour of a Plaid Cymru motion to reject the withdrawal agreement of the Minister's Government. In addition, the Government's own chief Brexit adviser admitted on Monday that the Joint Committee outlined in the withdrawal agreement and the political declaration will not include representatives from the devolved nations. What will he and the Secretary of State do personally to rectify that deficit of representation with the Prime Minister?

Nigel Adams: The Joint Ministerial Committee does in fact involve members of the Welsh Government, so I am not entirely on the same page as the hon. Lady.

Jo Stevens (Cardiff Central) (Lab): Drug-related crime across the South Wales police force area has gone up month on month from September 2017 to September 2018 by more than 22%. What discussions with Home Office colleagues has the Minister or the Secretary of State had since the summer recess about additional funding for the South Wales police in recognition of the fact that it is policing a UK capital city?

Nigel Adams: The hon. Lady raises a good point. This Department is talking constantly with our colleagues in the Home Office, in particular on policing matters. I remind her politely of the increased, comprehensive settlement that we agreed to three or four months ago, which will see almost half a billion pounds in 2018-19 for policing.

Chris Ruane (Vale of Clwyd) (Lab): As police numbers have plummeted, drug-related crime has rocketed, especially on county lines. Drug lords enforce their vile trade with knives and guns. Knife crime is half the level in Wales that it is in England; nevertheless, in the past year alone, there has been a 30% increase in knife crime in Wales. Do the Minister, the Secretary of State for Wales and his Cabinet colleagues share any responsibility for that, and what will they do about it?

Nigel Adams: It is incredibly important that we work together closely in this area. The hon. Gentleman makes some valid points about the types of crime, and that is why we must also work collaboratively with our police and crime commissioners. I know that he has a good relationship with the North Wales police and crime commissioner. Although this is a reserved matter, we are determined to work closely with Wales and ensure that the right resources are available, particularly in the case of county lines problems, which do not respect borders.

Extreme Poverty and Human Rights

2. **Alan Brown** (Kilmarnock and Loudoun) (SNP): What discussions he has had with the Secretary of State for Work and Pensions on the findings of the UN Special Rapporteur on extreme poverty and human rights in relation to poverty in Wales. [907937]

12. **Peter Grant** (Glenrothes) (SNP): What discussions he has had with the Secretary of State for Work and Pensions on the findings of the UN Special Rapporteur on extreme poverty and human rights in relation to poverty in Wales. [907947]

13. **Marion Fellows** (Motherwell and Wishaw) (SNP): What discussions he has had with the Secretary of State for Work and Pensions on the findings of the UN Special Rapporteur on extreme poverty and human rights in relation to poverty in Wales. [907948]

14. **David Linden** (Glasgow East) (SNP): What discussions he has had with the Secretary of State for Work and Pensions on the findings of the UN Special Rapporteur on extreme poverty and human rights in relation to poverty in Wales. [907949]

The Secretary of State for Wales (Alun Cairns): I regularly speak with my Cabinet colleagues on a host of issues affecting Wales. Prosperity in Wales is my No. 1 priority. It is crucial that those experiencing poverty get the support that they need and that no one is left behind. We will consider the interim report's findings carefully.

Alan Brown: It is good to hear that the Secretary of State will consider the report. The UN special rapporteur praised the Scottish Government for what they are doing to mitigate the austerity cuts from the Tory Government, but he also noted that the powers of the Welsh Government are limited in that respect. What representations has the Secretary of State had from the Labour Welsh Government about getting additional powers to mitigate that and implement welfare in a fairer manner?

Alun Cairns: The hon. Gentleman raises an important point about the devolved settlement. He will be well aware that the Wales Act 2017 passed through this House not so long ago, but at no stage were there any calls to devolve functions from the Department for Work and Pensions or to devolve welfare, because of the volatility that that creates on the budget.

Peter Grant: The rapporteur found that one in four jobs in Wales does not pay enough for people to live on, and that Wales has the worst record of relative poverty of any of the nations and regions of the United Kingdom. Does the Secretary of State believe that the people and the workers of Wales deserve better than that? Will he accept that in-work poverty is a serious problem in Wales, and will he tell us what he is doing to address it?

Alun Cairns: There are two points that I would make. There were some factual errors in the report, which may well undermine the conclusions, but of course we will respond fully in due course. On the hon. Gentleman's specific point, I point to the sharp increase in payments from the national living wage, as well as the increases in the personal allowance. As a result, the inequality gap between people who have and people who do not have is at a record low level.

Marion Fellows: The UN special rapporteur highlighted that low-paid, part-time or insecure jobs are often taken up by women, because of difficulties in balancing work

and the disproportionate impact of caring responsibilities. These are, of course, often the women who have been adversely affected by this Government's increase in the state pension age. Can the Secretary of State explain just how the Government are working for the women of Wales?

Alun Cairns: I am grateful to the hon. Lady for highlighting women and employment, because there are 63,000 more women in employment in Wales than there were in 2010. I also point out to her the record fall in unemployment. Reducing unemployment is the best way out of poverty, and unemployment in Wales is 3.8% whereas across the UK it is 4.1%. There will not be many times in history when unemployment in Wales is lower than the UK average.

David Linden: The list of countries that have received this kind of criticism is fairly small, and I think the UK Government should be absolutely ashamed to find themselves on that list. The reality is that people in Wales are in the difficult position of having an uncaring British Government and a Labour Government in Wales that are abdicating responsibility. Is it not the case that the only way that Wales can be a fair country is with the normal powers of independence?

Alun Cairns: It is interesting to hear that point made by a Scottish Member of Parliament, when that is not the view in Wales. As I said in relation to the report, I hope that the hon. Gentleman recognises that poverty rates are lower than they were in 2010, and unemployment in Wales is lower than the UK average. There are more men in work, there are more women in work and the economy in Wales is growing faster than in any other part of the UK.

Kevin Foster (Torrey) (Con): I know that the Secretary of State will agree that one way of tackling poverty in Wales is the growth of more high-skill, high-paid jobs, like those in the aviation and tech sectors around Bristol. Does he agree that the policies that the Government are putting in place to spread the benefit of that growth across southern Wales are exactly what is needed to tackle some of the challenges that have been identified?

Alun Cairns: My hon. Friend raises an important issue and points to some of the policies that we are developing to tackle the root cause. Universal credit is making a significant difference, and I would highlight the growth deals that we are promoting across the whole of Wales. Wales is the only nation of the United Kingdom that will have a growth or a city deal in every part.

David Hanson (Delyn) (Lab): Figures released this week show that one in five of my constituents has used a food bank in the past three years. Does the Secretary of State think that that is anything to do with the fact that Flintshire was one of the first areas in the roll-out of universal credit?

Alun Cairns: The right hon. Gentleman makes an important point. He is well aware that there are myriad complex reasons why people turn to food banks. That was one of the conclusions of the all-party parliamentary group. Food banks have a key role to play in bringing

back into the state welfare system people who, for a range of reasons, have fallen out of it. I am a strong supporter of my food bank and food banks across the whole of the UK because of the part that they can play.

Benefits Changes

3. **Rosie Cooper** (West Lancashire) (Lab): What discussions he has had with Cabinet colleagues on the effect on people in Wales of recent changes to welfare benefits. [907938]

The Parliamentary Under-Secretary of State for Wales (Nigel Adams): Our welfare reforms are incentivising work and supporting working families. The unemployment rate in Wales is at a record low. At the Budget, my right hon. Friend the Chancellor announced new policy changes to enable working households to keep more of what they earn and to support claimants through the transition to universal credit. We will continue to take a test-and-learn approach, acting on feedback and improving the system as it rolls out.

Rosie Cooper: Perhaps the Minister could explain why the Government are determined to press ahead with managed migration in the face of the advice of more than 80 disability organisations, the Resolution Foundation and the National Audit Office that they should not do so until they have fixed the major flaws in universal credit and can cope with much greater claimant volumes.

Nigel Adams: I thank the hon. Lady for all the work she does in this area. I understand that she chaired a Disability Confident meeting last week. These are very important things for hon. Members to get involved with. We do not underestimate the challenge that managed migration could present, and we are working very closely with all stakeholders to design the best solution. We are keeping our options open on the design, and we are committed to keeping the House updated.

Hywel Williams (Arfon) (PC): First, may I say that I am very glad that Welsh people will now be able to claim universal credit online, just like everybody else, through the medium of Welsh? Department for Work and Pensions staff had a very complicated task in fixing the faulty system. Will the Minister tell the House what he is doing to fix the other problems relating to universal credit that people in Wales are suffering from, such as the unfair and oppressive two-child policy?

Nigel Adams: I thank the hon. Gentleman for the work he has done. I am very pleased that the Welsh language version of the universal credit system was rolled out last week, I believe. Hopefully it is working well, and we will continue to monitor it. Of course, this is a huge transformational project, and it is absolutely right that, on occasion, we pause, reflect and make sure we get the system right. Fundamentally, I agree with the Secretary of State for Work and Pensions, who said that universal credit is a force for good.

Anna McMorris (Cardiff North) (Lab): My constituent has 10-month-old twins and has not been paid universal credit for two months. She is at risk of homelessness and is using food banks. How are the Government

responding to the recent judicial review on the impact of assessment periods, and what can the Minister say to my constituent and others who are suffering like her?

Nigel Adams: The hon. Lady will be aware that I cannot comment on an individual case. I am sure that if she raises her constituent's case with the Department, she will get a response. As I said earlier, this system is a huge transformational project, and we must learn as we go along. It is designed to mirror the way in which people in work are paid. There are advances available for anybody who is waiting for their universal credit payment.

Hospital Car Parking Charges

4. **Robert Halfon** (Harlow) (Con): Whether he has had discussions with the Welsh Government on its abolition of hospital car parking charges. [907939]

The Parliamentary Under-Secretary of State for Wales (Nigel Adams): I have not discussed this matter with the Welsh Government. Decisions on charges are entirely for the Welsh Government to make, as this is a devolved responsibility.

Robert Halfon: The brain injury charity Headway has supported families who have incurred hospital car parking charges of as much as £248 in just seven days. Given that all hospitals in Wales have now abolished hospital car parking charges, will my hon. Friend make representations to the Health Secretary on abolishing them in England too?

Nigel Adams: It is clear—everybody in the House will know—that there is no stronger champion of such causes than my right hon. Friend. We allow individual hospitals to take their own decisions in England, assisted by clear guidance. There are potential additional costs of a blanket removal of charging, which could be significant, but we keep our ears open.

Susan Elan Jones (Clwyd South) (Lab): When the Welsh Government abolished car parking charges, certain people thought that it was a waste of money. We now know that it has been a great success. Is it not time that the UK Government stopped denigrating the Welsh Government, talked to them a bit more and shared good ideas?

Nigel Adams: We are certainly not in the business of denigrating the Welsh Government, as the hon. Lady should know, but we cannot take a one-size-fits-all approach. I have read in the Welsh press in the past few weeks that some free hospital car parks are being used incorrectly by shoppers. We have to be mindful, but I assure her that we are not denigrating anyone.

Ian C. Lucas (Wrexham) (Lab): I counsel the right hon. Member for Harlow (Robert Halfon) that this is not a silver bullet to hospital transport issues. In Wrexham Maelor Hospital, car parking is a major issue. The focus should be on providing public transport solutions in public services, and in hospitals in particular.

Nigel Adams: The hon. Gentleman is absolutely right that it is not a silver bullet. Without the correct levels of public transport, the wider solution cannot be delivered. I totally agree with him.

**Withdrawal Agreement and Political Declaration:
Economic Effect**

5. **Patrick Grady** (Glasgow North) (SNP): What discussions he has had with the Secretary of State for Exiting the European Union on the potential economic effect on Wales of the adoption of the EU Withdrawal Agreement and Political Declaration. [907940]

7. **Tommy Sheppard** (Edinburgh East) (SNP): What discussions he has had with the Secretary of State for Exiting the European Union on the potential economic effect on Wales of the adoption of the EU Withdrawal Agreement and Political Declaration. [907942]

The Secretary of State for Wales (Alun Cairns): The Government's analysis shows that the deal the Government have negotiated is the best deal available for Welsh jobs and the Welsh economy. That allows us to honour the referendum and realise the new opportunities Brexit will bring.

Patrick Grady: But nobody in Wales voted for Brexit to make them poorer. Perhaps that is why the Welsh Assembly voted to reject the withdrawal agreement last night, as the Scottish Parliament will do this evening. The Minister's Scottish colleagues are going around saying that the vote is needless. Does that not simply demonstrate the contempt that the Government and the Tories have always had for the devolution settlement? They are using Brexit to further undermine devolution.

Alun Cairns: I remind the hon. Gentleman that Wales voted to leave the European Union and that we have an obligation to respond to the demand that came from the referendum. We will continue to work with the Welsh Government in seeking a legislative consent motion to the withdrawal agreement Bill when it goes through Parliament. That is exactly what we gained having worked with them closely in relation to the European Union (Withdrawal) Act 2018. I look forward to continuing to working with them on the Bill.

Tommy Sheppard: Manufacturers and producers in Wales currently have tariff-free access to the Europe single market of more than 500 million people. The market provides the destination for two thirds of all Welsh exports. Will the Minister explain to me and the House how ripping Wales out of the customs union and the single market will improve prospects for those Welsh businesses?

Alun Cairns: The hon. Gentleman should be aware that the deal my right hon. Friend the Prime Minister has negotiated gives the opportunity of tariff-free access with the European Union. It also gives us the opportunity to strike independent trade deals right around the world as an independent trading nation. I am optimistic about our prospects outside the European Union. I wish that optimism was shared elsewhere.

9. [907944] **Chris Elmore** (Ogmore) (Lab): In June, Wales exported £10.2 billion-worth of goods to the EU. The viability of manufacturing in Wales relies on frictionless trade with the EU. The Prime Minister's deal gives no assurances to Welsh businesses—it just gives us buzzwords and more uncertainty—so when will the Secretary of State start doing his job and stand up for businesses in Wales?

Alun Cairns: Last week, I spoke to the Welsh Automotive Forum annual dinner. The sector represents 18,000 employees in manufacturing in Wales. It was strongly supportive of the deal that my right hon. Friend the Prime Minister has negotiated. I wish the hon. Gentleman would appreciate it too.

Owen Smith (Pontypridd) (Lab): The Secretary of State says he is optimistic about Wales's future after Brexit, but can he confirm from the Dispatch Box that Wales is going to be poorer—our GDP will be smaller—if we vote for his deal next week?

Alun Cairns: The hon. Gentleman points to a range of economic scenarios that have been painted, but they do not take into account any response that the Government will make. Of course, a responsible Government will respond to the economic situation as it emerges. I am excited about the prospect of striking free trade deals right around the world as an independent trading nation once again.

Christina Rees (Neath) (Lab/Co-op): I welcome the Minister to his place. On 2 May, the Secretary of State told the House that

“we are keen to negotiate to allow for the most frictionless trade possible with the European Union.”—[*Official Report*, 2 May 2018; Vol. 640, c. 300.]

Why does the term “frictionless trade” not appear in the political declaration?

Alun Cairns: I kindly point the hon. Lady to the political declaration, which says “as frictionless as possible”. In my mind, that can include frictionless.

Christina Rees: That just is not good enough. The Secretary of State has given his backing to an agreement that does not even mention Wales, let alone protect workers' rights, environmental standards, consumer protections or living standards. Is not the reality that this is a bad deal for Wales that fails to give Welsh people the certainty needed to safeguard jobs and livelihoods?

Alun Cairns: The deal that my right hon. Friend the Prime Minister has negotiated gives us the certainty of access to EU markets, but it also gives us new opportunities to strike trade deals around the world. I say to the hon. Lady that I am not sure what certainty a further referendum would bring, if that is her policy.

Mr Speaker: The hon. Member for St Ives (Derek Thomas) is much preoccupied with the elegance of his tie, by which I am myself duly impressed, but if he wished to shoehorn in the concerns he had in respect of Question 15 now, he could legitimately do so.

15. [907950] **Derek Thomas** (St Ives) (Con): I appreciate the opportunity, Mr Speaker. Wales has appreciated European funding, as has Cornwall. Can the Secretary of State assure Cornwall and Wales that they will continue to receive money to tackle deprivation?

Alun Cairns: My hon. Friend makes an important point. He allows me to point to the UK shared prosperity fund, which was a manifesto commitment. My right hon. Friend the Chancellor of the Exchequer will outline at the comprehensive spending review the sums of money that will be available, but I am determined to get a much more efficient system that is responsive to the demands and needs of the community. After all, £4 billion has been spent in Wales over the last 16 years and we have not always received the best value out of that. *[Interruption.]*

Mr Speaker: Order. There is a hell of a lot of noise in the Chamber. The House must hear Tom Pursglove.

Business Growth

6. **Tom Pursglove** (Corby) (Con): What steps his Department is taking to support the growth of businesses in Wales. [907941]

The Secretary of State for Wales (Alun Cairns): The Government have a host of policies to support businesses in Wales, from tax reductions to city deals and a modern UK industrial strategy. As a result, Wales continues to attract inward investment across all sectors.

Tom Pursglove: As we leave the European Union, we clearly need to promote all parts of the United Kingdom and their fantastic trade potential. How does the Secretary of State plan to harness Wales's potential, building on the success of the "Great" campaign?

Alun Cairns: I pay tribute to what my hon. Friend does to promote businesses across the whole United Kingdom. He gives me an opportunity to highlight the fact that, in less than two weeks' time, the tolls on the Severn crossing will be abolished for the first time in 52 years—a major boost to the economy of the south-west of England as well as south Wales.

Ben Lake (Ceredigion) (PC): Question 8, Mr Speaker.

Mr Speaker: The hon. Gentleman can legitimately shoehorn his concern about broadband into this inquiry. Go ahead.

8. [907943] **Ben Lake** (Ceredigion) (PC): Diolch, Mr Speaker. Many premises in Ceredigion are still awaiting confirmation of whether they will be in scope for the next phase of the Welsh Government's Superfast Cymru scheme. Will the Secretary of State ensure that his Government's Wales superfast broadband programme and "outside-in" initiative give priority to premises that may find themselves beyond the scope of the Welsh Government's scheme?

Alun Cairns: I pay tribute to the hon. Gentleman, who is a strong campaigner in this area. We are determined to work closely both with him and with the Welsh Government to deliver the best broadband possible in the constituency of Ceredigion and in all other parts of Wales. Already, £69 million has been spent, in addition

to the gainshare, but there is more that we can do, particularly in linking businesses with broadband. I know that the hon. Gentleman is a strong supporter of that campaign.

David T. C. Davies (Monmouth) (Con): May I, too, welcome the new Minister to the Wales Office, which is now attracting talent from across the whole of the United Kingdom? Does the Secretary of State agree that communications would be much improved if the Welsh Labour Government got on with building the M4 relief road?

Alun Cairns: My hon. Friend makes an extremely important point. I highlighted earlier the fact that in less than two weeks' time the tolls on the Severn crossing will be abolished, but it is hard to believe that the former Member of Parliament for Richmond (Yorks) was the Secretary of State for Wales when the commitment was first made in relation to that road around Newport. The resource is available and the time has been available; I am only sorry that the Welsh Government have not reacted and built that road in response to those calls.

Christian Matheson (City of Chester) (Lab): Business growth in north Wales is being choked off by congestion on the M56, on my side of the border. Will the Secretary of State sit down with the Transport Secretary to work out when it will be upgraded?

Alun Cairns: The hon. Gentleman makes an important point. I regularly discuss those issues with my right hon. Friend the Secretary of State for Transport, who has brought together a working group of officials and Ministers from all parts of the United Kingdom to discuss cross-border issues. I am only disappointed that the Welsh Government did not attend the last time we met.

Mr David Jones (Clwyd West) (Con): Businesses across north Wales were delighted with the Chancellor's Budget announcement of £120 million of funding for the north Wales growth deal. They are disappointed, however, that that announcement has not been followed by a similar announcement from the Welsh Assembly Government. Does my right hon. Friend know when such an announcement might be expected?

Alun Cairns: I am grateful to my right hon. Friend for highlighting that important policy. It is taking some time to negotiate the north Wales growth deal, but as he rightly points out, my right hon. Friend the Chancellor announced £120 million of funding in the Budget statement. We are working closely with the Welsh Government to encourage them to follow the same lines of commitment, and on Friday there will be further meetings to seek to crystallise that.

Mr Speaker: Order. I want to invite the House to join me in warmly welcoming to the Gallery a quite extraordinary, brave and courageous rape victim who has waived her anonymity in order to campaign not merely for her rights, very important though those rights are, but for the rights of all women similarly violated. I am referring of course to Sammy Woodhouse. Welcome to the House of Commons, Sammy. *[Applause.]*

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [908021] **Mr Philip Dunne** (Ludlow) (Con): If she will list her official engagements for Wednesday 5 December.

The Prime Minister (Mrs Theresa May): May I first join you, Mr Speaker, and the whole House in commending Sammy Woodhouse? I think we all recognise, across this House, that for too long it has been difficult for rape victims to speak out. I hope that now, following her example, others will recognise that they will be heard and that proper action will be taken.

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

Mr Dunne: May I, from the Back Benches, echo your comments, Mr Speaker, and those of the Prime Minister in respect of Sammy Woodhouse?

Does my right hon. Friend believe that today's announcement of significant investment by the UK life sciences sector to work alongside the NHS, using genomics and artificial intelligence to help diagnose major diseases early, shows that world-class life sciences companies, such as Agilent in my constituency, will continue to invest in the UK to help the NHS improve patient outcomes post-Brexit?

The Prime Minister: That investment of £1 billion is indeed significant. It will deliver a state-of-the-art research and development facility in the UK and support 650 jobs. It is absolutely right to say that that shows the opportunities available to the UK post-Brexit. It also shows the advantage of our industrial strategy, with AI right at the heart of it, recognising the importance of AI in the health sector in the future. This is a very significant investment. It will support jobs and other employment in the UK, and it will support our economy in the future.

Jeremy Corbyn (Islington North) (Lab): I join you, Mr Speaker, and the Prime Minister in welcoming Sammy Woodhouse to Parliament today. It is an act typical of your generosity to refer to her presence in the Gallery today, so that others may be emboldened to deal with the horrors of the rape crisis we face.

I also express our sympathies to the family of Luke Griffin from Merseyside, who was killed in Kabul last week alongside five fellow G4S workers who were Afghan nationals. Luke had previously served in 16th Regiment, Royal Artillery.

While we debate the critical issue of Brexit, we must not neglect the crisis facing millions of people across our country. Last week, I wrote to the Prime Minister about the scathing report by the UN special rapporteur on this Government's brutal policies towards the poorest in Britain. As of now, I have received no reply from the Prime Minister. When she read the report, what shocked her more: the words the UN used, or the shocking reality of rising poverty in Britain?

The Prime Minister: We have been clear, and my right hon. Friend the Secretary of State for Work and Pensions has been clear, that we do not agree with the report—

[Interruption.] No, we do not agree with this report. What we actually see in our country today is absolute poverty at record lows, more people in work than ever before, youth unemployment almost halved and wages growing, and that is because of the balanced approach that we take to our economy—a Conservative Government delivering for the British people.

Jeremy Corbyn: It could be that the Prime Minister does not agree with the report because it contains an unpalatable truth. The new Work and Pensions Secretary seems to have taken lessons from her and created a hostile environment for those who are claiming benefits. One of the Government's policies which is causing the greatest anxiety and poverty is universal credit. The UN rapporteur, Professor Alston, said it was

“fast falling into universal discredit”.

When will the Prime Minister demonstrate some of her professed concern about burning injustices and halt the roll-out of universal credit?

The Prime Minister: We have exchanged on this issue of universal credit before—*[Interruption.]* Oh, the shadow Foreign Secretary, from a sedentary position, says that we have not done anything about it. What we have done is made changes as we have rolled out universal credit, but I am afraid we had a Labour party that would not support the changes we were making to universal credit. We have listened and we have made changes. It is time that the Labour party recognised that universal credit is ensuring that more people are in work in this country and that absolute poverty is at record lows. That is a system that delivers for people and encourages them into work—a simpler system that is better for the people who need to use it.

Jeremy Corbyn: The Prime Minister might care to cast her eyes over the report from the Trussell Trust, which said that

“the only way to prevent even more people being forced to foodbanks this winter is to pause all new claims to Universal Credit.”

The UN also called for the five-week wait to be scrapped. In the coming weeks, universal credit is being rolled out in Anglesey, Blackpool, Milton Keynes and parts of Liverpool, London and Glasgow. There is a risk that people will be left with no money at Christmas. If the Prime Minister will not halt the roll-out of universal credit, will she at least immediately end the five-week wait?

The Prime Minister: The right hon. Gentleman does not quite seem to understand how the system actually operates. No one has to wait for money if they need it. We have made advances—*[Interruption.]*

Mr Speaker: Order. We are less than a third of the way through and already there is too much noise on both sides of the House. Members must calm themselves. The questions will be heard, however long it takes, and the same is true of the replies. Please try to get used to that.

The Prime Minister: No one needs to wait for their money if they need it. We have made it easier for people to get advances. We have ensured they can get 100% of

their first month's payment up front. We have already scrapped the seven-day waiting period. I repeat: what happened when we scrapped the seven-day waiting period? Labour voted against it.

Jeremy Corbyn: It is a loan that is offered for some people.

The Trussell Trust has also pointed out that food banks face record demand this December. I gently say to the Prime Minister and the Members behind her: food banks are not just a photo opportunity for Conservative MPs, all of whom supported the cuts in benefit that have led to the poverty in this country.

Yesterday, research by the Joseph Rowntree Foundation found "in-work poverty is rising" faster than the overall employment rate due to chronic low pay and insecure work. The United Kingdom has the weakest wage growth of all G20 nations. Living standards have fallen for the majority of people. What is so wrong with our economy that our pay growth is so much worse than in each of the other nations in the G20?

The Prime Minister: We now see wages growing faster than they have for nearly a decade. We see employment at record levels. The right hon. Gentleman talks about scrapping universal credit, but what he wants to do is to go back to square one. That means going back to a system that left 1.4 million people spending most of a decade trapped on benefits. It left people paying an effective tax rate of 90%, and it cost every household an extra £3,000 a year. As ever with Labour, it was ordinary working people who paid the price.

Jeremy Corbyn: The chief economist of the Bank of England describes the last decade as a "lost decade" for wages. *[Interruption.]* The Prime Minister might laugh at this, but it is the reality of people's lives; it is the reality—*[Interruption.]*

Mr Speaker: Order. I appeal to Members making too much noise to stop doing so. *[Interruption.]* Order. I very gently say to the junior Minister on the Back Bench, who is making far too much noise, that he is ordinarily a good-natured and genial chap—I am referring to the hon. Member for Hexham. Mr Opperman, you can do so much better; try to be a well-behaved citizen today. *[Interruption.]* Well, possibly like some others, but there are quite a lot of badly behaved people. Try to set a better example, Mr Opperman—you are a Minister of the Crown.

Jeremy Corbyn: Two years ago, a United Nations committee found this Government's policies towards disabled people represented

"a grave and systematic violation"

of their rights. Does the Prime Minister think that situation has improved in the past two years?

The Prime Minister: First, in answer to the right hon. Gentleman's latter point, it is this Government that have a key commitment in relation to helping disabled people get into the workplace. There are too many disabled people who have felt that they have not been able to do what they want to do—actually getting into the workplace and earning an income for themselves and their families. It is this Government who are helping.

The Disability Confident arrangements that the former Secretary of State for Work and Pensions put in place are doing exactly that.

However, the right hon. Gentleman started off his comments by referencing the last decade. Yes, the last decade has meant that difficult decisions have had to be taken, but why did those difficult decisions have to be taken? They were taken because of the Labour party's mismanagement of the economy. Remember, remember the letter from the right hon. Member for Birmingham, Hodge Hill (Liam Byrne): under Labour, there is no money left.

Jeremy Corbyn: When I hear a Prime Minister talking about difficult decisions, what always happens afterwards, in these contexts, is that the poorest in our society lose out. Some 4.3 million disabled people are now in poverty; 50,000 were hit by appalling cuts to the employment and support allowance benefit alone last year. This Government labelled disabled people as "scroungers" and called those unable to work "skivers"—[HON. MEMBERS: "Withdraw!"]

Mr Speaker: Order. Calm—*[Interruption.]* Order. I do not need any advice from the Home Secretary. He should seek to discharge his own obligations in his office to the best of his ability; I require no advice from the right hon. Gentleman on the discharge of mine. Be clear about that.

Jeremy Corbyn: This Government also created a hostile environment for the Windrush generation. When the UN rapporteur said:

"British compassion for those who are suffering has been replaced by a punitive, mean-spirited, and...callous approach", he could not have summed up this contemptible Government any better. Child poverty is rising; homelessness—rising; destitution—rising; household debt—rising. When will the Prime Minister turn her warm words into action, end the benefit freeze, repeal the bedroom tax, scrap the two-child cap and halt the roll-out of universal credit?

The Prime Minister: The right hon. Gentleman referred to the poorest losing out. I will tell him when the poorest lose out: it is when a Labour Government come in. *[Interruption.]*

Mr Speaker: Order. The finger pointing, yelling and braying must stop. I understand that passions are running high, but on both sides of the House we need some sense of decorum.

The Prime Minister: When the poorest lose out, it is when a Labour Government come in. What have this Government done? We have introduced the national living wage—Conservatives, not Labour. We have taken millions of people out of paying tax altogether—Conservatives, not Labour. Under this Government, 3.3 million jobs have been created.

Every Labour Government leave office with unemployment higher than when they went into office. What do we see under this Government? Our economy is growing, employment is rising, investment is up, we are giving the NHS the biggest single cash boost in its history, taxes are being cut and wages are rising. Labour would destroy all that. It is this Conservative Government who are building a brighter future for our country.

Q6. [908026] Helen Whately (Faversham and Mid Kent) (Con): As my right hon. Friend knows, none of us looks forward to a smear test, but it can make the difference between life and death. Worryingly, nearly a third of women are missing out on cervical screening. Can I ask my right hon. Friend what steps she and her Government are taking to make sure that more women get tested and do not suffer the terrible consequences of picking up cancer too late?

The Prime Minister: I am grateful to my hon. Friend for raising what is an important point. We do recognise that we need to do more to encourage women to undertake cervical screening tests. In October, we announced a package of measures that will be rolled out across the country, which has the aim of seeing three quarters of all cancers detected at an early stage by 2028. That will see a radical overhaul of the screening programmes, and they will be made more accessible and easier to use.

But I just want to give this very simple message, and I am able to do so standing at this Dispatch Box: smear tests are not nice. All those of us who have had smear tests recognise that they are not nice. But they are important. If you want to see cancer detected early, have your smear test. A few minutes of discomfort could be saving your life.

Ian Blackford (Ross, Skye and Lochaber) (SNP): May I thank you, Mr Speaker, for your words of welcome to Sammy Woodhouse, a very brave woman who has done the right thing in waiving her anonymity? We must all call out crimes of sexual violence and those responsible must be held to account.

We were promised strong and stable. What we have is a Government in crisis: a Government that have lost two Brexit Secretaries, a Home Secretary, a Foreign Secretary, and a Work and Pensions Secretary; a Government that have suffered three consecutive defeats in just two hours, the first to do so in 40 years; and, now, a Government that have been found to be in contempt of Parliament. Is it not time that the Prime Minister took responsibility—the responsibility for concealing the facts on her Brexit deal from Members of this House and the public? Will she take responsibility?

The Prime Minister: The right hon. Gentleman is absolutely wrong about that. We have not concealed the facts on the Brexit deal from Members of this House. He will see that the legal position set out on Monday in the 34-page document, together with the statement made and the answers given to questions by the Attorney General on Monday, clearly sets out the legal position.

Ian Blackford: That is an incredibly disappointing response from the Prime Minister. The facts have had to be dragged out of this Government by Parliament. This morning, we have seen the detail of the legal advice. We have seen the fact that the Government tried to hide—this Government are giving Northern Ireland permanent membership of the single market and the customs union. The legal advice is clear. It states:

“Despite statements in the Protocol that it is not intended to be permanent...in international law the Protocol would endure indefinitely”.

Since the Prime Minister returned from Brussels with her deal, the Prime Minister has been misleading the House, inadvertently or otherwise. The Prime Minister must explain—

Hon. Members: Withdraw.

Mr Speaker: Order. There can be no suggestion of “otherwise”. The right hon. Gentleman must make it clear that there is no suggestion that the Government are misleading the House deliberately. There can be no question of that. If the right hon. Gentleman wants to use the word “inadvertently”, which people do now and again, he can, but there must be no ambiguity on the point, and I ask the right hon. Gentleman to clarify that—[HON. MEMBERS: “Withdraw.”] Order. I do not need any advice from anyone. I know exactly what I am doing, and the right hon. Gentleman must comply.

Ian Blackford: Mr Speaker, I did use the word “inadvertently”, and I repeat it. Since the Prime Minister returned from Brussels with her deal, the Prime Minister has been misleading the house, perhaps inadvertently—[*Interruption.*]

Mr Speaker: Order. I always want the right hon. Gentleman to be heard fully, and he will be, but there can be no imputation of dishonour, and the insertion of the word “perhaps” suggests that the right hon. Gentleman wants to keep his options open. The option of imputing dishonour does not exist. That word must now be removed. Please rephrase, continue and complete—briefly.

Ian Blackford: Mr Speaker, I say again: “inadvertently”.

The Prime Minister must explain why she continues to deny Scotland the rights and opportunities that her deal offers to other parts of the United Kingdom.

The Prime Minister: I think what the right hon. Gentleman will see if he makes a careful analysis of the statement that the Attorney General made, of his answers to questions and of the legal opinion that was set out by the Government—in many ways, it was unprecedented that the Government published such a 34-page document—is that the advice he is holding in his left hand has no difference from the statement given. Indeed, I might take up the personal challenge from the right hon. Gentleman, because I have said on the Floor of the House that there is no unilateral right to pull out of the backstop. I have also said that it is not the intention of either party for the backstop to be used in the first place or, if it is used, to be anything other than temporary.

The right hon. Gentleman finished by saying, once again, that he wishes to look to what Scotland should have from the deal. We are leaving the European Union as the whole United Kingdom, and we will negotiate as the whole United Kingdom. For Scotland, remaining in the internal market of the United Kingdom is the most important economic interest, and it is in the interests of Scotland to come out of the common fisheries policy. That is in our deal and our policy, and not in his.

Q8. [908028] Gordon Henderson (Sittingbourne and Sheppey) (Con): My local authority, Swale Borough Council, is being asked to find land for thousands more homes, and my constituents in Sittingbourne and Sheppey are not happy. Over the past 20 years, large-scale housing developments have transformed our area, and we feel that we have already accepted more than our fair share of new housing. Will my right hon. Friend the Prime Minister urge her Ministers to take steps to reduce the housing targets being imposed on Swale?

The Prime Minister: I absolutely recognise the concern raised by my hon. Friend, and people are often concerned when they see proposals for development in their areas. However, we need to build the homes that the country needs, so that everyone can afford a decent, safe place to call their own, and we must help more people on to the housing ladder. Young people today worry that they will not be able to get on the housing ladder, and I am sure my hon. Friend shares my determination to ensure that they are able to do so. I am pleased that in the past year we have delivered more than 222,000 new homes—the highest level in all but one of the past 31 years—and I am sure my right hon. Friend the Secretary of State for Housing, Communities and Local Government will be happy to meet my hon. Friend to discuss his local issue further.

Q2. [908022] **Stewart Hosie** (Dundee East) (SNP): Every Brexit scenario that the Government have modelled suggests that GDP growth will fall, and it falls further once the impact of ending freedom of movement is factored in. The Prime Minister continues to pretend that ending freedom of movement is a good thing, but it is a bad thing. Why is she prepared to take from our children and grandchildren the ability to travel freely throughout Europe, and why is she doing it in a way that is economically illiterate?

The Prime Minister: What the analysis actually shows is that outside the European Union, the best deal available in relation to our economy, and which delivers on leaving the European Union, is the deal on the table—the deal I have negotiated with the European Union. When people voted to leave the European Union, one issue they voted on was bringing an end to free movement once and for all, and that is what the Government will deliver.

Q12. [908032] **Alex Chalk** (Cheltenham) (Con): In its November survey, local homelessness charity P3 recorded two rough sleepers in Cheltenham—that is two too many, of course, but it is a dramatic reduction on the previous year. Does my right hon. Friend agree that that shows the value of social impact bonds that provide vital one-on-one support to people with complex needs, and will she support and congratulate the vital work of charities CCP and P3 that make such a difference to vulnerable people in our communities?

The Prime Minister: My hon. Friend raises an important issue. We are all concerned about rough sleepers, but as he says, it is finding the solutions and ways through that is important. I commend him for his excellent work in campaigning on the issues of homelessness, rough sleeping and social impact bonds, and I congratulate P3 and CCP in Cheltenham. The rough sleeping social impact bond, which is designed to support individuals who have spent a long time within the homelessness system, and to reduce rough sleeping in the long term by helping people to access the support and services they need, is an important step forward. I congratulate those organisations on the work they have done in my hon. Friend's constituency.

Q3. [908023] **Kevin Brennan** (Cardiff West) (Lab): Point 6 of the Attorney General's legal advice shows that the Prime Minister has breached her red lines not only on the single market, but also on customs. Does that mean

that it is even less likely that her deal will pass through this House? Constitutionally, that should mean a general election, but if not, is the way to resolve this issue to have a public vote on the Prime Minister's deal? Why can't she see that, and why can't she say that?

The Prime Minister: If the hon. Gentleman looks at the arrangements we have in place for the future relationship between the United Kingdom and the European Union, it is clear that we will not be in the single market and we will not be in the customs union, and we will continue to work for frictionless trade at the border. What we will have is an ambitious trade agreement unlike any that has been given to any other advanced economy—the most ambitious trade agreement that any advanced economy has with the European Union. That is good for this country, and good for jobs in his constituency.

Q15. [908035] **Mrs Pauline Latham** (Mid Derbyshire) (Con): All young people now have to stay in education or training until they are 18. Is it not time that we raised the age of marriage in this country from 16 to 18, as we ask other countries to do?

The Prime Minister: I think the number of people marrying in England and Wales at 16 or 17 is very small, and actually continues to decline. We have not seen any evidence of failings in the existing protections for people marrying in England and Wales at 16 to 18 with the appropriate consents, but we continue to keep this under review. My noble Friend Baroness Williams said back in September that we will look at whether there is any link between parents giving consent when girls are aged 16 or 17 and instances of forced marriage; that may be one of the concerns behind the point that my hon. Friend makes. We will specifically look at that issue.

Q4. [908024] **Alison McGovern** (Wirral South) (Lab): The Prime Minister knows that in March 2017, New Ferry in my constituency was devastated by a huge explosion, and many people were injured. I raised this with her in Prime Minister's questions, and she said that the community would get support to recover. After 18 months of struggling, her Secretary of State has written to me to say that New Ferry will get no such support from her Government. Was I wrong to take her at her word, or were my constituents right when they said that when it comes to helping people, you can never trust the Tories?

The Prime Minister: I think the hon. Lady knows of incidents when people in her region have been able to trust the Tories. *[Interruption.]* She knows. Let us look at the explosion in New Ferry. It was clearly devastating. It clearly impacted both residents and businesses, and I did, as she said, make a commitment to look at it. I will look at the letter that she received from the Secretary of State, because my understanding was that the Ministry of Housing, Communities and Local Government was encouraging Wirral Council to apply to a range of funding streams for various sums of money that would have been available, and that it asked Homes England to work with the council on its regeneration plans and had made money available in response to that. However, I will certainly look at the letter to which she refers.

Mr Charles Walker (Broxbourne) (Con): I rise from the naughty corner, so I might need your protection, Mr Speaker.

I thank my right hon. Friend for her determined campaigning in the area of mental health, both as Home Secretary and now as Prime Minister. Will she join me in congratulating Sir Simon Wessely, who has just done a review of the Mental Health Act 1983? His findings will be published tomorrow. Sir Simon conducted the review with great good humour, compassion and dignity. Even though this House is so divided on so many issues, it should be united on this report.

The Prime Minister: My hon. Friend is absolutely right. Mental health, and how we look at the Mental Health Act, is an important issue that I hope will unite people across the House in recognition that we were right to have this review. I am certainly happy to congratulate Professor Sir Simon Wessely on the work that he has done. He has engaged with a wide range and large number of service users and their families, as well as health organisations and professionals, to help shape his recommendations. I certainly look forward to reading them. We obviously commit as a Government to coming forward with legislation in due course. This is an important area. We should all get behind this, because we need to ensure that we are delivering for those people in our country who suffer from mental health problems.

Q5. [908025] **Jamie Stone** (Caithness, Sutherland and Easter Ross) (LD): As the Dounreay nuclear site in my constituency continues to decommission, the issue of high-quality replacement jobs is hugely important—in fact, it is crucial. I therefore welcome Her Majesty's Government's decision to locate the UK's first vertical take-off rocket launch site in the north of my constituency. I give credit where it is due, Mr Speaker. Will the Prime Minister ensure that the maximum possible number of jobs arising from the site will be located locally, in north Sutherland and Caithness, and not somewhere much further south?

The Prime Minister: I thank the hon. Gentleman for his remarks about the Government's decision. This is an exciting opportunity for the United Kingdom to take a leading role in the new commercial space age. He has referenced the new spaceport and the ambition we have for it. I understand that, following a report by the local crofters association, Highlands and Islands Enterprise is moving ahead with its plans, which could create 40 skilled jobs locally in spaceport construction and operation. I recognise the importance of the skilled jobs he is talking about locally. This is a real opportunity for his constituency, but it is also an opportunity for the UK to be at the leading edge of this technology.

Sir William Cash (Stone) (Con): The motion relating to the Attorney General that was passed yesterday related to the whole agreement, not just to the question to which the letter that has now been published relates, which is exclusively the protocol on Ireland and Northern Ireland. Given that the ministerial code states:

"The Law Officers must be consulted in good time before the Government is committed to critical decisions involving legal considerations",

and that the Attorney General has stated that the international agreement is binding on the United Kingdom and the EU, why have we not had an opinion on matters

such as the control over laws, European Court of Justice jurisdiction and the incompatibility of the agreement with the repeal of the European Communities Act 1972—matters that are of seminal importance in deciding this question?

The Prime Minister: I suggest that my hon. Friend looks at the remarks that were made in the Chamber yesterday following the Government's announcement that they would publish the final advice given by the Attorney General that was asked for.

My hon. Friend has referred again to the repeal of the European Communities Act 1972. As I have said in answer to him on more than one occasion in this Chamber and in the Liaison Committee, it was always clear during the passage of the European Union (Withdrawal) Act 2018, which did indeed repeal the 1972 Act and bring the EU *acquis*—EU law—into UK law, that in the event that there was an implementation period in which we were to operate much as we do today as a member of the European Union, it would be necessary to ensure that any necessary changes were made, and those changes will be made in the withdrawal agreement Bill, which will be brought before Parliament.

Q7. [908027] **Mrs Sharon Hodgson** (Washington and Sunderland West) (Lab): The Prime Minister may recall that, last week, I asked her about the terrible funding settlement for Tyne and Wear fire and rescue service. Well, I was not happy with the answer, so I am going to try again. In the light of the fact that funding local services such as police and fire through the council tax precept just does not work in areas such as mine, will she look again at this funding formula, which will leave such areas perilously close to having unsafe fire and police services very soon?

The Prime Minister: I understand that, in Home Office oral questions this week, the Minister for Policing and the Fire Service undertook to get back to the hon. Lady. As he made clear this week, the authority's core spending power has increased this year. I am also informed that the Tyne and Wear service holds £25 million of reserves, which is equivalent to 52% of its core spending power.

Trudy Harrison (Copeland) (Con): In Cumbria, we have endured 42 days of rail strike action, despite the Transport Secretary's assurance that the guards on the Cumbrian coastal line will remain. Will my right hon. Friend the Prime Minister condemn the actions of the RMT, which have left vulnerable people without public transport and businesses suffering in the run-up to Christmas?

The Prime Minister: I do indeed condemn the action that has been taken by the RMT, which as my hon. Friend says is leading to people and businesses suffering. We call on the RMT to end the strikes. The jobs have been guaranteed beyond this franchise. There is no reason to continue this needless action. The message is very clear: "Stop the strikes, get round the table and put passengers first."

Q9. [908029] **Julie Cooper** (Burnley) (Lab): Ofsted reports that 1.3 million children with special educational needs are not having those needs met at school and that over

2,000 children on education, health and care plans in 2018 received no support whatsoever. Ambitious about Autism reports a 60% increase over the past four years in autistic children being excluded from school. Will the Prime Minister please look beyond those figures to the children affected and to the distress that they and their parents are experiencing? Does she agree that this is a national scandal that needs to be addressed with the utmost urgency?

The Prime Minister: Every child deserves the right education for them. We are working to drive up quality for children with special educational needs and for those with disabilities. We have taken several steps, such as introducing a new inspections framework and focusing more on a local area's strengths and weaknesses, and we are working to spread best practice, but that is being dealt with better in some areas than in others. When used properly, EHC plans do ensure that support is tailored to the needs of children and that families are put at the heart of the process, and more money is going in this year for children with special educational needs. However, I recognise that parents of children with special educational needs often feel that they constantly have to beat their heads against the bureaucracy that they come up against to ensure that they get the right support for their children. We are committed to ensuring that we are delivering for children and that we are delivering quality education that is right for children with special educational needs.

Rachel Maclean (Redditch) (Con): I know how much the Prime Minister likes to get out on to the doorsteps of her constituency whenever she is able to, as I like to in mine. Does she, like me, find that people are raising the issue of potholes on a regular basis, and does she, like me, welcome the fact that we are spending £6.7 million—[*Interruption.*]

Mr Speaker: Order. This happens in my constituency as well. I want to hear about the pothole situation in Redditch and elsewhere.

Rachel Maclean: Thank you, Mr Speaker. The roads in Redditch are excellent on the whole, but we are pleased that Worcestershire was awarded £6.7 million of funding in the recent Budget. How quickly does the Prime Minister think that that money will be spent on fixing our roads?

The Prime Minister: My hon. Friend raises an important issue. Potholes, local services and other issues that matter to people on a day-to-day basis are issues that are raised on the doorstep. My understanding is that the money is available and should be being spent now.

Q10. [908030] **Joanna Cherry** (Edinburgh South West) (SNP): In the Scottish case that has established that article 50, or the Prime Minister's article 50 notice, can indeed be revoked, the UK Government have lost three times: in the Supreme Court of Scotland, the UK Supreme Court and, yesterday, in the advocate general's opinion in the Court of Justice of the European Union. Can the Prime Minister tell us why she has put so much public money and energy into depriving this Parliament of legal certainty about the options that will be open to it when her deal is voted down next week?

The Prime Minister: Both the UK Government and, actually, the European Commission felt that it was right that the issue be tested. We will not revoke article 50. That is clear. The Government will not revoke article 50. Everyone in the House needs to understand what the judgment of the advocate general means. If experience is anything to go by, the Court will go with it, but it still has not come to its final decision. However, if the determination of the advocate general goes ahead, it says that it is possible for a country unilaterally to revoke article 50, but that is not about extending article 50—it is about making sure that we do not leave the European Union. That is what that judgment is about. We will not revoke article 50. The British people voted to leave the European Union and we will be leaving.

Paul Scully (Sutton and Cheam) (Con): A number of Members of this House and members of the public are still concerned that we may risk being in an extended, if not permanent, backstop situation or customs territory. Can my right hon. Friend explain why, in her opinion, the European Union will not want that to exist and why it will negotiate in good faith for an extensive free trade agreement?

The Prime Minister: My hon. Friend is absolutely right. I recognise that there are concerns about the backstop but, for a number of reasons, it is indeed the case that it is not attractive for the European Union to have the United Kingdom in the backstop. First, in that backstop, we will be making no financial obligation to the European Union, we will not be accepting free movement and there will be very light touch level playing field requirements. These are matters that mean that the European Union does not see this as an attractive place for it to put the UK. The EU thinks that is an attractive place for the UK to be in and it will not want us to be in it for any longer than is necessary.

Q11. [908031] **Patricia Gibson** (North Ayrshire and Arran) (SNP): The European structural fund is worth billions to Scotland, and it funds initiatives in my constituency of North Ayrshire and Arran such as tackling poverty and promoting social inclusion. The fund is to be replaced by the UK shared prosperity fund. However, we have no real detail or clarity as to how this fund will be designed or when it will begin. Why not?

The Prime Minister: That will indeed be replaced by the shared prosperity fund, which will look at ensuring that we deal with the disparities that exist between communities and between nations. The Government will be consulting before the end of the year.

Derek Thomas (St Ives) (Con): Next week will be the first opportunity for MPs to vote on the withdrawal agreement, and I was glad to have the opportunity to speak in the debate last night. Can my right hon. Friend assure the House and my constituents that, should the withdrawal agreement not secure the support of Parliament, Her Majesty's Government will seek early dialogue with negotiators in Brussels to seek to address the genuine concerns of MPs on both sides of the House?

The Prime Minister: I believe that the deal we have negotiated is a good deal. I recognise that concerns have been raised, particularly around the backstop. As I said

yesterday in my speech during the debate, I am continuing to listen to colleagues on that, and I am considering the way forward.

Q13. [908033] Nick Smith (Blaenau Gwent) (Lab): One of my constituents has lost thousands of pounds from his British Steel pension as he was preyed upon by a rogue financial adviser and it has happened to hundreds of others across the country. The Financial Conduct Authority does not have the teeth to sort this out. I think that ripping off pensioners is criminal. Does the Prime Minister agree?

The Prime Minister: I am very sorry to hear of the case in relation to the pension of the hon. Gentleman's constituent and the actions of that financial adviser. I will ensure that the Treasury looks at this issue and these sorts of cases with the Financial Conduct Authority.

Vicky Ford (Chelmsford) (Con): Our country's children are our country's future. Yesterday, Ofsted reported that 95% of early years providers are now rated good or outstanding, up from 74% six years ago. Will the Prime Minister join me in thanking all those who work in early years organisations for giving our children the very best start in life?

The Prime Minister: I absolutely agree with my hon. Friend that early years education is important. It is important for children to give them that good start in life, and it is to be welcomed and applauded that 95% of those providers are now rated good or outstanding. We should thank all those who work in early years provision for the excellent work they are doing for our children and their future.

Q14. [908034] Mr Gregory Campbell (East Londonderry) (DUP): This morning's legal advice refers to the backstop as a permanent arrangement that will "endure indefinitely," which repeats previous assertions. Does the Prime Minister agree, at this last moment, that the entire premise of the backstop has been based on a false assertion? It is a practical, physical and political impossibility, under any circumstances, for a hard border to emerge on the island of Ireland. Why has she allowed that to be used as a negotiating ploy by the EU against the United Kingdom?

The Prime Minister: This is not a negotiating ploy by the European Union against the UK. It is our commitment, as a UK Government, to the people of Northern Ireland. The hon. Gentleman says that the political assertion that there will be no hard border is sufficient to give people reassurance for the future. I say no. What people want to know is that arrangements will be in place. It does not have to be the backstop. The future relationship will deal with this. The extension of the implementation period could deal with the temporary period. Alternative arrangements could deal with it. But people need to know it is beyond a political assertion that there is that commitment there to the people of Northern Ireland to ensure that we have no hard border.

Bob Blackman (Harrow East) (Con): Yesterday, London students heard from the renowned Holocaust survivor Hannah Lewis, who described the horrors of Europe's darkest hour. As we celebrate the festival of Hanukkah,

does my right hon. Friend agree that there could be no better place for the national Holocaust memorial and learning centre than alongside this Palace of Westminster, to stand as a permanent memorial to the horrors of the ultimate of antisemitism?

The Prime Minister: I commend Hannah for the contribution she is making and has made over the years in bringing home to people the absolute horrors of the Holocaust. I commend the work of the Holocaust Educational Trust, which does important work up and down our country. I absolutely agree with my hon. Friend that there is no better place for the Holocaust memorial and learning centre to be than right next to our Parliament. What is important is that this is not just a memorial; it is a learning centre and it will be educating young people and others about the horrors of man's inhumanity to man.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I, too, would like to take the opportunity to express my respect to Sammy Woodhouse for her courage. Yesterday, the National Assembly for Wales became the first Parliament on the British Isles to reject the Prime Minister's deal and clearly it will not be the last. Wales has seen through how she is intent on inflicting GBH—her Government's Brexit harm—on our nation. Beset on all sides, will she come to her senses and rule out a no-deal scenario before this House forces her to do so?

The Prime Minister: If the hon. Lady is concerned about the possible effects of a no-deal scenario, the only way to ensure that there is not a no-deal scenario is to accept a deal scenario and accept the deal that is on the table.

Mr Mark Francois (Rayleigh and Wickford) (Con): Prime Minister, the legal witch hunting of military veterans, which I have been raising with you for about a year now, is getting worse. The latest victim is David Griffin, a 77-year-old former Royal Marine who is being reinvestigated for an incident that took place in Northern Ireland 45 years ago, on which he was thoroughly cleared at the time. They knew where to find him, because he is an in-pensioner at the Royal Hospital Chelsea. How is it that we live in a country where alleged IRA terrorists are given letters of comfort and we go after Chelsea Pensioners instead? Prime Minister, this nonsense must stop. Please, please, do something about it.

The Prime Minister: My right hon. Friend raises a particular case, which will have touched everybody across this House. He also raises the contrast between the treatment of veterans and the treatment of terrorists. About 3,500 people were killed in the troubles, 90% of whom were murdered by terrorists, and many of these cases require further investigations, including the deaths of hundreds of members of the security forces. We have committed to establishing new mechanisms for dealing with this, in a balanced and proportionate way. We are concerned that at the moment we see a situation where there has been a disproportionate emphasis on those who were serving military or police officers at the time. I want to ensure that the terrorists are investigated, and we continue to look at this question. We have consulted on it and we will be responding to that consultation.

I recognise the strength of feeling from my right hon. Friend and others about this issue and the Government will be responding in due course.

Louise Haigh (Sheffield, Heeley) (Lab): I know the whole House is inspired by the bravery of Sammy Woodhouse in speaking out so that we can drive real change, and is horrified by the news that the man who raped Sammy and is serving a 35-year prison sentence was encouraged to seek access to her child through the family courts. Does the Prime Minister agree that no man who has fathered a child through rape should have parental rights? Will she seek to amend the legislation, through the Courts and Tribunals (Judiciary and Functions of Staff) Bill when it comes back to this House, so that men who have fathered children through rape cannot weaponise the courts to access children and re-traumatise their victims all?

The Prime Minister: This is obviously a very distressing case and I am sure that, as we have just heard, the concerns of the whole House rest with Sammy Woodhouse and with what has happened in this case. As the facts have been reported, I am sure we all consider it extraordinary that this should have happened in the first place. What is important is that the Ministry of Justice and other Departments are urgently looking at and working with local authorities on the issues raised in this case to ensure that there is a process in place in future that does protect children and mothers from harm. I understand that the hon. Lady has met the Under-Secretary of State for Justice, my hon. and learned Friend the Member for South East Cambridgeshire (Lucy Frazer), and I urge her to continue engaging with the MOJ on this very important issue.

Point of Order

12.55 pm

Anna Soubry (Broxtowe) (Con): On a point of order, Mr Speaker. When you quite properly point out a citizen of this country who has done a remarkably courageous thing, as Sammy Woodhouse has done, we all want to support her and to applaud. The only reason why there was no applause from Members on these Benches—there was applause from people in the Public Gallery—was because of the conventions of this House. May I suggest that we really do need to sort this out? I say that because this was not a sign of disrespect or of a lack of support here; it was merely the convention. That needs to be recorded and as a House we need to sort this out.

Mr Speaker: I am very grateful to the right hon. Lady for her point of order. I had not known that that was what she was intending to raise—I could not have done, because, whatever other merits I may have, I am not psychic. But I do now know what she has in mind and my response is to say that I have sought to exhibit flexibility in this matter. In other words, when it is obviously a spontaneous reaction in the House, particularly one of a non-partisan character, the Chair is very much inclined to be accommodating of that. When a political party engages in what might be called orchestrated clapping, in defiance of the convention of the House and really in celebration of a party point, that is inappropriate and the Chair deprecates it. I think it would have been different in this situation. This Speaker has not exactly been a slave to convention, as I think the right hon. Lady will agree. All sorts of conventions have been adjusted, and situations evolve in accordance with changing mores in this House, and this Speaker would seek to be flexible. She has registered the fact that Members on the Government Benches wish to extend a very warm welcome to Sammy Woodhouse, as did people on the Opposition Benches. As far as I can tell, that feeling was universally exhibited across the House.

Immigration (Time Limit on Detention)

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

12.58 pm

Tulip Siddiq (Hampstead and Kilburn) (Lab): I beg to move,

That leave be given to bring in a Bill to make provision for a maximum period of detention under the Immigration Act 1971 of 28 days; and for connected purposes.

I realise that I have chosen to introduce my first ten-minute rule Bill in a very quiet week in Parliament, but I hope that colleagues from across the House will indulge me as I speak about a campaign that I am very passionate about and which is close to my heart. I am proud to be an MP for a constituency that has a proud history of welcoming immigrants. My constituency has a long history of welcoming economic migrants from Ireland and refugees fleeing political persecution in Nazi Germany. At this moment in time, my constituency has 22,000 European Union nationals, who form the very fabric of our community. I am proud that both the councils in my constituency recently welcomed refugees from Syria and Somalia. My mother came here as a political asylum seeker in the 1970s and settled in the very constituency I am now proud to represent here in Westminster.

I am sure Members from all parties will agree that we are proud of the fact that Britain is a safe haven for people who cannot go back to their country of origin. The practice in our country of indefinitely detaining people, however, blights the nation, and we should all be ashamed of it. We are the only country in the EU—and one of only a few in the world—that indefinitely detains people. Immigration officers go around in the middle of the night capturing people and putting them in prison-like cells. Many Members from all parties will have visited these detention centres and will know the conditions in which these people are kept.

In this country, we have legislation that limits how long terror suspects and criminal suspects can be detained. Terror suspects can be detained without charge for 14 days and criminal suspects can be detained without charge for 28 days, but we do not afford that same protection to refugees, asylum seekers and immigrants. That should put us to shame. The people who are detained range from nurses to doctors to teachers to students. Some of them have no previous criminal convictions and have come here to seek economic opportunity. Some of them are former offenders who have served their term and come here to make a life for themselves anew. They are people who have come here because they have gone through insufferable trauma in their country of origin and this is a safe haven for them. Many are men, some are women and some are children, but above all they are human. Detaining them indefinitely is a blight on their human right to freedom.

Members from Government and Opposition parties who have been to detention centres will know what they are like. People are ripped away from their families in the middle of the night and put in bare cells, with no recourse to legal advice so that they can know when they are going to come out. Unfortunately, cases of abuse and neglect are commonplace. When the Red Cross

interviewed some of these detainees and asked them what was the very worst thing about being detained, Emmanuel said that it was not knowing when he was going to be released. The thought that there was no limit on how long he was going to be in that cell caused such mental trauma and mental health problems. A similar detainee talked to the Red Cross about how she could see no light at the end of the tunnel because she knew that her situation could go on forever. That should shame us all.

Being in indefinite detention leads to problems with mental health. There have been 600 cases in which people have needed medical assistance and treatment because they have suffered and gone on to self-harm. Indefinite detention has led to an epidemic of suicide and self-harm throughout our detention centres. It has reached the point at which, when Amnesty and the Red Cross interviewed people, nearly all of them had witnessed some form of suicide, self-harm or desperation, having been stuck in those cells for so long.

For me, the worst thing is that people are not detained for reasons of criminal justice but because of an inefficient administrative process that insiders themselves have admitted could be sped up and take only weeks, rather than months. That should make us even more embarrassed. The Home Office guidance says that people should be detained for a reasonable amount of time. Does the House think it is reasonable to detain someone for more than two years, as happens regularly? One fifth of detainees spend more than two months at a time in cells. At what point does that become reasonable or unreasonable?

When we have discussed whether we should have a 28-day limit, a lot of people have objected. For those who object and are not convinced by my arguments about detention being cruel or inhumane, let us think about the cost and how inefficient the system is. Currently, the system is wholly inefficient and hugely costly. The House should reflect on these figures: it costs £86 a day to detain someone and £34,000 a year for everyone who is currently detained. Matrix Evidence found that if we imposed a time limit and got people out when they were meant to be out, we would save £344 million over five years. So those Members who are not convinced by the emotional argument should think about the money that could be saved if we had a proper time limit on detention.

Furthermore, the existing policy seems to be to detain first and ask questions later. Perhaps if there was a time limit, the immigration officers who go around could ask the questions, handle things more sensitively and detain later. A time limit might also curb the cruel practice of mistaken detention, which happened to two people from the Windrush generation last year.

The Home Secretary has said that a 28-day limit on detention is based on slogans rather than evidence. It is not based on slogans; it is a cry that has come from report after report, committee after committee and investigation after investigation. The all-party group on refugees has called for it, Select Committees have called for it, and experts in the UN, EU and international non-governmental organisations have called for it. My Bill is backed by Liberty and Amnesty.

When I put forward my Bill, I approached some unlikely names from the Government Benches and was impressed by how quickly people came back to me to say that they wanted to support it. For the past few months, we have had huge division in the House, but I was inspired and reassured by the fact that ultimately we are all here because we want to make society a better place. We want a more equal society in which the most vulnerable are protected.

We have to think about the history of our country. Some 800 years ago, in a field in Runnymede, the Magna Carta laid out our basic civil liberties. It set out how people should not be imprisoned without due process and a fair trial. The criminal system in this country now is not perfect, but it serves us well. However, there is one part of our legislation and criminal justice system—in society and generally in Parliament—where we have failed. We have absolutely failed to protect the most vulnerable because we allow them to be detained without any hope, without any reason and without a light at the end of the tunnel. I say to the Home Secretary: there is no time for a review—we have been there and done the reviews. This is about life and death, and we need to act now, so I implore Members from all parties, who have really indulged me by listening to my very long speech: please get together and support me—I ask for your support, too, Mr Speaker—to make sure that we end the indefinite detention of the most vulnerable in society.

Mr Speaker: Far be it from me to argue, but the hon. Lady has not made a long speech; she has made a speech absolutely within her rights and in conformity with the title. The clue is in the title: it is called a ten-minute rule motion. She was within her time.

Question put and agreed to.

Ordered.

That Tulip Siddiq, Mr David Davis, Mr Dominic Grieve, Dame Caroline Spelman, Mr Andrew Mitchell, Paul Blomfield, Lisa Nandy, Layla Moran, Rushanara Ali, Christine Jardine, Mr David Lammy and Stella Creasy present the Bill.

Tulip Siddiq accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 25 January 2019, and to be printed (Bill 302).

European Union (Withdrawal) Act

[2ND ALLOTTED DAY]

Debate resumed (Order, 4 December).

Question again proposed,

That this House approves for the purposes of section 13(1)(b) of the European Union (Withdrawal) Act 2018, the negotiated withdrawal agreement laid before the House on Monday 26 November 2018 with the title ‘Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community’ and the framework for the future relationship laid before the House on Monday 26 November 2018 with the title ‘Political Declaration setting out the framework for the future relationship between the European Union and the United Kingdom’.

Mr Speaker: Just before I ask the Secretary of State for the Home Department to open the continuation of the debate on behalf of the Government, I feel that it is important that Members are aware of the correct protocol for today and for each of the remaining subsequent days in this overarching debate on the Government’s proposed deal.

It is true that it is a debate essentially revolving around one subject. However, I should remind colleagues that there are wind-up speeches each day from the Opposition and Treasury Benches, and the implication of that should be blindingly obvious to colleagues: if you speak in the debate it is incumbent on you to turn up at whatever hour the debate is concluded to hear the wind-up speeches. Yesterday, I am sorry to say, there were a number of examples of Members who spoke, in some cases at considerable length, in the debate, but who, on account no doubt of being very busy with many commitments and very full diaries, felt that they had to be elsewhere for the wind-up speeches. I know and I think that it may well be widely accepted that the Prime Minister and the Leader of the Opposition did not come for the wind-up of the debate, and, personally, I take no exception to that at all—it would have been marvellous to welcome them, but I quite understand why they could not be here—but in every other case, if you speak in the debate, please then do me the courtesy, or do the House the courtesy, of turning up for the wind-ups. With that little homily duly completed, I invite the Secretary of State for the Home Department to continue the debate.

1.11 pm

The Secretary of State for the Home Department (Sajid Javid): It is a great pleasure for me to open this debate. I cannot think of a better way to celebrate my 49th birthday.

The coming weeks will be one of the most defining political periods not just of this Parliament or of our time as MPs, but since the second world war. I know that all hon. and right hon. Members will have the national interest at the very forefront of their minds. Next Tuesday, we will be asked whether we will support the Brexit deal of my right hon. Friend the Prime Minister. Each one of us will have to make that decision. It is my belief that the deal on the table is the best option available in ensuring a smooth exit from the European Union. It will ensure that we leave the EU, as planned, on 29 March next year, that we take back control of our borders, that we end the jurisdiction of

the European Court of Justice in the UK and that we stop sending vast sums of money to Brussels. The deal will have a significant impact on two major areas of Home Office policy—security and immigration.

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

Sajid Javid: I will very happily take an intervention from the right hon. Gentleman.

Nigel Dodds: I am very grateful to the Home Secretary. He has just mentioned taking back control and ending the jurisdiction of the European Court of Justice. I presume that he has seen the legal advice, published today, from the Attorney General, which makes it clear that, in fact, that is not the case in terms of the backstop, which he also says is indefinite. The advice says:

“NI remains in the EU’s Customs Union”—

not in some kind of customs arrangement—

“and will apply the whole of the EU’s customs acquis, and the Commission and CJEU will continue to have jurisdiction over its compliance with those rules”.

Northern Ireland will treat Great Britain as a third country. How can he possibly stand here and recommend this deal and say that it brings to an end the jurisdiction of the Court of Justice and takes back control?

Sajid Javid: I very much respect what the right hon. Gentleman has just said. He has shared it with the House on a few occasions, and I absolutely understand what he says. Let me just say from the outset: no one can pretend that this deal is perfect in every sense. Inevitably, there will be some compromises with this deal and with a number of objectives, including, as we have just heard from the Prime Minister in Prime Minister’s questions, a need to ensure that the commitments in the Good Friday agreement are upheld. What he is referring to is if—and it is an if—the backstop arrangement kicks in. He is right to point to the legal advice, but it is worth keeping in mind the fact that that situation does not necessarily arise, even if there is no final deal on the future arrangement by December 2020, because there is an opportunity for alternative arrangements, including extending the implementation period. Even if the backstop arrangement kicked in, he referred to, it is, at a minimum—legally from the European Union’s perspective—not sustainable because it is done under article 50 of the European Union’s own rules.

Mr Kenneth Clarke (Rushcliffe) (Con): Does my right hon. Friend not accept that, if we are maintaining an open border where there is a land border, it can only be done in a modern economy by having some form of customs union applying to both sides of the border? Unless and until someone else comes forward with an alternative way of timelessly guaranteeing an open border, the arrangement proposed is the only conceivable one that is possible for the foreseeable future, until something better comes along. This was quite obvious months ago, and it is quite futile to start protesting about it now.

Sajid Javid: I always listen carefully to what my right hon. and learned Friend has to say on all matters. It is correct that this is one way to ensure, in that all-important border, completely frictionless trade, but I do not accept that it is the only way to do that. Although it is recognised in the agreement, under the backstop arrangement, that this is a way that clearly has been foreseen by this

agreement, there are, as I said a moment ago, potentially other ways that that can be achieved, and it is right that we properly explore all possible alternative arrangements.

Sammy Wilson (East Antrim) (DUP): Rather than listen to the advice of the Father of the House, will the Secretary of State listen to the advice of the Taoiseach of the Irish Republic, Mr Juncker and Michel Barnier in the EU and his own Government, all of whom have said that, in the event of a no deal or of any kind of deal, they would not impose a hard border between Northern Ireland and the Irish Republic, so, quite clearly, it must be possible to do this, despite the comments of the Father of the House.

Sajid Javid: What the right hon. Gentleman highlights is that it is important to listen to all voices. Again, it points to the fact that, although this is one arrangement, it is right that we look and continue to explore to see whether there are other arrangements that can lead to a more permanent and more easily acceptable outcome.

Several hon. Members *rose—*

Sajid Javid: I will give way one more time, but I do need to make some progress.

Hilary Benn (Leeds Central) (Lab): I thank the Home Secretary for giving way. The legal advice released this morning makes it clear that the protocol does not provide for a mechanism that is likely to enable the UK lawfully to exit the UK-wide customs union without a subsequent agreement. It goes on to say:

“This remains the case even if parties are still negotiating many years later, and if the parties believe that talks have clearly broken down and there is no prospect of a future relationship agreement.”

Does that not undermine the point that he made a moment ago when he argued that this arrangement was not sustainable in the long term because of the limitations of article 50? The advice of the Attorney General is that it is going to last.

Sajid Javid: I thank the right hon. Gentleman for his comments. No doubt he has had some time to digest the legal opinion, but he might also note that it is perfectly consistent with what the Attorney General said at this Dispatch Box earlier this week. He made it clear then that, naturally, what he is providing is legal analysis, but this should also been seen in the context of the politics of such a situation, and he set that out quite clearly as well on the day. I refer the right hon. Gentleman to the remarks that the Attorney General made on that point earlier this week.

John Redwood (Wokingham) (Con): Will the Home Secretary confirm that if we approve the withdrawal agreement, the UK will have to pay a lot of money for many years after we have left the European Union, although there are no cash limits or numbers in the documents, and very general heads? Will he also confirm that the EU will have preponderant power in deciding just how vast this open-ended commitment will be, and that it will be massively more than £39 billion?

Sajid Javid: In the withdrawal agreement, there is an estimated amount that the UK will pay. It will not be instant; it is over a number of years. The general figure that has been talked of by Government Ministers and others is a total of £39 billion.

Joanna Cherry (Edinburgh South West) (SNP): Will the Secretary of State give way?

Sajid Javid: I will come back to the hon. and learned Lady in a moment.

The Home Office is affected by this deal in two significant areas: security and immigration. Today I will set out what is on offer in these two important areas and why the deal is in the interests of the United Kingdom. Let me start with security. The Brexit deal negotiated by the Prime Minister delivers the solid foundation that we need for future security co-operation with our European partners. It avoids a cliff edge by providing for an implementation period, ensuring a smooth transition from current arrangements to a new, strong partnership.

An unplanned no-deal Brexit would mean an immediate and probably indefinite loss of some security capability, which, despite our best efforts, would likely cause some operational disruption when we leave. As Home Secretary, I know which option I would prefer. I have seen at first hand how important it is to have a strong security partnership with our European allies. I have seen the potential dangers that such co-operation prevents, and the security and safety that it ensures.

John Woodcock (Barrow and Furness) (Ind): Of course, what the Home Secretary says about no deal is right, but the Chancellor has earned some respect for showing a level of candour this week by saying that there will be an economic trade-off with any form of Brexit. Will the Home Secretary be similarly open with the House and the public that there will be some form of security trade-off over Brexit in order to achieve the aims of the Brexiteers?

Sajid Javid: I point the hon. Gentleman to the assessment of the security arrangements in the deal that we published in quite some detail last week. I accept that, with this deal, security arrangements will inevitably be different because we will be a third country outside the EU, but I think we can safely say that it is the most comprehensive security agreement that the EU has with any third country.

Tim Loughton (East Worthing and Shoreham) (Con): The Home Secretary has spent some time giving evidence to the Select Committee on Home Affairs recently on the subject of database access. Yesterday, the Prime Minister was questioned by a fellow member of the Committee, the hon. Member for Cardiff South and Penarth (Stephen Doughty), on the question of whether Schengen Information System II is included in the agreement. The Prime Minister stated that it is referred to in the political declaration, but paragraph 86 of the declaration only refers to passenger name record data and Prüm, not to SIS II, which is a vital database. Will the Home Secretary now put the House straight as to the exact situation with those databases?

Sajid Javid: I will happily do so, although I do not have the exact paragraph before me. In terms of the SIS II database, the document refers to the wanted and missing persons database. It also refers to another database—on European criminal records—in a similar vein. The declaration says that we will consider co-operation on those databases, but it does not guarantee that.

David Hanson (Delyn) (Lab): Could the Secretary of State point me to the pages in the document that he has published that give guarantees on our continued

[David Hanson]

membership of Europol, Eurojust and the European arrest warrant? As a former Home Office Minister, I can tell him that they are critical to the safety of our citizens, but they are absent from the document.

Sajid Javid: The agreement clearly refers to the mutual exchange of data on passenger name records, DNA, fingerprints, vehicle registrations and fast-track for extradition—which I will cover later in my speech—as well as continued co-operation with Europol and Eurojust.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I just want the Home Secretary to clarify his answer. I cannot find any reference to SIS II anywhere in the political declaration. I am very happy to give him my copy if he does not have one with him. As the hon. Member for East Worthing and Shoreham (Tim Loughton), who is also a member of the Home Affairs Committee, said, paragraph 86 refers only to passenger name record data and the Prüm database. It does not refer to SIS II. Will he clarify for the House that there is no reference to SIS II in the declaration?

Sajid Javid: I thank the right hon. Lady for the focus that her Select Committee has brought to this issue, including recently. Just to be clear, there is no claim that the document itself refers to the database as SIS II or to the European Criminal Records Information System database, for that matter. The document talks about considering continued co-operation on the kind of information that is in those databases. We will properly consider the matters to see whether there is a way to continue that type of co-operation.

Yvette Cooper: Will the Secretary of State give way one more time?

Sajid Javid: I will give way to the right hon. Lady one more time as she is the Chair of the Home Affairs Committee.

Yvette Cooper: Paragraph 87 refers to considering further arrangements and arrangements that might “approximate those enabled by relevant Union mechanisms.”

The SIS II database contains 76 million pieces of information. There is no sign that anybody is going to create another alternative database that contains just as much information, so what on earth does it mean to talk about approximating access to the SIS II database? Either we get access to it or we do not.

Sajid Javid: It means exactly what it says in paragraph 87, which is that we will “consider further arrangements” that will help the

“exchange of information on wanted or missing persons...and of criminal records”.

Give the right hon. Lady’s interest in these matters, she will be more aware than most Members of this House that we did not join this database until 2015. Before that, we were using other databases on wanted and missing persons, including the Interpol database, so there are other pieces of data that we can use for this type of information. However, it is good that we have an outcome whereby we will consider further co-operation on exactly this kind of important information.

James Heappey (Wells) (Con): For all the concern that is being expressed by colleagues on both sides of the House, is the Home Secretary aware of a single Interior Minister or security agency chief around the whole EU who actually wants to reduce the level of co-operation that the UK currently has with the EU and the countries within it?

Sajid Javid: My hon. Friend makes a very good point. In all my discussions with Interior Ministers on security co-operation, I have not come across a single one who wants to reduce security co-operation. Every single one understands the mutual benefit that comes about through continued co-operation and information exchange.

The deal that the UK has reached with the EU will provide for the broadest and most comprehensive security relationship that the EU has ever had with another country. This agreement allows for our relationship to include various important areas of co-operation: continuing to work closely together on law enforcement and criminal justice; keeping people safe in the UK, across Europe and around the world through exchanging information on criminals and tackling terrorism; ensuring that we can investigate and prosecute those suspected of serious crime and terrorism; supporting international efforts to prevent money laundering and counter-terrorist financing; and combating new and evolving threats such as cyber-security. It also allows for joint working on wider security issues including asylum and illegal migration.

The declaration sets out that we should carry on sharing significant data and processes such as passenger name records, so that we can continue disrupting criminal networks involved in terrorism, serious crime and modern slavery; DNA, fingerprint and vehicle registration data, ensuring that law enforcement agencies can quickly investigate and prosecute criminals and terrorists; fast-track extradition to bring criminals to justice quickly where they have committed a crime; and continued co-operation with Europol and Eurojust.

Chris Bryant (Rhondda) (Lab): The thing is that that is completely a wish list. It is all in the political declaration, but it is no more deliverable than a letter to Santa Claus—it really isn’t—because there is no settled policy on extradition, and no settled policy on a legal definition that could be delivered through the law courts on any of these elements. The proof of this is that the Government do not even have an immigration policy. It is all very well having a wish list, but how on earth could a serious Member of Parliament vote for nothing more than a wish list?

Sajid Javid: With regard to leaving the EU, the only wish list I am aware of that is worth nothing is Labour’s so-called six principles. That is the wish list that the hon. Gentleman has continually supported again and again. In this deal, specifically on security co-operation, there is, for example, an agreement on mutual exchange of data on passenger name records, DNA, fingerprints, vehicle registrations and fast-track extradition. He should go and explain to his constituents how important that is to them.

Kate Green (Stretford and Urmston) (Lab): Can the Home Secretary confirm that if we are out of the European arrest warrant and unable to put any identical

arrangement in place, a number of countries will be unable in future, under their own constitution, to extradite their nationals to this country?

Sajid Javid: We are not going to have an identical way of extradition in future because there is no need for an identical way. We will be outside the European Union, no longer a member, so it is not appropriate that we are members of exactly the current mechanism—the European arrest warrant. However, that does not mean that we cannot continue to co-operate through an agreement with the EU on fast and expeditious extradition procedures and fast-track extradition. That is in the agreement; it has been agreed.

Kate Green: Will the Home Secretary give way?

Sajid Javid: No, I will not—I have to make some progress.

When it comes to external threats, we will be able to have an ambitious partnership on foreign policy, security and defence that will enable both sides to combine efforts for the greatest impact. It allows for ongoing co-operation on other important cross-cutting issues, including countering violent extremism and the spread of infectious diseases.

Of course, there is some further work to be done to ensure that we build on the foundation that this deal provides. This is not about wanting to stay close to the EU and its security arrangements just for the sake of it. We are leaving, and our relationship must change. This is about a hard-headed, pragmatic, evidence-based decision on what is the best security interest of the UK.

Mike Gapes (Ilford South) (Lab/Co-op): Can the Home Secretary confirm that because we will not be participating in the PESCO—permanent structured co-operation—arrangements, we will have no seat in the room, no voice and no vote or veto within any of the foreign policy defence and security arrangements; we will not be in the European Defence Agency; and we will not, unless we have a special arrangement, be in the European Defence Fund? What is the point of that in terms of increasing our security?

Sajid Javid: I would say gently to the hon. Gentleman that of course when we have left the EU we will not be participating as direct members in those kinds of foreign security tools. We will have our own independent foreign and defence policy, and we will have the ability, if we choose, to align ourselves with the EU. He should also remember, and it is worth recalling in this House, that our security is underpinned across Europe by our membership of NATO, not membership of the European Union. Ultimately, I believe that this deal strikes the right balance on security, and we will keep Britain one of the safest countries in the world.

I turn now to the consequences for security of no deal. An unco-operative no deal would have an impact on protecting the public. There will be no implementation period smoothing our transition into these new arrangements. The UK would have to stop using EU security tools and data platforms from March next year. There will be unhelpful implications for our law enforcement agencies and border guards. There would be disruption and they would have less information available to do

their jobs, including identifying and arresting people who could threaten the security of some of our citizens. They would have fewer options for pursuing criminals across borders as we would lose the ability to pool our efforts through Europol and Eurojust. It would take longer to track, arrest and bring to justice those who commit crimes internationally. I have established and I chair a weekly Cobra-style planning meeting within the Home Office to plan for this eventuality properly in case it comes about. But no matter how effectively we prepare for no deal, setting aside the capabilities we have developed with our EU partners will of course have some consequences.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I have been listening to the Home Secretary very intently. He has not really given me the assurance I want on Europol. Can I give him a last chance just to mention Galileo?

Sajid Javid: The hon. Gentleman says that he has been listening very carefully. I doubt that, because I think I have given him and hon. Members an assurance about the security implications of this deal, and what the security situation may look like if there is no deal. It is clear to me: we are lucky to live in one of the safest countries in the world, and with this deal, we will continue to be one of the safest countries. Of course, even if there is no deal, there are some mitigants. There is no perfect mitigant. We will lose certain tools that certainly would have been helpful from a security perspective. But whatever happens, Britain will continue to be one of the safest countries in the world.

Mr Marcus Fysh (Yeovil) (Con): Is my right hon. Friend aware that one of the problems with the withdrawal agreement, whatever he has said, is that state aid provisions would prevent the Government from subsidising or supporting our defence industries in the same way that the EU can, and as we currently can under the EU treaties? Is that not a serious risk to our national security that the Government have failed to take into account?

Sajid Javid: I have listened to my hon. Friend carefully. So far, in terms of how those EU state aid rules apply to the UK at the moment, and will indeed apply through the implementation period, I have yet to see how that has a detrimental impact on our security apparatus and supply. However, given that he has raised this issue, it is worth looking at it more closely. If he will allow me, I will do so and get back to him.

Wera Hobhouse (Bath) (LD): Is not the Home Secretary giving us a completely false choice by saying that it is either this deal or no deal, particularly given the decision that we made yesterday in this House that clearly allows us, as a House, to choose different options than just this deal or no deal? Is he not giving us a false choice?

Sajid Javid: No, I am not.

I would now like to turn to the other big issue for the Home Office regarding this deal, which is immigration. Concerns over immigration were a key factor in how people voted in the referendum in 2016. People wanted control over immigration. They wanted future decisions on UK immigration policy to be taken in this country

[*Sajid Javid*]

and by this Parliament. That is what this deal delivers. The deal will allow us to create an immigration system that is not constrained by EU laws and that works only in the national interest. Free movement will end. In future, the decision on who comes to the UK will rest with the UK itself, and not with individual migrants. The UK will continue to be an open and welcoming country that attracts the best talent from across the world.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): Can I impress on the Home Secretary again the acute problems that there have been in fishing on the west coast of Scotland and, indeed, in Northern Ireland? I do not know how many numerous meetings I have had with various Government Ministers—they come and they go all the time—but will he look at this next year to make sure that it does not happen again? Will he make sure that we are getting crews on boats and that non-European economic area labour is coming in? The problem is going to get worse with the situation we have at the moment. The Home Secretary has this in his gift; it is not Europe that is stopping him. He can lift the pen and this will happen. He will be thanked and appreciated across the west coast of Scotland if he does that.

Sajid Javid: I am always happy to listen to Members. Indeed, I have met many Conservative Scottish Members of this House, who have made that point powerfully. We are listening. The hon. Gentleman refers to current issues, whereas I want to focus in this debate on the future immigration system.

Chuka Umunna (Streatham) (Lab): The Home Secretary is absolutely right to say that concerns about immigration were at the forefront of many reasons that people cited for voting to leave. Is it not therefore extraordinary that ultimately we do not know what the immigration policy and stance of this country would be after March? It necessarily will be interrelated with the future economic relationship. We have no certainty on that—we do not know what it will be—and he has not published his immigration Bill, so how can anyone know before this vote what they will be getting on immigration in the withdrawal agreement?

Sajid Javid: I agree with the hon. Gentleman that immigration was a big issue in the referendum debate and that the type of immigration system we have in the future will have an impact on our economic performance. I know he will be listening carefully to the rest of the debate, and I will give more information on what that system might look like. We are setting out the broad principles of the new system and will be publishing a White Paper, which will have much more—[*Interruption.*] We will be publishing a White Paper soon. [HON. MEMBERS: “Soon!”] Yes, we will publish it soon.

Several hon. Members *rose*—

Sajid Javid: I will give way in a moment.

I know that Opposition Members in particular are very eager for this White Paper. They do not have to wait long. It is worth keeping in mind that when the White Paper is published, that is not the end of the

conversation. Like all White Papers, it is essentially the start of a broad consultation that will last for many weeks, where we will speak to many businesses and others, including right hon. and hon. Members. That will be a moment when we can set it out in much more detail.

Mr Nigel Evans (Ribble Valley) (Con): Speaking as a Brexiteer and somebody who campaigned for Brexit, I know that the most important determinant was sovereignty of this place, part of which was sovereignty to decide our own immigration policy and control our borders. We are not against immigration; we want controlled immigration. Can my right hon. Friend assure us that the immigration policy will be non-discriminatory as far as the world is concerned?

Sajid Javid: I can give my hon. Friend that assurance, and I agree with all the points he made, including the importance of control of our immigration policy.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): The Home Secretary and I both served in the Cabinet of the previous Prime Minister, and he will recall that the previous Prime Minister tried, without success, to get from the European Union a limitation on access to welfare payments for those who have just arrived here. Now we are leaving, and we say we want to take back control. The political declaration is very vague; it talks about social security co-operation. Is it our ambition to ensure that businesses cannot bring people over, pay them very cheap wages and expect them to claim benefits and live in squalid conditions? Will we now rule out access to many of those benefits, which cost a lot of money, for people who come over from the EU?

Sajid Javid: I agree very much with the sentiment of what my right hon. Friend said. I think it is fair to say that once we have left the EU, we will have a lot more flexibility in that area. To return to the previous question, the rules that we apply will be non-discriminatory. The broad intention is to apply the same rules to anyone, regardless of their nationality. It will be focused on an individual's skills—what they have to offer and the contribution they have to make—and we will not want welfare or any other type of social security payment to be part of someone's decision to come and work in this country. The White Paper will set out more detail on that.

Yvette Cooper: I thank the Home Secretary for giving way, and I want to put in a word for my fellow member of the Home Affairs Committee, the hon. Member for Moray (Douglas Ross), who is hoping to catch his eye. The Home Secretary told us just eight days ago that the immigration White Paper would “certainly” be published in December. Is that still true?

Sajid Javid: It is certainly still my intention to publish it in December. That has not changed.

Douglas Ross (Moray) (Con): The Home Secretary said at the Home Affairs Committee that “the meaningful vote is on the 11th. I hope it”—the immigration White Paper—“will come before that”.

That was just last week, yet on Monday he said on the radio that it was “very unlikely” that the White Paper would be published before the vote. What happened in those four or five days to change his mind? Does he think it is acceptable for the House to vote on the withdrawal deal without the information in the White Paper?

Sajid Javid: I will say two things to my hon. Friend, who makes a fair point. First, he asks what has happened. It is worth reminding him and the House that this is the most significant change in our immigration system in 45 years. Rather than rush the White Paper, it is important that we focus on the detail, get it right and get it out as soon as possible. Secondly, of course we should think of our new immigration system as part of our deal as we exit the European Union, but it is also clear that if we have no deal, there will still be a new immigration system. It is worth keeping that in mind.

Several hon. Members *rose—*

Sajid Javid: I will give way to the hon. and learned Member for Edinburgh South West (Joanna Cherry), who has been very patient.

Joanna Cherry: I just want to disturb the slightly cosy consensus arising between those on the Government Front Bench and some on the Labour Back Benches. The view on immigration in Scotland is different. Voters in Scotland do not want to reduce immigration. Business, the universities, the financial sector, the FinTech sector and the cyber-security sector in my constituency are very keen not to reduce migration to Scotland. Is he aware of that, and will he take that on board in his White Paper?

Sajid Javid: I think the hon. and learned Lady will agree with what I have to say next, which is that immigration has been good for Britain. It has made us a good hub for culture, business and travel, and it has boosted our economy and society in countless ways. That is as true for Scotland as it is for other parts of the United Kingdom. That is why, from the very start of this process, my first priority has been to safeguard the position of more than 3 million EU citizens currently living in the UK and almost 1 million UK nationals living in the EU. The withdrawal agreement guarantees the rights of EU citizens and their family members living in the UK and UK nationals living in the EU.

My message on this has been very clear. EU citizens make a huge contribution to our economy and our way of life. They are our friends, our colleagues and our neighbours, and we need and want them to stay, regardless of whether there is a deal. I can confirm that, even in the event of no deal, EU citizens and their families living here in the UK before we leave will be able to apply to the EU settlement scheme and stay. We will be setting out more details on that shortly.

Chris Bryant: I hope the Home Secretary will also think about the fact that it is not necessarily a win for British citizens to lose the right to travel, study and work elsewhere in the European Union, which has been vital to a whole generation of people in this country. More importantly, he says that he is going to change the immigration system, but is he still going to stick to this

ludicrous proposal of getting net migration down to the tens of thousands? Even migration from other parts of the world outside the EU, over which the Government have had full control, runs at more than 200,000 a year. Will he say that they will get rid of that nonsense?

Sajid Javid: The hon. Gentleman mentioned students. I welcome student exchanges, and I want to see more students, whether from the EU or from outside the EU, choosing Britain as a place to study. We have been very clear. When it comes to students, for example, there is no cap on student numbers. In the past year, we have seen a significant increase in student numbers from across the world. That is just the type of country we want to remain—welcoming people, especially students and others, from across the world who want to study here or come here as tourists or those who can contribute skills that we actually need.

Carol Monaghan (Glasgow North West) (SNP): Of course, we do not just want the students to come here; particularly in Scotland, we want them to stay here and contribute to our economy. Will the Home Secretary look at reinstating the post-study work visa, so that we are not educating young people from across the world simply for them to take their skills elsewhere and feed other countries' economies?

Sajid Javid: I actually have some sympathy with what the hon. Lady says. Interestingly, a report that I will mention in a moment—the independent Migration Advisory Committee report—talks about looking at some of the post-study work rights, and I am actively doing so. We have to be careful, however, that those post-study work rights do not in themselves become the reason for someone to choose to study in Britain. They must choose to study in Britain because of what our fantastic universities and other educational establishments have to offer. However, it is also sensible, when people choose to study in Britain and take qualifications in the skills needed in our own economy, that we have a sensible approach that allows them to stay and to continue to contribute, if that makes sense for us.

Joanna Cherry: I am struggling to understand what the Home Secretary is saying about post-study work visas. Is he saying that we should not deliberately try to attract talent to the nations of these islands? Is his position that we should not deliberately try to attract talent to the nations of these islands? Is that the Government's position?

Sajid Javid: That is the complete opposite of what I was saying, so either the hon. and learned Lady misheard me or that is what she would have liked me to say so that she can open it up as some sort of attack line in a press release. That is exactly what I did not say.

Joanna Cherry: Will the Home Secretary give way?

Sajid Javid: No. I am happy to make it clear that I welcome students who choose Britain, and I think we should take a fresh look at how we can retain talent, with people who have chosen to study in Britain continuing to work in Britain if that meets our economic needs.

Justine Greening (Putney) (Con): On the point about universities more broadly, they obviously rely on attracting the best academic talent to teach our students and international students. Will the Home Secretary briefly explain whether his immigration White Paper will make sure that we do not close the doors to that, reflecting on the fact that many of these professionals are not highly paid, and that salaries are often taken to translate to skill levels although in this case—it is the same with the performing arts—that does not hold?

Sajid Javid: My right hon. Friend speaks with a great deal of experience in this area, and she is absolutely right to point that out. Our universities do rely on academic talent, much of which comes from abroad, and that is to be welcomed. We must have an immigration system that continues to allow that, and we must take a careful look at the salary levels she has mentioned.

Dr Sarah Wollaston (Totnes) (Con): Further to the point made by my right hon. Friend the Member for Putney (Justine Greening), will the Home Secretary commit to looking at the extra costs and the bureaucracy that will fall on our health service and our care sector? As she has said, because of the salary threshold that applies, many of the key staff who enable our health service and care sector to function will fall below that salary threshold, and the extra costs that will fall on the care sector in particular are quite extraordinary. Will he commit to reducing bureaucracy and tackling that cost?

Sajid Javid: Again, a very important point has been raised by one of my colleagues. I absolutely make that commitment. My hon. Friend is quite right to raise it, because we have to recognise that as we move from the current system of freedom of movement, in which there is virtually no bureaucracy to speak of, to a system under which we will require visas for every worker, we must keep an eye on the paperwork and bureaucratic requirements and keep the system as simple and light-touch as possible. That applies not just to larger employers, such as hospitals or NHS trusts, but to the smaller employers that may be looking for skills but perhaps taking only one or two people a year, and we should keep that in our minds as well.

James Heappey: This is not just about doctors and nurses of course; in my constituency, an awful lot of those involved in agriculture and tourism are concerned to ensure that a seasonal workforce continues to be readily available. Will the Home Secretary reassure us that there is a mechanism in his plans to allow that sort of migration so that the needs of those very important industries in Somerset can be met?

Sajid Javid: I can give my hon. Friend that assurance. He will know that we have announced a pilot for the seasonal agricultural workers scheme, which we are starting early next year, working with my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs. The purpose of the pilot is to make sure that we look carefully at how we can continue to meet the needs of that very important sector.

Mr Jim Cunningham (Coventry South) (Lab): I am sure the Home Secretary realises that 800,000 people in this country work in the automobile industry, and it is

therefore very important that we get the specialist labour that facilitates research and development. That involves the universities, and not very much has been said in relation to Brexit about the plight of the universities if it is not handled properly.

Sajid Javid: The hon. Gentleman is quite right to highlight the importance of our automobile industry and the need for skills, particularly in areas such as engineering. I can give an assurance that we will want to make sure that the new immigration system allows for these vital skills where they are needed.

Geraint Davies (Swansea West) (Lab/Co-op): Will the Home Secretary confirm that in the case of a no deal, there will be an immediate hard border in Northern Ireland to stop the passage of people and products, and that in the event of a deal, people will just be able to fly into Dublin and walk into the UK via Northern Ireland?

Sajid Javid: No one wants a no deal, but I can confirm that in the event of a no deal, the UK Government would not do anything to create a hard border between Northern Ireland and the Republic of Ireland.

Unrestricted immigration has caused some people some concerns. As I have said, I will shortly introduce a White Paper, which will set out proposals for the future immigration system. I understand hon. Members' frustrations about the timing of the White Paper, but I say again that it is an entirely new system—the most significant change to our immigration rules in 45 years—and we need to take the time to get the details right. We have made it clear that it will be a system based on skills, not on someone's nationality.

The design of the future system has to be based on evidence about the needs of our economy. This is why we have commissioned the independent Migration Advisory Committee to report on the economic impact of EU workers and to ensure that the new system benefits Britain. In addition, we have been listening and engaging with businesses up and down the country to hear their views, concerns and ideas. I am grateful to all those who have taken the trouble to give us their views and have submitted evidence to the MAC. We have considered that advice, and we will be setting it out and taking it into account when we publish our White Paper.

Our future system will be flexible, so that the trade deals we agree with the EU and with others can allow businesses to provide services and move existing staff between offices in different countries, supporting our dynamic economy. The agreement we have reached with the EU will enable us to do this through visa-free travel for tourists and business travellers, and arrangements for service providers and for researchers and students.

Wera Hobhouse: The Home Secretary has been very generous in giving way. He did not actually answer the question from the hon. Member for Rhondda (Chris Bryant), but is it not time that we stopped demonising immigration and came clean about the fact that immigration is actually dictated by the job market, not by wishful thinking about how much immigration we would actually like? In fact, the figures that have come out showing immigration from the EU is down but immigration from outside the EU is up clearly demonstrate that we need immigration.

Sajid Javid: I feel that I have been very clear on that point. I just said a moment ago that immigration is good for our country and that we need a system that welcomes people and the talent we all want to see in this country. That will help this country, particularly our economy and our needs.

Ruth Cadbury (Brentford and Isleworth) (Lab): How does the Home Secretary feel that the immigration section of the Home Office will cope in the new regime when it cannot even run an effective, efficient and fair immigration service at the moment? It is already damaging Britain's reputation overseas in non-EU countries.

Sajid Javid: I am confident that the Home Office can cope with a big change in our approach to immigration. That is not to say that there are not lessons to learn from mistakes that have been made in the past, but it is important to ensure that when things go wrong—they do go wrong; that happens in any large organisation and it has happened under successive Governments—there is independent analysis and the proper lessons are drawn. That is exactly what we are doing in the Home Office. I am confident that with that, and with the talent we have in the Home Office, we can deliver the new immigration system.

Our immigration system must be tailored to support and give preferential treatment to highly skilled workers. Of course, there are sectors and businesses that have come to rely on low-skilled workers and continued access to migrant labour—I understand that—but in controlling migration, we should always look to those in our own workforce first. We will need to work with businesses, so that they can adapt and play their part in increasing the skills of British people. We are also committed to ensuring that our world-class education sector can continue to grow and prosper, with no limit on the number of international students who come here to study.

Catherine West (Hornsey and Wood Green) (Lab): On work, will the Home Secretary lift the ban on asylum seekers having the right to work?

Sajid Javid: We currently have no plans to change that arrangement, but it is one of the areas I would like to review.

Let me be very clear: the White Paper is intended to be the start of a new conversation on immigration. It is not the last word, but the start of an ongoing dialogue with employers, businesses and others who use our immigration system. The Home Affairs Committee has said we should aim for a greater consensus on immigration; I agree. Basing our policy on evidence and extensive discussion with those affected will help us to achieve that.

We plan to introduce new immigration rules from 2021, after the end of the implementation period. For the first time in over 45 years, the UK will have complete control over its immigration arrangements. We will ensure that we have a system that ends free movement, is fair and fast, and works in the interests of all parts of the UK.

Let me conclude by reminding right hon. and hon. Members that the British people were given a choice and were told that their choice would be honoured. This deal involves taking back control of our money, our

borders and our laws, while also protecting jobs, security and our precious Union. For the first time in a generation, we will be able to build an immigration system that is designed in Britain, made in Britain, and serves only our national interest. The deal protects not only EU citizens living in the UK, but UK nationals living in the EU. It also upholds the first duty of any Government: keeping our citizens as safe as possible. I urge hon. Members to join me in supporting it.

2.3 pm

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): In many ways, migration and security are at the heart of the debate around Brexit, so I am glad to have the opportunity to contribute to it from the Labour Front Bench. I think, however, that after the events of yesterday evening there can be little doubt that this is indeed a botched Brexit. Ministers should be ashamed that they had to be forced to comply with a motion of this House. We heard a lot, when they were trying to argue that they should not have to comply, about the national interest. But we have read the legal advice. There is nothing in it that compromises the national interest. It may be embarrassing for the Government, but it does not compromise the national interest. As the hon. Member for Stone (Sir William Cash) pointed out, it is not actually the full legal advice. It may be that he wants to return to that matter.

I voted to remain and the Labour party campaigned to remain and reform, but my party has said from the beginning that we respect the referendum result. It is true that there were substantive reasons to vote for Brexit. Above all, there were the long-standing concerns about sovereignty, which were so well articulated over his entire lifetime by my late colleague, the former Member for Chesterfield, Tony Benn. Nobody would deny, however, that concerns about migration were not far from the minds of some, if not all, leave voters.

James Heappey: Does the Labour party support the continuation of the free movement of people—yes or no?

Ms Abbott: The hon. Gentleman will know that when we leave the single market, freedom of movement falls. We said that in our manifesto and we are saying it now.

The available research confirms the salience of migration to leave voters. In June 2017, a report collated from the British social attitudes survey revealed that the most significant factor in the leave vote was anxiety about the number of people coming to the UK. A comprehensive study published by Nuffield College drew similar conclusions.

Geraint Davies: Does my right hon. Friend not agree that since 2010 the Conservatives have made the poor poorer and then told them that foreigners were the reason they were poor, and that that is why they voted for Brexit? In fact, migration helps us. This is about not allowing right-wing propaganda to lead our country, and it is about staying in the EU and having a public vote on the deal.

Ms Abbott: All I can say is that the Labour party, whether in opposition or in government, will never scapegoat migrants. It does not help society, and it is

[Ms Abbott]

not a constructive way to go forward politically. Who can forget Nigel Farage in the referendum campaign posing in front of the poster which showed floods of brown people surging into this country?

Joanna Cherry: The right hon. Lady mentioned a moment ago that one of the main reasons people voted to leave was a concern about sovereignty, and she referred to the views of the late and very well respected former Member for Chesterfield. May I ask her to speculate on this? Why is it that the Irish, the French, the Germans, the Spanish, the Dutch, the Swedish, the Danes—I could go on—do not share the same concerns that the English, not the Scots, have about sovereignty and the EU? Will she answer that question, because it is a question that genuinely puzzles me?

Ms Abbott: I do not think it is entirely true to say that those countries do not share those concerns. I think we would have to look to our very different national stories to understand that concern.

Migration is at the heart of this Brexit debate, and I am glad to have the opportunity to address it this afternoon. Before I turn to immigration, however, I want to speak about the other theme to today's debate: security. Ministers have been trying to drum up support for the Prime Minister's deal by saying that the alternative is no deal, which would be disastrous for security. But the Prime Minister's deal would be almost as bad. At best, we can say that it is a blindfold Brexit on security. At worst, it may be leading us off a cliff on security matters.

Ministers insist that the deal that is being put before this House will offer us better arrangements than any other third country. I put it to Ministers that that is not the point. The point is not whether there are better arrangements in other third countries. The point is whether these arrangements will give us the same assurances on security and fighting crime that we currently have. If we go through the deal, we can see that there appears to be a trade-off on security, because in order to achieve a seamless transition on a range of security, policing and justice matters and have the current level of co-operation, it would require a new security treaty between the UK and the EU, yet there is no expressed aim in the exit document to move towards a security treaty.

Ministers cannot say that they are unaware of the need for a new security treaty. In Brussels, the stakeholders and commissioners who are concerned about these matters have been talking for two years about the importance of moving forward with a security treaty. Without a security treaty, we may run the risk of losing a number of tools that are vital to cross-border security, policing and justice, while other tools will be hampered or severely compromised.

Tim Loughton: The right hon. Lady appears to be putting all the blame for this on the United Kingdom. Is she not aware that when Rob Wainwright, the very distinguished British former head of Europol, appeared in front of the Home Affairs Committee, he said that all the current arrangements and data sharing from which we and our European allies benefit could be continued, and that that is what their security forces want? Those things are not being continued purely because of politics.

Ms Abbott: They could be continued—my point is that there is nothing definite in the deal that we are being presented with in the House that would make sure that they were continued. On the question of security, assertions, aspirations and a wishlist are not enough—we need a treaty.

Wayne David (Caerphilly) (Lab): Last year, 183 people were returned to this country from other European countries to face justice under the European arrest warrant. Does my right hon. Friend share my concern that as things stand, that process will end?

Ms Abbott: I absolutely share that concern.

David Hanson: The critical point that my right hon. Friend needs to be aware of is that the European arrest warrant is subject to the ECJ for other European countries, and the Government have specifically said that we should not be a member of the ECJ, so we would have to have individual relationships with each country and would therefore be less safe under the Government's proposal.

Ms Abbott: I will come to that point, but I will say now that the Prime Minister's red lines, one of which was the ECJ, may well prove to have been reckless. The EU insists on treaty arrangements governing key aspects of international security, justice and policing, as do we. Without a treaty, courts have no legal basis to implement arrest or extradition warrants and cannot allow third countries access to criminal and other databases. We are on course to become a third country in our relationship with the EU. Because there is no security treaty planned or even aimed for in the exit documents, the level of co-operation between the UK and the EU post Brexit could be severely and unavoidably downgraded.

Ministers will be aware that neither France nor Germany will automatically extradite to non-EU countries—their constitutions say that. There will be a mutual loss of the use of the European arrest warrant, and the UK will no longer be able to access the Europol database in real time. In addition, as a third country, the UK's access to databases of criminal records, fingerprints, DNA and missing and wanted persons will be compromised. Ministers promise a future security partnership between this country and the EU. However, the assurance on access to SIS II and the European criminal records information system is only that

"the UK and the EU have agreed to consider further how to deliver capabilities that, as far as technically and legally possible, approximate those enabled by EU mechanisms".

That is not the same as assuring us of the same level of co-operation that we have today. In relation to the European arrest warrant, there is not even that promise. On passenger name records and the exchange of DNA, fingerprints, and vehicle registration, the agreement says:

"The UK and the EU have agreed to establish reciprocal arrangements".

It does not say that they have established reciprocal arrangements; it is a wish for the future. However, without appeal and oversight by a court—that role is currently played by the ECJ—all these things could be subject to legal challenge in practice.

John Redwood: Will the right hon. Lady give way?

Ms Abbott: No, I need to make progress.

In addition, on the EU agencies Europol and Eurojust, about which Members have made interventions, the deal says:

“The UK and the EU have agreed, as part of the FSP, to work together to identify the terms for the UK’s cooperation via Europol and Eurojust.”

Working together to identify the terms is not the same as a guarantee of the same access and co-operation that we have today. As these are EU agencies, they are not in principle open to non-member states. Again, if that were to change, the legal basis for that would require a treaty.

Several hon. Members *rose*—

Ms Abbott: I need to make progress.

The practical effects would be severe. Last year, the UK law enforcement agencies accessed SIS II checks 500 million times. UK authorities requested access to criminal records 3,000 times a week. The danger is that extradition arrangements would fall back on the 1957 European convention on extradition, which proved extremely time-consuming and cumbersome. Most members of the Council of Europe have reserved rights or derogations under the convention, limiting its effect. At worst, the gaps and loopholes created under this exit agreement could create a situation in which organised criminals and terrorists in the EU might come to regard the UK as a relative safe haven from justice. Under this agreement, absent any significant change to the issues I have enumerated, ongoing co-operation in cases and investigations may ultimately be compromised. On the basis of security concerns alone, no Member of the House should be signing off this deal.

Mr Kenneth Clarke: The right hon. Lady gives a very accurate list of consequences that follow from leaving the European Union, which is why my right hon. Friend the Home Secretary deftly avoided the question, “Is it not inevitable that the arrangements of this country for security and the fight against international crime will be weaker once we have left the European Union than when we were in it?” As the right hon. Lady has committed her party to leaving, will she explain how Labour believes that it can negotiate anything other than this between now and next March? The Labour party has no remedy for this, unless it is thinking of reopening the question of our membership of the European Union.

Ms Abbott: As I said earlier, one problem in these negotiations, and one reason why they have not gone further, is the Prime Minister’s reckless red lines, particularly on the ECJ. However, let me return to the issue of immigration.

John Redwood: Will the right hon. Lady give way?

Ms Abbott: I have to make progress.

Let me first deal with the status of EU nationals. I begin by saying how distasteful it was to many of us that the Prime Minister referred to “queue jumpers”. She seemed to be implying that there was some unfairness or illegitimacy in their role in British society, whereas EU nationals play a vital role in business, academia, agriculture and public services such as health and social care. EU citizens and their dependants living here cannot be reassured by the terms of the deal. The Home Secretary has given general assurances, but the deal says

almost nothing in detail about their rights, including work, residency and access to services. No one on either side of the House who has ever had anything to do with the immigration and nationality directorate can have confidence in the Home Office’s ability to process the approximately 5 million applications that are required to process settled status applications. I am aware that the Home Secretary sets great store by his app, but he knows perfectly well that it cannot be used on iPhones, and although it has been trialled, the trials involved volunteers and only the simpler cases.

We have all seen the shameful chaos around the Windrush scandal. Today’s National Audit Office report on Windrush is comprehensively negative. It criticises the Home Office for its poor-quality data; the risky use of deportation targets; poor value for money; and a failure to respond to numerous warnings that its policies would hurt people living in the UK legally. It is a damning report, and Ministers should be ashamed. EU citizens can only await with trepidation their further and deeper engagement with the Home Office.

Chris Bryant: My right hon. Friend and I represent very different constituencies, but they are both among the poorest in the land. One of the ironies of the present immigration situation is that my constituency now has the lowest percentage of people living in it who were not born in it for 120 years. One of the many benefits that my constituents have enjoyed in recent years has been the ability to live, work and study elsewhere. I understand all the arguments about wanting to limit the number of people coming into this country, though I personally find it quite distressing, but should we not make sure that we do not throw the baby out with the bathwater? We need to make sure that our citizens have the right to study, work and prosper, whether they come from the poorest or the richest background in this country.

Ms Abbott: I thank my hon. Friend for that intervention. If Members talk to younger people, they will hear that one of their biggest doubts about Brexit is that they do not welcome the idea that they will not be able to travel, work and study in the way they have done under our membership of the EU.

Then there is the question of the missing immigration White Paper. The Home Secretary said he did not want to rush to produce it. I remind the House that we were originally promised it in summer 2017, then the Government were going to produce it this February, then it was to be published in March, before the recess, then in July, and then after the Migration Advisory Committee report in October; now the Home Secretary assures us it will be published “soon”. What confidence can anyone have in post-Brexit immigration policy when Ministers still do not seem to know what they want—or, more to the point, cannot agree on what they want? How can the House be expected to vote on this deal without detail on proposed immigration policy?

We know that the Tories are stealing some of Labour’s terminology about a rational immigration system based on our economic needs, but I suspect that Ministers mean something very different. On this issue, Government rhetoric sounding like Labour is a very insincere form of flattery. The suspicion must be that the Government’s actual policy is to begin to treat EU migrants as badly as they have treated non-EU migrants over many years.

Paul Farrelly (Newcastle-under-Lyme) (Lab): There is one other factor, which my right hon. Friend may be coming to. Does she agree that it would be quite possible for the Government to apply free movement in a more restrictive way, particularly regarding the world of work, as other countries, such as France, have done? Would she like to speculate on whether one reason why the Government have not done that is that the Home Office is so overwhelmed and has been so greatly cut that it does not have the capacity to enforce such a tighter policy?

Ms Abbott: I welcome my hon. Friend's intervention. The cuts have unquestionably had an impact on the Home Office.

The Government have suggested that they will distinguish between high and low-skilled migrants and discriminate in favour of the former. On the face of it, that is a logical position, yet all indications are that their real distinction will be between high and low-paid migrant workers, which will leave a range of sectors struggling with skills and labour shortages, including among nurses, social care workers, agricultural workers and others in the private sector. This artificial distinction between high and low-skilled migrants, which is really about income, is both unfair and potentially damaging to the economy.

The Government have long been promising a new immigration Bill for a post-Brexit environment, but it seems that there is a split in the Government—I know it sounds shocking—between adjusting the immigration system towards supporting our economic needs and a constant campaign against migrants and migration. They will probably try to do both—“have cake and eat it” politics. There is also no indication that they will drop their unworkable net migration target, which has never once been met but which allows a continuing negative narrative campaign against migration and migrants. The level of non-EU migration alone is currently running close to 250,000 a year, and that is migration over which the Government have absolute control. There is no indication either that they intend to end the hostile environment policy—rename it yes, but end it no—yet we know that it led directly to the Windrush scandal.

The spurious distinction between high and low-skilled migrants, which is really discrimination against the lower-paid, will have negative consequences for a range of sectors. We await with interest the publication of the immigration Bill to see how the internal differences within the Government are resolved, but the Government are asking all of us to vote for their deal without telling us what their new immigration policy will be. This is a blindfold Brexit deal. As I said at the beginning, the Opposition honour and respect the referendum vote, but how can it be that Ministers are asking the House to vote for a deal that neither leavers nor remainers are happy with; asking us to vote for a deal when so many crucial issues, notably on security, are not yet clear; and asking us to vote for a deal that could endanger not just our economy but our security? The more we examine the deal, the more it becomes clear that the House cannot vote for it.

2.27 pm

Mr Sam Gyimah (East Surrey) (Con): It is with a sense of trepidation that I stand to speak from the Back Benches for the first time in six years and for the first

time since I resigned last Friday in order to vote against this withdrawal agreement. I loved my job. Innovation, scientific endeavour and our universities represent the best of Britain, and they underpin our future and our place in the world, so I did not take the decision lightly. At this point, I would like to say congratulations and good luck to my successor, my hon. Friend the Member for Kingswood (Chris Skidmore), and wish him all the best in that job.

I carefully considered the deal, which has been described as having a remain flavour. Even as a remainer, it became clear to me that it was not politically or practically deliverable, and that it would make us poorer and risk the Union. I encourage everyone to look at the deal and come to their own decision. I believe that whether we are leavers or remainers we are all first of all British and that it is the national interest we care most about, but the political declaration is not a deal; it is a deal in name only. It is a framework for negotiation with a lot of aspirations. Yes, it has all been hard fought for and hard won—I give the Prime Minister and her team the credit for that—but, now that it is in front of us in Parliament, we have to look at it as parliamentarians. My right hon. Friend the Home Secretary admitted at the Dispatch Box that the deal might not be perfect, almost implying that this was like trying on a pair of shoes that were not the right colour and perhaps a bit tight, but getting on with it and life would be fine. However, this deal is like a pair of shoes with holes in the soles. It is fatally flawed.

There are three big reasons for that. The first is that all the big issues, whether they relate to security, home affairs, agriculture, fishing, our independent trading policy or frictionless trade, have been kicked into the long grass. While the public are being told that this is almost like the end of the process, we are actually just finishing one process and about to begin on another long and arduous process. We will be doing that at a time when we will have given up our vote, our veto and our voice, and will have no leverage whatsoever.

The ultimate fall-back position in this deal is the Northern Ireland backstop. We will be negotiating with the clock against us, with a fall-back position that is existential for us and not existential for the EU, and we will be expected to get the best deal for Britain. I doubt very much that we will. I believe that, in voting for this deal, we will be losing and not taking control of our destiny. We must be clear-eyed as we go into these negotiations because they have been set up for failure. The EU will manage the timetable, it will manage the sequencing of the negotiations, it will set the hurdles and it will tell us when we can progress to the next stage. That is what happened in the first phase of the negotiations and that is what will happen in the second phase. We will always be in a position in which we have to walk away or fold, and I know what will happen: we will always fold because the clock will be ticking.

The EU elections next year will pose a big problem for us. In 2019, everyone in the EU will be focused on those elections, so I doubt that much progress will be made during the first year of our initial two-year implementation period. At the end of that year there will be a new Commission and a new Parliament, which will not be party to the political declaration on which we will vote in the House. A new Trade Commissioner will be appointed. We will then have one year, as part of the first implementation period, in which to negotiate

or go for an extension. In all likelihood we will go for the extension in June-July that year, so we will trip into the second implementation period and pay a significant amount of money for the privilege. We will go into the second period with a general election on the horizon, a Northern Ireland backstop that no one in the House wants, and yes, whatever assurances we are given, in all likelihood we will pay any price that the EU asks of us in order to get out of that backstop. So what do we have? We have “best endeavours” to rely on.

In my previous job as science and innovation Minister, I was involved in the Galileo negotiations. The EU stacked the deck against us time and again. Before the ink was dry on the transition deal, we were served notice that we could not participate in the security aspects, although when we were negotiating the deal we were led to believe that we could. We were then served notice that British industrial interests could not bid for contracts, even though British companies had built the encryption and security elements of Galileo—or, rather, they could do that, but they would have to move to countries within the EU in order to do so. We threatened to use our veto. The date of the vote was moved, and during the interregnum the EU changed the rules to involve simple majority voting, so our veto did not apply. Galileo is a foretaste of what is to come in these negotiations. We are setting ourselves up for failure by going down this route.

Carol Monaghan: The hon. Gentleman must appreciate that the concerns about Galileo were raised as long ago as the summer of 2016. It is simply not the case that the potential problems of access were not known during the negotiations. Many articles were written about it and many representatives of industry raised their concerns with us.

Mr Gyimah: The concerns were raised and were discussed. We signed a transition deal on the basis of best endeavours, only to realise that that was not the basis on which the other side was operating.

I bear no grudge against the EU for putting the EU first. I bear no grudge against the EU for aggressively prosecuting its interests. What does concern me is that, given the political declaration that we have before us, we do not have much leverage. The unique relationship that we are being told we can negotiate is unlikely to happen. What is most likely to happen is that we will be given a free trade agreement dictated to us by the EU.

We should level with the public. This deal does not bring closure. It is not a case of “Sign here, let us have a compromise and all the discord and disharmony that we have experienced over the last few years will suddenly disappear.” We will see Brexit Secretaries resign next year because so many of the issues have still not been thrashed out. The deal will not heal the divisions that we see in our country. Ultimately, we are at the foothills of a long and arduous process. Brexit will not be over as a result of the vote next week.

The Home Secretary said that there was no alternative, but I believe that that is a false choice. There are many options. What we have is a deal that has been engineered to put maximum pressure on all the other options in favour of the options that the Government are putting before us. We could list some of those options, and I will list them without prejudice initially. First, there is

the Government’s deal. Secondly, there is the revocation of article 50. Thirdly, there is no deal. The important thing about those things is that all are within our control and do not require negotiation with the EU. If we want to negotiate with the EU, we can negotiate to extend article 50 in order to look at the backstop again. We can negotiate with the EU to extend article 50 in order to hold another referendum. We can negotiate with the EU to extend article 50 in order to look at the Norway option, in which I know a number of colleagues are interested. The Government may box themselves in with their own red lines, but that is no reason for Parliament to accept being boxed in by those same red lines.

There is, however a constraint. The ultimate constraint seems to me that there is no majority for any option in this Parliament. There may be plenty of options, but I doubt that there will be a majority for them. I have said that we should not rule out, if need be, going back to the people. When I say that, everyone says that it will be corrosive of our politics, it will be destructive of our politics and it will be hugely divisive. We should not be presumptive about where the electorate are, but I believe that that is not a reason to vote for the withdrawal agreement. If we vote for the agreement, we will give the public the impression that this is the best compromise and there are no problems further down the line: this is Brexit done. Waking up and seeing that Britain is being hobbled and crippled in those negotiations would also disappoint voters and that would also be corrosive of our politics.

I resigned because I thought, “This is probably the biggest vote in which I will take part during my political career.” It is for each Member in the House to decide what to do but, for me, the national interest is not served by voting for the Government’s motion.

2.39 pm

Joanna Cherry (Edinburgh South West) (SNP): It is a pleasure to follow the hon. Member for East Surrey (Mr Gyimah), and I applaud his courage in resigning as a result of his concerns about the deal.

There is much I could say about the detail of this agreement: red lines breached, for example, and the Court of Justice of the European Union articles 87, 89, 158 and 174 and article 14 of the protocol in relation to Northern Ireland make it very clear that the Prime Minister has had to make some pretty major concessions on her red line on the Court of Justice. We have heard in the Chamber—and have now seen it clearly in writing in the legal advice—that as a matter of law we could be trapped in the Northern Ireland backstop permanently and unable to get out of it, as I sought to clarify with the Attorney General earlier this week. The Northern Ireland backstop also means that the catch of fishing vessels registered in Northern Ireland will have preferential treatment through tariff-free access to the market in a way that fishing vessels registered elsewhere in the UK, including Scotland, will not have. I look forward—but do not hold my breath—to hearing the Scottish Conservatives making a fuss about that.

Today and the next few days should be about the bigger picture. I am looking forward to having an in-depth debate about immigration in due course, if we ever do see that much-promised White Paper, but I do

[Joanna Cherry]

want to make a few remarks about it now before moving on to the bigger picture. As I said earlier, it is a matter of record, because Scotland voted to remain, that the Scots did not hold the same concerns about sovereignty or immigration as held elsewhere in these islands, yet the political declaration confirms the UK Government's intention to end freedom of movement. That will see people across these islands, but in particular the Scots who did not vote for it, lose the rights they have as EU citizens.

This is a deal that will see us made poorer not just economically, but also, equally importantly, socially. Even the Migration Advisory Committee has acknowledged that inward migration has made an overwhelmingly positive contribution to the economy of these islands, and particularly Scotland. The MAC, while failing to acknowledge the need for regional and national variations in immigration policy across the UK, did knock on the head many of the myths about immigration that drove the sort of xenophobia that led to the poster the Labour spokesperson, the right hon. Member for Hackney North and Stoke Newington (Ms Abbott), described earlier.

Scotland in particular has benefited from inward migration because at the start of this century we had a dwindling population and that EU migration has built our population and brought many young and economically active people into Scotland. Any Scottish MP who holds regular surgeries will confirm that that is a fact. There are two major universities in my constituency and all the academics tell me it is a fact that the process of Brexit and the rhetoric around immigration in this country is discouraging people from coming to live and work and study in Scotland. Scots did not vote for that, and that is one of the many reasons why we will not be supporting this deal.

Freedom of movement has been vital to fill gaps in the employment market in Scotland, and indeed across the UK. We have a big crisis across the UK in how we look after our ageing population. A lot of the people who look after our ageing population at present come from elsewhere in the EU and it will be a real shame if we discourage them from coming here in the future.

Mr Nigel Evans: I agree with the hon. and learned Lady about students coming to the UK and that they should be able to work for a period as part of the payback; I think that is important. But does she accept that many people who voted for Brexit are not saying no to immigration? This is just about controlling immigration and that it should be this Parliament and the Government of this country that decide immigration levels.

Joanna Cherry: No one is saying we should not have an immigration policy; of course we must have an immigration policy. The point I am making is that the immigration policy should be evidence-based and take account of the needs of the economy and the different regions and nations of these islands, and this Government's policy does not do that. If the Government have such a great idea about future immigration policy across the UK, why is it taking them so long to publish the White Paper? And if they are so keen to throw their arms open to people from all across the world and have everyone

come here on an equal basis, why does the Prime Minister—the Prime Minister of those on the Conservative Benches—persist in her ridiculous net migration target? It is just nonsense that the Conservatives want to throw the doors open; for so long as the Prime Minister is in place and that ridiculous migration target is in place, that simply will not happen.

David Linden (Glasgow East) (SNP): The Government will try to ramp up the rhetoric around EU migrants, but the reality is that in order to get some of their trade deals through, they will have to bend the visa rules for India and elsewhere, so what they take with one hand they will give with the other anyway.

Joanna Cherry: I entirely agree with my hon. Friend. It is crystal clear that if we ever get to the stage of being able to enter into third-party trade deals, which looks pretty unlikely at the moment, in return for access to the markets of countries outside the EU, those countries are going to want access to the UK for people who want to migrate from their country to here.

Wera Hobhouse: Does the hon. and learned Lady agree that it is the language around immigration that has been so toxic? I am a European migrant and I look around thinking, "Do they mean me?" That is exactly what other Europeans feel.

Joanna Cherry: I agree, and part of the reason why the language has been so toxic is that we have been talking not about the reality of the situation but about a perceived reality.

A Labour Member who is no longer in his place made a point earlier that I entirely agree with: the Conservatives have through their policies created a great deal of poverty across the UK. Wales and Scotland have to an extent been protected from that because we have had different devolved Governments, but I notice as I travel around provincial England that the infrastructure is not in as good condition as it is in Scotland. No social housing has been built here for years, too; in contrast we are building a lot of social housing in Scotland. Many working-class people in England have been led to believe that the cause of their woes, such as the fact that they cannot get a house or a well-paid job—they can get a job, but not a properly paid job—is the immigrants, when it is the fault of this toxic Conservative Government.

Under the withdrawal agreement, EU citizens who are already here will not continue to enjoy the same rights that they enjoy now; they will continue to enjoy some rights, but not the same rights. They will lose their lifelong right of return, they will not have the same family reunification rights, and they will get no protection from inadvertently becoming undocumented illegal citizens—and, my goodness, the Windrush scandal has taught us what happens to undocumented citizens who are lawful citizens in this country. God help EU citizens who find themselves undocumented illegal citizens. Do not take my word for it; take the word of the National Audit Office and reports of various Committees in this House. And in order to hang on to the rights they already have—not to get a passport, but to get the digital identity that means they can hang on to the rights they already have—fees will be imposed on EU citizens. In Scotland, the Scottish Government have

said they will pay those fees for those working in the public sector, but now it appears that there might be a bit of a tax-catch in relation to that, and I am looking forward to the Conservative Government addressing that properly, and perhaps extending the same largesse that the Scottish Government have to people working in the public sector south of the border.

I am going to touch briefly on the security, justice and law enforcement issues. As other Members have said, it is simply impossible for us as a third country to have the same degree of security, justice and law co-operation that we previously had, and, in fairness, the Home Secretary recognised that. But one of the things that has concerned those of us who represent Scottish constituencies—or some of us, at least—and the Scottish Government and commentators in Scotland most about this process has been the abject failure of the British Government to recognise that Scotland has a separate civil and criminal justice system. This is not about devolution; this is about the Act of Union. Scotland has had a separate legal system forever, and it is protected by the Act of Union. Yet our separate criminal justice system, our separate civil law system, and our separate Law Officers have not been consulted properly on the impact of these matters on the Scottish legal system. As we know, there is no mention whatsoever of Scotland in the withdrawal agreement or the political declaration. A lot of other much smaller regions get a mention, but not Scotland. This is not fanciful; I know, because I used to work in the Crown Office and Procurator Fiscal Service, that co-operation across Europe has made a huge difference to law enforcement in Scotland, and if we lose that, we will be worse off as a result.

As I said earlier, today is a day for looking at the bigger picture. Speaking as someone who represents a Scottish constituency and as someone of Irish parentage, I see the bigger picture of the whole Brexit process as a tale of two Unions: the Union that is the United Kingdom and the Union that is the European Union. There are extremely stark differences between the ways in which the members of those Unions treat one another. So far as Ireland, north and south, is concerned, British politicians largely overlooked the threat that Brexit posed to the Good Friday agreement until after the referendum, and even then, many of them—particularly on the Conservative Benches—were and still are unable to accept the reality of the legal obligations that the United Kingdom undertook in that agreement. That old anti-Irish xenophobia that people like my mother remember so well has raised its head again, even to the extent of some on the Conservative Benches talking about the Irish tail wagging the British dog, and other such insulting metaphors. However, because the EU27 got behind the Irish Government's legitimate concerns, they became central to the Brexit process. Conservative politicians—not all of them, but some—and indeed a few on the Benches behind me, waited in vain for the EU27 to crack and throw Ireland under the bus. That did not happen, and it is not going to happen.

I was at an event recently where the distinguished professor of modern history at University College Dublin, Mary Daly, remarked that the current situation in this House had uncanny echoes of what happened here 100 years ago when the electric politics of Ulster determined what happened at Westminster. It is quite ironic that that should be so, given that we are shortly to celebrate

the 100th anniversary of the election of the first female MP to this Parliament. She was of course the distinguished Irish nationalist, the Countess Markievicz, who went on to be the first woman Cabinet Minister in western Europe. The truth is that the problems that arose as a result of partition have come back to haunt this House as a result of the Brexit process, but I believe that something that unites us all is that we want to see peace being kept in Northern Ireland.

Sammy Wilson: Does the hon. and learned Lady accept that the Republic of Ireland actually has been thrown under the bus but does not realise that the wheels are running over it? If this agreement goes through, a border down the Irish sea will affect not only Northern Ireland but the Republic of Ireland, whose main market is GB and which takes its goods across GB, using it as a land bridge. It will find checks not just at Holyhead but at Dover.

Joanna Cherry: No, I do not accept that. I speak regularly with politicians from all parties in the Republic of Ireland and that is certainly not how they see matters. In fact, politicians, businesses and the wider community in the Republic are broadly very happy with the way in which the European Union has dealt with this. It is sometimes conveniently forgotten in this House that Northern Ireland voted to remain in the European Union. It is forgotten partly because Northern Ireland has not had the democratic voice of its Assembly during this time. It is only the voice of the right hon. Member for East Antrim (Sammy Wilson) that has been heard here in relation to Northern Ireland, but his party, the Democratic Unionist party, does not represent the majority of people in Northern Ireland, who voted to remain. The Prime Minister has refused to meet the Greens, the Social Democratic and Labour party, Sinn Féin or the Alliance, which is quite disgraceful.

Meanwhile, in Scotland, the people voted to remain in the EU by an even more substantial margin than that of Northern Ireland. It was 62%, and polls show that if a vote were held tomorrow, the figure would be nearer to 70%. Despite that, the Scottish Government have concerns. They are a democratically elected Government, although I know that those on the Conservative Benches like to call them the SNP Government and pretend that they have no legitimacy. They were elected democratically, and their legitimate concerns, which are often supported by other parties in the Scottish Parliament—as they will be today when the Liberal Democrats, the Greens and Labour will vote with the SNP to try to protect Scotland from the consequences of Brexit—have been wholly ignored. We can only look on with envy as the concerns of the Irish Government are placed centre stage in Brussels. Unlike Northern Ireland, Scotland has had a strong and functioning Government and Parliament during this process that have been well able to express their views, but that has not protected us. This Brexit process has highlighted the limits of devolved—as opposed to independent—government.

Patrick Grady (Glasgow North) (SNP): My hon. and learned Friend is absolutely right. We fully expect the Scottish Parliament this evening to endorse a cross-party motion rejecting the withdrawal agreement, just as the Welsh Assembly did last night. The Scottish Conservatives are describing that debate as needless. They suggest that

[Patrick Grady]

Scotland does not need to talk about Brexit, that the big Parliament in Westminster will make that decision for us and that we should know our place. That exemplifies just how they want to undermine devolution and use Brexit to do so.

Joanna Cherry: Of course, of the Scottish Conservatives do not represent the majority of Scottish opinion in relation to anything, let alone Brexit. It is often forgotten, after the hullabaloo when they won seats here last year, that they are still very much in the minority in Scottish politics and the Scottish Parliament.

Let us look at what has happened to Scotland in the past two years. The UK Government cut the Scottish Government out of the Brexit negotiations completely. The Scottish Government put forward the idea for a differentiated deal or a compromise for the whole of the United Kingdom at an early stage, but that was completely ignored. The Scottish Parliament voted—with the cross-party support of everyone apart from the Tories and one Lib Dem—to withhold consent to the European Union (Withdrawal) Bill, but that, too, was ignored. When the Scottish Parliament tried to pass its own legal continuity Bill, it was challenged by the British Government in the UK Supreme Court, and we are still waiting for that decision. When amendments to the withdrawal Bill came back from the House of Lords to the Floor of this House, Scottish MPs got 19 minutes to debate the implications of those amendments, with the rest of the time being taken up by the Government Minister. Scotland is not mentioned in the withdrawal agreement or the political declaration, while little Gibraltar—important though it is—was afforded advance sight of the agreement. The Scottish Government saw it only when the rest of us did.

My point is that Scotland's marginalisation and its very weak bargaining position within the Union that is the United Kingdom have been very exposed by Brexit. After our failure in the independence referendum of 2014, 56 Scottish National party MPs were elected to this House, yet not one of our amendments to the Scotland Bill at that time got passed, despite the fact that we had 56 of the 59 seats in Scotland and 50% of the vote at that time. We were told that the wonderful Scotland Act was going to give us huge amounts of power and that we would have the most powerful devolved Parliament in the world. I would like to ask any fair-minded person in this Chamber, and anyone watching, whether they think the sequence of events I have just described really makes it sound as though we have the most powerful devolved Parliament in the world. Of course it does not, because devolution's constitutional fragility has been revealed by Westminster's assertion of control and attempts to repatriate powers here from Brussels, and by the disregard shown for Scotland's preferences in the negotiations in Brussels.

The Brexit process has told Scottish voters a lot about the reality of devolution. It has told them that power devolved is indeed power retained, and that the United Kingdom is not the Union of equals that we were told it was before 2014 but a unitary state where devolved power is retrieved to the centre when convenient and where no one but the Conservative party, which represents only a minority of voters in Scotland, gets a say on major decisions over trade and foreign policy.

The experience of Ireland and Scotland during the Brexit process shows a significant contrast between the way in which nations that are member states of the European Union and nations that are members of this Union are treated. I heard the distinguished former Taoiseach of the Republic of Ireland, John Bruton, speak recently. When he was asked about this by a member of the audience, he said that Scotland's marginalisation within the United Kingdom would not happen in the European Union, and that if the European Union were taking a decision as drastic as Brexit and it had only four nations in it, all four nations would need to agree. In the UK, however, it does not matter what Scotland and Northern Ireland say. They can always be overridden by the English vote. That is not an anti-English comment; it is a comment on the constitution of the United Kingdom. If Scotland were a member state of the EU, even though we are a country of only 5.5 million people, we would have the same veto as Ireland over such a major decision, in the same way that the big countries have.

There is still a little bit of hope for Scotland, and it comes from the cross-party working that we have seen there, both in the Scottish Parliament today and from the group of politicians, of which I am proud to have been a member, who took a case to the Court of Justice of the European Union. We found out yesterday that the advocate general says that proceedings under article 50 can be unilaterally revoked. I was interested to hear the Prime Minister acknowledge earlier today, in response to a question of mine, that it is highly likely that the grand chamber of the Court will follow the advocate general's opinion. It seems that Scotland, Scottish politicians and the Scottish courts are throwing this Parliament a lifeline that would enable it to get out of the madness of Brexit.

Even if we do throw that lifeline, the United Kingdom Parliament takes it, there is a second referendum, and the whole UK is smart enough, having been put in possession of the full facts, to vote to remain part of the European Union, do not think that that will be the Scottish question closed, because the Brexit process has wholly revealed our inferior status within the Union, and people will not forget that. The last two years have shown us that across the United Kingdom, the leave vote was won on the back of promises that have proved undeliverable. Many people say that those promises were lies, but whether they were or not, they have proved undeliverable.

It is hard for me to be fair to the Prime Minister because of the scorn that she has shown for Scottish democracy, but I will try: I do not think that it is because the Prime Minister is a bad negotiator that the deal is bad. The truth is that there is no better deal than the one the United Kingdom currently enjoys from within the European Union.

The Prime Minister at least tried to negotiate a deal. Others who led the leave movement have totally and utterly abdicated their responsibility. I watched with interest yesterday while the right hon. Member for Uxbridge and South Ruislip (Boris Johnson) attempted and struggled to explain what he wants. I was none the wiser at the end of his speech. Let us not forget his partner in crime in the leave movement, who has now left the Treasury Bench: the Secretary of State for Environment, Food and Rural Affairs. Why did he not

take the job of Brexit Secretary when it was offered to him a couple of weeks ago? If someone desires something so much, why not take responsibility for delivering it? I think we all know the answer to that question.

Then, of course, there is the right hon. Member for Haltemprice and Howden (Mr Davis). His insouciant appearances at the Exiting the European Union Committee were highly entertaining, but also deeply shocking. Now where is he? We have not seen him in the Chamber much in the last few days, but he is certainly not proposing any firm alternative to the deal.

The much maligned Court of Justice of the European Union, with the assistance of Scottish parliamentarians and the Scottish courts, has opened up new vistas of possibility for this Chamber. There is a chance of reversing the madness, but I accept that there will need to be a second vote. To achieve that, we will have to work cross-party in this Chamber. There is a lot of that going on already. May I respectfully suggest that parliamentarians in this Chamber look north to what is happening in Edinburgh this afternoon? They would see that it is possible for at least the Scottish National party, the Labour party, the Lib Dems and the Greens to work together. We know from this House that it is also possible for those parties to work with some Members on the Government Benches.

I want to make something crystal clear. Make no mistake about what would happen if there was a second vote across the UK, and England, in possession of the full facts on the reality of Brexit, again voted to leave—I am quite sure that Scotland would vote to remain. Scotland would not stand for that, and there would have to be a second independence referendum. This time, we know that we would have a far more sympathetic ear in Europe, even from the Spanish, supposedly Scotland's great enemies. Their Foreign Minister said recently that if Scotland secedes from the UK constitutionally, he will not veto Scotland's membership of the European Union.

As I said yesterday, I very much hope that when an independent Scotland tries to seek membership of the European Union, it will be remembered that it was Scottish parliamentarians and the Scottish courts who attempted to give the UK Parliament an escape route from Brexit. Even if the United Kingdom takes that escape route, the Brexit process has shown that the United Kingdom in its present form is not a Union in which Scotland can continue to function properly.

James Heappey: Will the hon. and learned Lady give way?

Joanna Cherry: No, I am coming to the end of my speech.

We have seen writ large during this process the difference between what it means to be a member of the United Kingdom and a member of the European Union. In the European Union, even small countries such as Ireland are equal partners with big countries such as Germany and France. In the United Kingdom, a small country such as Scotland is not an equal partner with England. A power devolved is a power retained, and Scottish democracy is always at the whim of the majority in this House. That is not tolerable.

Regardless of what happens with Brexit, which I very much hope is reversed for the whole United Kingdom, I hope that the Scots will soon take the opportunity to say that Scotland's position in the UK Union is not tolerable. We want to take our seat at the top table in the European Union, where I very much hope we will eventually be an equal partner with England, because I hope England stays, too.

Several hon. Members rose—

Mr Speaker: Order. On account of the level of interest, an eight-minute limit on Back-Bench speeches will now apply.

3.5 pm

Justine Greening (Putney) (Con): I have always been a pragmatist on Europe and our membership of the EU, so my community and I wanted a practical way forward found following the referendum, but the Prime Minister's negotiated deal, which we are being asked to vote on, while well intentioned, is not a practical way forward for Britain. It means rules without say. Instead of us taking back control, it gives away control. We will have less say over the rules that shape our lives. Worse, we will not be at the table when rules are set that will matter to Britain strategically—rules that might disadvantage the City or British industry if designed the wrong way. We are not taking back control; we are giving it away.

From my perspective, that sovereignty giveaway alone makes the deal unacceptable for Britain. In fact, I find it impossible to see any future Parliament ever updating fresh rules set at EU level that we have had to commit to, whether we liked them or not, so this deal will in the end be shown to be inoperable, most likely when we have a Government with a low or no majority, as at present. This fragile and unstable withdrawal agreement and political declaration will double up political instability, and translate it into economic instability, making things worse.

The PM's deal is inoperable. I might welcome the Government's assurances on EU workers—there are many in my community—but the detail is limited to the very short term. My constituents and people running businesses who come to my surgery want more than that; they want to know what happens beyond the so-called transition period. As others have said, it is disappointing that the Government have not yet set out their immigration plans for the House to take into consideration during today's debate and at next week's vote. This really matters to the very mixed community that I represent; it needs clarity.

On the Union, and Northern Ireland in particular, I am greatly concerned about the deal undermining the Good Friday agreement, and the Government's weak approach to the backstop. I am concerned about the prospects for the re-emergence of a hard border in Northern Ireland, and about that becoming more of a challenge the more we diverge on product standards and regulations. I am concerned about the prospects of a Northern Ireland that risks being increasingly decoupled from the United Kingdom, and about how that could undermine the Union that is at the heart of the United Kingdom.

I am sure that others will talk about the economic projections. The effect on our economy and jobs is also of huge concern. The open-ended and uncertain period

[*Justine Greening*]

covered by the withdrawal agreement leaves this country utterly exposed as a rule taker, at a time when we face global economic uncertainty and an increased push for protectionism. During this period, the EU can decide whether we are breaking rules on state aid or have complied with them, and whether and how much we can be fined. It will be judge and jury. That is what we are being asked to support in the withdrawal agreement, and I cannot accept it.

As my hon. Friend the Member for East Surrey (Mr Gyimah) compellingly set out, the timescale covered is hugely likely to be extended.

Mr Pat McFadden (Wolverhampton South East) (Lab): The right hon. Lady is absolutely right about rule-taking and sovereignty. Does she agree that the reason we have got into this position is that the whole Brexit debate has defined sovereignty as being purely about immigration and the movement of people, and not at all about the rules that govern our economy?

Justine Greening: I think people are now much more familiar with the trade-offs involved in Brexit. I will come back to that point later.

This thing is called a transition period or an implementation period, but a transition to what? The bottom line is that all we have on our destination is 26 pages of something called a political agreement. It is not binding, there is no detail and there are no guarantees or timescales. For anything that is comparable, such as a big infrastructure project, we would have a national policy statement, with perhaps 1,000 pages of detail for the House to consider. Here, we have just 26 pages.

A proposed deal on leaving the European Union is perhaps the ultimate national policy statement, yet we have virtually nothing. It is the political equivalent of being asked to jump out of a plane without knowing if your parachute is attached. It is like agreeing to move out of your house without knowing where you are going to live next, or not having agreed the sale price, but signing the contract anyway. None of us would do this in our own lives, yet the withdrawal agreement and political declaration ask us to do it on behalf of our country.

Overwhelmingly, my community does not support the deal. I will not, therefore, be able to back it. There are practical problems and there are problems of sovereignty, but there are democratic problems too, because this Brexit deal is not the Brexit that leave campaigners campaigned for or that leave voters voted for. It does not deliver on the result of the 2016 referendum. Leavers in my community reject it—I have had hundreds of emails and letters about that. Remainers reject it: they are left thinking, “What’s the point if leavers are not happy with the outcome of the referendum that they won? What is the point of leaving, simply to have all the same EU rules anyway?”

Forcing the Prime Minister’s deal through when it is universally unpopular will do nothing to heal the divisions in our country. In fact, it will be worse: it will kick the can down the road, which is exactly what the public expect politicians to do. It is a short-term political fix at

the very time when we desperately need a long-term plan. People deserve better. That is why they are so frustrated.

Brexit has turned into a pantomime, it feels like groundhog day, and there is gridlock in Parliament. We have been talking about Brexit for years, and we all need to recognise that Ministers, Front Benchers and MPs will of course vote the way they think is right. I hope the Government do consider a free vote for Government Members, because we all represent very different communities with very different views. However, free vote or no free vote, I believe it is clear that there will be no majority in this House for any Brexit route forward—not for the Prime Minister’s deal; not for Labour’s ever-opaque deal, whatever it may be; not for no deal. There is no majority for anything, yet we have to bring this to a resolution. We cannot keep going round in circles forever. We have to solve Brexit so that we can get on to solving some of the issues that lie behind Brexit. Parliament now needs to take the steps that will allow us to get back on to a domestic agenda, which is what the public want.

Some Opposition Members might say, “Let’s have a general election,” but that would solve nothing, because Brexit is not about party politics. That is why the House has had so many challenges in grappling with Brexit-related legislation. This place is gridlocked. Giving a party political choice to people on a question that is not about party politics will not work. Labour is putting its own narrow party political interests ahead of the country’s vital need to resolve the path forward on Brexit.

I know that the route forward that is left might be unpalatable to many, including Labour and Conservative Front Benchers, but it may be the only viable route out of Parliament’s gridlock, and that is to do what we always end up doing in a democracy: ask the people. A referendum can be held in 22 weeks. We could hold one on 30 May.

Mr Mark Prisk (Hertford and Stortford) (Con): My right hon. Friend spoke about the importance of healing divisions. Many of my constituents are very concerned that a second referendum would make those divisions worse. What does she say to them?

Justine Greening: I do not think we can heal divisions by pretending that they are not there. I certainly do not think that it is democratically justifiable for the Government to ram through a version of Brexit that is not what people who voted for Brexit want. That, we have to agree, cannot be acceptable. Combine that with the fact that this House will be gridlocked on all the options—that is just the practical reality—and it is clear that we have to find another route forward.

I, for one, argue that a referendum is one way in which we can enable millions of leave voters who do not think the Government are delivering on the verdict of the referendum to have their say, in a way that they do not think is happening in this Parliament. We now have some clear-cut practical choices, and we should put them on the table for the people to decide.

Mr Nigel Evans: Will my right hon. Friend give way?

Justine Greening: I will make some progress, given the time.

These are the options on offer for Britain: the Prime Minister's deal; staying in on our existing terms; and, of course, having a cleaner break and leaving on World Trade Organisation terms, but then having a free trade agreement afterwards. This House should have the confidence to put the clear practical options that we now face back to the people. That is why I believe we should have a people's vote.

This deal has united people in opposition to it. Nobody gets what they want. That is not compromise. Opposition to the Prime Minister's deal on all fronts is not a virtue; it is the opposite. It goes in exactly the wrong direction and it will take us back to square one. Given that this deal is irreversible if we vote it through, this House owes it to future generations to make sure that we do not just hope that we are taking the right route forward on Brexit, but we know we are taking the right route forward on Brexit, and that means asking people for their view.

3.17 pm

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The Prime Minister's deal is not really a deal at all; it is a stopgap. Parliament is being asked today to vote with a massive blindfold around our heads. We know not what our immigration arrangements will be, because the Government have not published the White Paper; we know not what our trade arrangements will be, because the political declaration is unclear; and we know not what our security co-operation will be, because the declaration is just too vague.

Last month—only last month—the Prime Minister told us that nothing was agreed until everything was agreed. In fact, most things have not been agreed at all. The Prime Minister is asking us to walk out the door, slamming it behind us, without any idea where we are heading or even where we will rest our heads tonight. I think that that is irresponsible, because it is not just that we are blindfolded about where we are heading; as the hon. Member for East Surrey (Mr Gyimah) said in a very thoughtful speech, it weakens our negotiating hand in sorting out the future and establishing where it is we will end up.

The chief executive of Haribo in my constituency said in response to the transition proposals:

"Two years is significant to our supply chain decisions so this would be very welcome, but the uncertainty would just be delayed... Everything that is an extension of the delay is only useful if it is clear what will happen at the end of the extension, so we can prepare for it."

The problem with the political declaration is that, as paragraph 28 admits, there is a whole "spectrum" of checks and controls. Depending on which paragraph one reads, there could be rules of origin checks or alignment with the common tariff, and the hit to our national income could be as bad as 7%. Depending on which paragraph one reads, it could be nearly Norway, it could be back to Chequers, it could be off to Canada or it could be far beyond—we simply do not know.

On security, things are not much clearer. The continued access that is promised to the Prüm fingerprints database and to shared passenger name records is welcome, but the absence of any reference to the crucial Schengen Information System II European criminal database, which our Border Force and police currently check more than 500 million times a year, is deeply troubling, as is the absence of any reference to the European

criminal records information system, or ECRIS. Those tools are used to catch criminals, stop terrorists, monitor sex offenders, find dangerous weapons and stop serious criminals entering the country. The police have been clear that our country is less safe without those measures, and I do not think that this House should be voting for things that could make our country less safe.

The Government also need to be clear with us about the impact of all that, because the EU's resistance to committing to allowing us access to SIS II is frankly reprehensible. However, that is the EU's current position, and I fear that this deal weakens our ability to sort this problem out in future and to get the commitment that we need, which will be in all our interests. The Home Secretary said, "Well, we didn't have these measures a few years ago, so this won't cause a huge problem," but the truth is that the security and cross-border criminal threats that we face now are much greater than they were a few years ago, and our police and agencies are running to catch up. Our job here should be to support them in that work, not to make it harder for them or to hold them back.

Hilary Benn: Does my right hon. Friend know why SIS II and ECRIS are not referred to in the political declaration? Is it because the Government did not try to get them included, or is it that they asked and the EU refused? If the EU refused, does that not reinforce her point?

Yvette Cooper: That is right, because my understanding is that the Prime Minister and the Home Secretary did ask to have those measures included, because they understand how important they are, but the EU continues to resist. I think that that is wrong and irresponsible, but if we are going to have an ongoing negotiation on this, we should do that from a position of strength and not by weakening our position, which I am afraid that this deal does.

What are we going to say to victims of crime in the weeks after we lose access to the SIS II database if the police or Border Force fail to stop a dangerous offender who is on the SIS II database and known to other countries? What happens if we do not let the police have that information and then the offender commits another crime? Perhaps the most troubling thing of all is that there is no security backstop in this deal. Unlike for Northern Ireland and for trade, there is no backstop to continue security co-operation until a future security treaty or overarching treaty is agreed. If the transition period runs out and we have not agreed such things, we will lose vital capabilities. Given how long it takes to negotiate complex arrangements around extradition and how long it will take to ratify a full treaty, that is another irresponsible decision for us to take.

On immigration, the proposals that we still need to see will affect not just EU citizens wanting to live and work here, but UK citizens wanting to live and work in the EU and, obviously, the arrangements for business recruitment. If the Home Office does genuinely have an immigration White Paper all ready to go that it is planning to publish later in December after the vote, it must realise what a signal of contempt denying Parliament the chance to see it before this vote would be. If the Home Office has that White Paper, it should publish it this week so that Members have time to see it before the vote.

[Yvette Cooper]

I support amendment (c), in the name of my right hon. Friend the Member for Leeds Central (Hilary Benn), because it opposes not only the Prime Minister's deal, but no deal. I agreed with the Home Secretary when he said earlier that there are significant security risks from no deal. There are clearly economic risks. One local factory told me that the cost of its imports will double in price if we go to WTO tariffs and another said that its European parent company would be under pressure to move production to continental factories instead. On security, however, the threats are even greater, because the police and Border Force would immediately lose access to crucial information that they use to keep us safe, including legal agreements that underpin ongoing investigations and trials, all of which could immediately be put at risk, and the European arrest warrants that we have out on the Skripal suspects. Even if hon. Members do not care about stockpiling medicines or lorry parks on Kent's motorways or the Bank of England's warnings about recessions, I hope that they will take seriously the warnings from the National Crime Agency and the National Police Chiefs' Council about the risk that no deal will make us less safe.

The Prime Minister also has a responsibility to be ready if and when this vote goes down, given the strong views against it. She must be ready to take the opportunity to go immediately to Brussels and to request an extension of article 50 so that everyone has time to draw breath. I know that extending the process would be painful for all sides and that no one wants to be the person calling for it, but we must be honest that the process will carry on regardless. We have to start behaving like grownups and actually recognise the serious things that we are going to have to do.

We will need time to build a consensus around any possible way forward. I think that is possible to do, but I recognise the hugely different views in this place and across the country. This deal is flawed and makes us weaker, but we need to take the time to build a consensus on the way forward. In the end, that is why we are here. The Prime Minister has tried to find compromise, but she has done so without reaching out, without trying to build consensus, without trying to consult, and without even giving this House the chance to vote on what the objectives of the negotiations might be. We cannot do something this big and this hard with this many long-lasting consequences without building some consensus. That is the task for us now. It is going to be hard, but that is the test of our politics. I believe we are up to it, but we are going to have to prove it.

Several hon. Members *rose*—

Mr Speaker: Order. On account of the level of interest and the fact of interventions taking time, the time limit will have to be reduced to seven minutes per Back Bencher immediately after the next speaker. Mr Shapps will be the last to have the opportunity of eight minutes.

3.26 pm

Grant Shapps (Welwyn Hatfield) (Con): Thank you, Mr Speaker. Broadly speaking I believe in international co-operation—whether the United Nations, NATO or, indeed, the European Union—because a rules-based

world is a safer world. However, I also recognise that being a member of a club has advantages and disadvantages, because members must compromise over some sovereignty and pool some resources. While in Cabinet, I led a number of trade missions to south-east Asia, including Malaysia, Singapore and Taiwan, but it was in Hanoi that the compromise struck me most. Having negotiated over some communist paperwork preventing British beer being landed at the port, we then got down to the further 20 items on the agenda, and the only thing that I could say to the Vietnamese Deputy Prime Minister was, “These are all very interesting issues, and I’ll take them back to the European Trade Commissioner,” from whom some Members may not be surprised to hear we never heard again.

When it came to the 2016 referendum, I could see both sides of the argument, and it took me right up to the ballot box itself to decide that I would vote remain, which I did. My decision is not dissimilar to that of many other citizens in our country—certainly my Welwyn Hatfield constituents—who also voted along national lines. The argument could be said almost to reveal the fact that the division was 52:48—half and half—with lots of people seeing both sides. That has led to the idea that we should leave the EU to honour the result but that we should perhaps not leave too much lest we fail to represent the 48% who were for remain. I fear that this Government's anxiety to do just that is, in the end, in danger of pleasing no one—certainly not our fishermen, who face another two years in an EU-wide catch zone, nor our colleagues in Northern Ireland, who fear separate treatment, nor those in other parts of the UK, who either see what the Northern Ireland exemption is going to bring and want it or fear that the differences will help to carve up the country.

We have therefore agreed a backstop designed to protect against the construction of a physical border on the island of Ireland that nobody wants and nobody says that they will build. However, that backstop has become the real deal breaker for this withdrawal agreement, and I will explain why. As MPs, we understand that there is a simple principle that no Parliament can bind its successors. Unlike other countries, we have never attempted to codify our constitution in a single written document that is later nigh on impossible to change, so not for us an unbreakable second amendment made in 1791 that now means guns kill 33,000 people a year in the United States. I would argue that our unwritten constitution has served us well in providing flexibility, which occurs all the time. There is one exception, which arises when we sign international treaties.

Treaties have a special status. These are laws that, when we pass them, we essentially agree we will never change without first coming to an international agreement to do so. They tend to be about human rights or chemical weapons, so the United Kingdom does not usually have a way in which it can walk away unilaterally, but we will leave a series of treaties made with the EU next March. Even then, it will only be because another treaty, the Lisbon treaty, gives us permission to do so through article 50.

That brings us to the legally binding withdrawal agreement, which is, in effect, a new treaty, complete with a backstop lacking a unilateral exit clause. “But don’t worry,” some say, “we will never fall into that backstop.” My question is what happens if we do?

Our history suggests that the chances of our unilaterally walking away are about on a level with America changing its second amendment, so the backstop is really something that we will never unilaterally leave.

Some people say, “But we will use best endeavours on both sides, and we will make sure that we never end up in that backstop in the first place.” Yet, as every businessperson knows, we should never sign a contract if we do not know what the termination clause will be. I find the issue troubling, so I have been mugging up on “best endeavours” over quite a few mugs of coffee, and I can tell the House that the phrase has an official meaning:

“‘Best endeavours’ places upon a party the obligation to use all efforts necessary to fulfil a contract. It is a stricter obligation than the lesser ‘reasonable endeavours.’”

That may sound promising but, alas, no, because best endeavours is by no means an absolute obligation. The concept of reasonableness still applies.

For example, satisfying best endeavours would not necessarily require the EU to put itself in a detrimental position. To take a real-life example, if a construction firm were asked to complete an office block by Christmas but things did not go to plan during the contract, it could do what was reasonable—it could even put more people on site—but if it could not reach the conclusion of building the office block before Christmas, it may none the less be said to have used all best endeavours, even though the outcome was not what anyone had expected.

In other words, we could end up in this backstop for ever, and that would be that. Our country’s entire trading future would instead be decided by five people—two from the EU, two from this country and one individual whom we do not know and whom we have never met. That individual, who certainly is not democratically elected to this place, would make the final decision, so our country’s future would be determined by that individual.

I find it difficult to support legislation that effectively removes power from this House and from this country, so for the first time as a Member of Parliament I find myself at odds with my own Government. With no sign of a solution, and certainly not in the Attorney General’s legal advice that was finally released today, I am afraid that I am left contemplating my vote on the withdrawal agreement next Tuesday. I am currently minded to vote against it.

Several hon. Members *rose—*

Mr Speaker: Order. I am afraid that the time limit will now be seven minutes.

3.33 pm

Mr Ronnie Campbell (Blyth Valley) (Lab): Sixty per cent. of people in my Blyth Valley constituency voted to leave Europe in the referendum. I have been voting against Europe for all of the 31 years I have been in this place, as has my hon. Friend the Member for Bolsover (Mr Skinner). We do not like the idea of Europe because it is not a socialist Europe as far as we are concerned, and of course it is bureaucratic and undemocratic. These commissioners are unelected and they have all the power, and we disagree with that. We also disagree with the united states of Europe, which would be disastrous for this country if it ever happened. My opinion on

joining the euro goes without saying. Some on my side would join the euro, because Tony Blair said on television the other day that he may have wanted to join the euro. If not for Gordon Brown, perhaps we would now be in the euro.

This new treaty is now on our plate. We have heard this afternoon about immigration, and we have heard about the White Paper. It was supposed to be coming in March 2017, and then it was supposed to be coming later. It was supposed to be coming this week, before the vote. Now we are told that we might get it at the end of December. I have a funny feeling we will not see it at the end of this year, although we might see it at the beginning of next year.

All that immigration has been in this country is cheap labour. We have to be honest about that. People have been brought in, especially on the farms, as cheap labour. I remember, and my hon. Friend the Member for Bolsover will remember, when the Poles came in and came down the pit just after the war.

Mr Dennis Skinner (Bolsover) (Lab): It was different. It is the only occasion I can remember in my life when people came from abroad and were not here to make money for their masters. When the Poles and Lithuanians—they were really called displaced persons—came over to Britain, a lot of them worked in the pits. We had 700 pits then, and they were up north as well as in Derbyshire and elsewhere.

The reason why it was different is that they were paid the same money as the miners who were indigenous to Clay Cross, Parkhouse and Glapwell, and all the rest. Not only that, they had to join the trade union, which is why it is different today. When Mike Ashley comes along and gets 300 Poles to work at his factory in Shirebrook, they are there to make money for Mike Ashley, and only him. That is the difference.

Mr Campbell: How can I follow that? That is exactly what I was going to say.

Coming back to reality, when I first saw this treaty I knew what I was going to do. I was going to vote against it, and obviously I have not changed my mind. A lot of people who were perhaps going to vote for it have changed their mind and are now not going to vote for it. We have a treaty here that the Government will try to pass on Tuesday—I do not think they will pass it—and they have all the negotiations to do afterwards. They have to negotiate on the fisheries, but I am not sure about the fisheries because we have sacked all the fishermen. We are going to get all this water, but we have no fishermen to fish it, because they have all gone. We have made them all redundant, and we have got rid of their boats.

As we have heard, it is imperative that we have a deal with the EU on the law and the security of this country. We have not got one, yet we are expected to vote on Tuesday. No wonder nobody is going to vote for this deal. What is going to happen after the deal? What will happen when we turn it down? Where will we go from there? I am not going to vote for a no deal, as it would be criminal if we came out of the EU without any sort of deal. There is no chance of me voting for a no deal if that comes on to the Floor of the House. So where do we go from there? What happens if this House cannot make its mind up and decide? I do not like referendums,

[Mr Ronnie Campbell]

because everybody then wants another one, as we have seen in Holland, France and Germany, and with the Scots. They all wanted another one. It is hard for me to say, “Well, if this House cannot agree and make a decision, we are going to have to ask the people.” I do not want a referendum, because I do not believe in them, but we did have one. There is something about referendums, because people did vote in this one—they voted to leave. Of course the Tories keep telling me that, and they are right to say that. What happens if we have a referendum and the result is the same percentage voting to remain after that? Do the leavers march the streets, with banners, and say, “We want another one”?

Mr Skinner: We have a best of three.

Mr Campbell: Best of three—is that what happens?

Anna McMorris (Cardiff North) (Lab): It is democracy—

Mr Campbell: We have had democracy, and democracy said that we were leaving. Yet again, it appears that democracy is only where we have two referendums, and that is just not on. We must take the result of the first referendum and stick by it.

Turning back to the treaty, which is not very good, we will be in the backstop for donkey’s years. Do we think the EU is going to let us out of the backstop? Of course it will not. As for the negotiators in Europe on the matters that have not been negotiated, I would not trust them as far as I could throw them. If we did accept this deal on Tuesday, they would just throw it all away and say, “There you are. We’ve got ’em. Leave it the way it is.” That is the situation Parliament is in. *[Interruption.]* Of course I want a general election, but I know that turkeys do not like an early Christmas, so we are not going to have one. We have to get two thirds and we will never get two thirds out of that side—we will get it from these Benches; we will get a two-thirds vote, but they will not, and so we will never get it. As I say, these are interesting times. One Prime Minister said that a week in politics is a long time, but two days is now a long time.

3.41 pm

Sir Michael Fallon (Sevenoaks) (Con): We would not be having this debate today if Parliament had not asserted, earlier this year, its right to express its views clearly on the deal that has been brought back to us. It does not, however, follow from that that Parliament should have to take on the responsibility of designing or redesigning the deal. I do not believe Parliament should overreach itself in that respect. What Parliament can do is set the boundaries for a deal and express its view on the deal, and I hope we will be able to do that on Tuesday.

Equally, because of the amendment that I supported yesterday, tabled by my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), it should be very clear what is not acceptable. In my view, no deal is not acceptable. It is my judgment that no deal would be highly irresponsible. Having no agreement on trade and security would be damaging to our business interests, and we must have a deal properly in place before we leave. So I do not support no deal. I also have to say to

some of my hon. Friends that I am not convinced by the arguments for having another referendum. Of course referendums are divisive, but that is not the problem. The problem is that I do not see how a referendum could be decisive and could secure a sufficient consensus to put this issue to bed for a decent period of time.

If we are to respect the referendum that we did have, and if, as my neighbour, my hon. Friend the Member for East Surrey (Mr Gyimah), said in an excellent and powerful speech, we are to surrender our vote, our voice and our veto straightaway and immediately pay over this huge sum of £39 billion, we need a deal that is worth all the risks of not knowing how it is going to work out. We do not have that at the moment. Instead, we are confronted with a completely vacuous political declaration. In my view, we need something much better and much firmer if we are to take that decisive step at the end of March.

John Redwood *rose—*

Sir Michael Fallon: I hope my right hon. Friend will forgive me if I continue.

I would like to see the deal improved in four crucial and already well-known respects. First, on the backstop, a sovereign country cannot be placed in a position in which we are denied, in the end, a unilateral right of exit. That is all the more important because the protocol acknowledges that the backstop might remain under “alternative arrangements”, even in part. Others have already made the case as to why a backstop should remain, and I find that argument rather odd. We have been told this week that the European Union does not like the backstop any more than we do and that Ministers in other countries do not actually want the backstop to remain. If that is the case, why should they not agree that it is in everybody’s interests—theirs and ours—to set a date by which the backstop at least falls away? I am not encouraged by all this lawyerly talk of “good faith”, “best endeavours” and endless arbitration. If we are going to have a backstop, which I do not like, let us have a date and set the clock ticking.

Secondly, the absence in the political declaration of any commitment whatsoever to the frictionless trade that the Prime Minister promised us is not acceptable, unless we have some clearer idea of the extent to which some freedom of movement will be required and of the extent to which there will be areas beyond state aid and procurement where we will have to respect European Union competition policy. The Attorney General told us on Monday that this is one of the “outer boundaries” that will have to be considered, but he did not attempt to set those boundaries. We need to be much clearer about exactly what the European Union is likely to accept, in respect of both the skills cap that we are contemplating and the competition policy that we will have to accept.

Thirdly, on the extent to which we will be allowed an independent trade policy, the political declaration is at least clear on this point: our future economic relationship must

“be consistent with the Union’s principles, in particular with respect to the integrity of the Single Market and the Customs Union”.

That does not leave us any clarity on whether we will be allowed to reduce much or even part of our common external tariff. Indeed, the Attorney General told us

that we cannot have an independent trade policy and belong to a conventional customs union. Again, that commits us to complying with one boundary set by the European Union without any clear understanding of where the other might be set.

Finally, there is Northern Ireland. If a different regulatory framework is to continue—there are currently some elements of difference—it is clear to me that, inside our own single market, that can be done only with the continuing consent of the Province itself, or in other words of the Executive and the Assembly. The agreement should have been explicit in that regard. There may well be further checks that would enhance the protection of the whole island, but they can be put in place only with the agreement of all communities in Northern Ireland.

Without those improvements, this so-called deal is a gamble: we put all our cards on the table and all our money, and we wait for another two years for the European Union to set the rules of the game. That is a risk too far.

3.48 pm

Tim Farron (Westmorland and Lonsdale) (LD): In this crisis, there are many temptations to find someone other than ourselves to blame, to say “I told you so”, to exploit the situation for personal ambition, or to cry betrayal. We need to resist those temptations. Indeed, we need to act in the national interest. We are on a short 100-day journey to no deal, but there are turnings that we could take off this dangerous road, which would otherwise lead us to doing a Thelma and Louise on 29 March.

I admire the Prime Minister for many things. She and I coped well together as we toured the working men’s clubs of North West Durham in 1992, on our way to being crushed by Baroness Hilary Armstrong. Then, as now, I was impressed by the Prime Minister’s fortitude in the face of certain defeat. The one thing that I do not really admire her for is her attempt to hoodwink the British people into thinking that the only choice that we have in this vote is between a bad deal and no deal. She knows that that is not true, and to keep repeating it is beneath her.

We have six options. None of them is great, but some are better than others. First, we can accept the PM’s deal, which kicks the can down the road and keeps us thinking and talking about Brexit for many years to come.

Wera Hobhouse: Does my hon. Friend not agree that no deal is absolutely off the table? It must be off the table.

Tim Farron: I totally agree with my hon. Friend. The damage that it would do to our economy would be utterly immense.

If the Prime Minister’s deal is passed, it kicks the can down the road for a number of years, and we carry on talking about Brexit into the foreseeable future. It traps the UK into EU rules, but with no say over what those rules are. It is the absolute opposite, then, of taking back control. Millions of those who voted leave would feel that they had been betrayed. Meanwhile, the Northern Ireland backstop seriously threatens the future of the Union, and every family and every business in this

country will be hit by our exit from the single market. If Members think that we should honour the wishes of the British people, they cannot vote for this deal. If they think that we should protect the interests of the British people, they cannot vote for this deal.

Option two, which we have already covered, is that we leave with no deal. The upside of that is that we would—to use the vernacular—take back control. We would not be bound by EU rules or judgments, but the hit to our economy would mean that what sovereignty we would regain from the EU, we would lose immediately to the international financial markets, with all the impact that that would have on my constituents and the constituents of every other Member. There are already 2,200 children living below the poverty line in my community. I will not vote for any course of action that puts even one more child or one more family, let alone thousands more, in poverty. That is why I will vote against no deal.

A third option is that the Prime Minister has the courage of her convictions and puts the deal to the country in a referendum. Let us not kid ourselves: like most referendums, a referendum on the deal—a people’s vote—has the capacity to be divisive. However, I disagree with the right hon. Member for Sevenoaks (Sir Michael Fallon), as I believe that it would be decisive. Whichever option was chosen by the people would come into effect without further debate or delay.

Option four might be an early general election. There are 2,700 hours until Brexit. The country will not forgive us if we waste 1,000 of those hours on a self-indulgent general election. The same applies to option five, which is that the Prime Minister is sacked as the leader of her party. Again, that would be seen as the actions of the self-indulgent, the vain and the personally ambitious—the very antithesis of the national interest.

A sixth option is to withdraw article 50 and to renegotiate. As the right hon. Member for Putney (Justine Greening) said earlier, we leapt from the aircraft when we triggered article 50 without checking whether we had a parachute, and we are now within a few metres of hitting the ground with a great big splat. There is now a miraculous option to get back in the plane. We could withdraw article 50 and allow the Prime Minister to renegotiate a better deal, which she certainly could do if she changed her red lines. She could, for instance, seek membership of the single market, which is not dissimilar to the arrangement that Norway enjoys. The Prime Minister’s decision to rule out the single market was an entirely arbitrary and self-imposed choice made not to reflect the will of the people, but to placate the European Research Group in her own party. It should now be crystal clear to her that those folks are unplacatable, so she should instead seek to find a consensus with people who might be a little more reasonable.

I am a reasonable man. I am no EU flag-waving federalist, no apologist for all that emanates from Brussels, I do not have “Ode to Joy” as my ringtone, I do not know a single word of Esperanto, and, in 2008, I resigned from the Front Bench over the Lisbon treaty, but I have never been more convinced that Britain’s future must lie in Europe and that to leave would be a tragic, tragic mistake. I do not have time to go into all the reasons, but given that the focus of today’s debate is security, let us remember that 11 of the countries in the European Union today were once behind the iron curtain. Six of those countries had nuclear weapons on their soil

[Tim Farron]

pointed right at this city. Just as the nations that fought two bloody wars in the 20th century sit together, so do those from either side of the cold war divide. If that was the only reason for staying in the European Union, that would do for me. How short must memory be to cast that away?

I spend a lot more time in Westmorland than I do in Westminster, so last night I listened to my constituents and did my sums to find out how people in my communities think we should vote in this debate. Here are the votes of the Westmorland jury: 3.5% want us to leave with no deal; 10% want us to leave with the Prime Minister's deal; 17% want us to remain in the EU without a people's vote; and 68% want a people's vote.

After taking the time to listen to people's motives, it is clear to me that many of those who want a people's vote hold a similar view to me—that referendums are poisonous and dangerous. If we did not see another referendum for the rest of our lives, it would be far too soon. Nevertheless, we cannot let what began with democracy end with a Whitehall-Westminster-Brussels stitch-up. If the people voted for our departure, they must also have the right to vote for our destination, and to choose a better destination than the one that the Prime Minister presents to them, if they consider it not to be good enough.

This deal fails all its own internal tests. It would mean that we were run by European rules but without any ability to have a say over them, which would make us poorer, weaker and less safe. It would divide our Union, so it would make us less British. I love my country, so I will reject any deal that harms it. I reject no deal and this bad deal. There are better options; the Prime Minister should take them.

3.56 pm

Stephen Crabb (Preseli Pembrokeshire) (Con): I am grateful to be called in this important and serious debate, ahead of what I think most people expect to be the defeat of the proposed EU withdrawal agreement next Tuesday night.

Like so many of my colleagues, I am currently receiving hundreds of emails from constituents urging us to vote down this deal, for all kinds of different and contradictory reasons: to kill Brexit altogether; to get a second referendum; to get a softer Brexit through some kind of Norway-style deal; to get a harder Brexit or a real Brexit; to get a Canada-style deal or the WTO option; or to get rid of the Prime Minister and get somebody else in charge who genuinely believes in the Brexit project. There are so many different reasons to vote it down that we would cover all our bases by going through the No Lobby next Tuesday night. But the message I would like to give to the House, particularly to my colleagues, is that voting this deal down next Tuesday will resolve nothing at all. It might be the easiest thing to do. It might even be the smart political thing to do. But it will not take us further forward and it will resolve nothing at all.

One of the consistent themes of the negotiating process over the last 18 months has been how the sheer complexity and, at times, difficulty of the Brexit negotiations have increasingly jarred against the perfect theory and almost beautiful and optimistic simplicity of some of the leave campaign slogans that we heard during the referendum

campaign in 2016. There was a beautiful and optimistic simplicity about the message of taking back control by being out rather than in. Yet as we have seen during these negotiations, the real world is much more complicated. One thing I have learned during the 14 months that I have been a member of the Exiting the European Union Committee is that there is nothing simple or straightforward about the business of withdrawing the UK from the EU after 40 years of membership.

The former New York governor Mario Cuomo used to like saying:

"You campaign in poetry. You govern in prose."

That was not an acceptance of duplicity in politics, but a recognition that, when it comes to serious and responsible government, the outcomes are always less elegant and less attractive than some of the easy campaign slogans.

As the increasing realisation has set in that Brexit is a more challenging and difficult process than many would have liked to have believed at the start, so the blame game sets in. We hear people lashing out so easily against the Prime Minister, saying things like, "It's all her fault. This is due to her personality. She's not tough enough. She should have been stronger. She should have been a real believer and had real faith in Brexit." And we hear accusations against Olly Robbins and the senior civil servants: "If only we had senior civil servants who weren't part of the metropolitan elite and who shared the general views of the real British public, we would have a more perfect Brexit option on the table in front of us."

The truth is that we have a less than perfect Brexit deal in front of us because that was always going to be the case. I say to my Conservative colleagues that the deal on the table is not the Prime Minister's deal—it is our deal. It already has all of our names attached to it. That is because it has been shaped, fundamentally, not by the Prime Minister's personality and not by Olly Robbins, but by decisions that we all took as a governing party. We all agreed to the timetable of the article 50 process with its hard deadline; we signed up to that. We all stood on a manifesto last year that included the contradictory red lines that perpetuated the complete fiction that we could have all the same benefits of membership of the single market and the customs union but none of the obligations that come from that. That manifesto embodied those red lines. We are responsible for the way that this deal has been shaped, so we will share in the responsibility for what happens next.

If this deal gets voted down next week, we know—it is already clear from the first day or so of debate that we have had—that no one is sure what happens next, other than a further period of political uncertainty and turmoil, and that cannot be in our nation's interests.

I will wrap up by saying something about my own constituency, Preseli Pembrokeshire, which voted 55:45 to leave the European Union. On the night of the referendum result, I promised, even though I had been a remain campaigner, that I would respect the outcome of the referendum, and that I would campaign and work towards the outcome being implemented, but in a way that was responsible and that sought to protect key economic interests that affect the lives of the communities in my constituency. My constituency is one of the peripheral areas of the United Kingdom. We are closer to Ireland than we are to England. We have ferry ports

that connect to Ireland. We have oil refining, gas imports, farming and fishing—so many economic interests—and how we leave the EU really matters to the livelihoods of people in those sectors.

One particular sector that I want to draw attention to is oil refining. The Valero oil refinery in Pembroke is probably our largest employer—it employs 1,000 people directly and indirectly through contractors. Having sat down with the general manager of that plant a few weeks ago, I can say to the House that there are very serious and specific reasons why a no deal outcome would be very bad news indeed for that major employer in my constituency. No serious Member of Parliament for Preseli Pembrokeshire could vote for something that could lead to a no deal outcome and look their constituents in the eye again. In my time as MP, I have been through one refinery closure four years ago when the Murco refinery closed, and it was horrible. I have friends who lost their jobs; I have staff members whose family members who lost their jobs. I do not want to see that again.

How we leave the EU really matters. Yes, this is an imperfect deal; it could have been so much better if we had used our time much better as a Government and a party over the past two years. But I am going to vote for it because I believe in doing Brexit in a responsible way that protects the interests of my constituents and abides by the outcome of the referendum in 2016.

4.2 pm

Mr George Howarth (Knowsley) (Lab): It is a pleasure to follow the right hon. Member for Preseli Pembrokeshire (Stephen Crabb). I agree with him on at least one thing—there is nothing simple or straightforward about what we are confronted with here.

I want to spend the time available to me talking about Brexit and Knowsley. People might say, “Why Knowsley?” Why do I have to talk about Knowsley in connection with Brexit? The reason is that in the 2016 referendum the people of Knowsley voted in exactly the same way as the rest of the United Kingdom—52:48—to leave the European Union, so, in a way, it is a microcosm of the rest of the United Kingdom. Why did the people of Knowsley vote in the way they did? When I was out on the street campaigning to remain, three reasons came up continually. The first was immigration; I will say a little more about that in a moment. The second was sovereignty, or taking back control. The third was that they wanted us to control our own finances properly. I want to deal with each of those in turn.

First, on immigration, some of it—not all of it—was xenophobic in nature, with people addressing it as, “We don’t want to be that country. We don’t like multiculturalism” and that kind of thing. People also gave other reasons, one of which was a feeling that immigration was putting too much pressure on public services. In Knowsley, we have the lowest level of immigration in the country, and although we have pressures on public services, immigration has nothing to do with those pressures. But that was one of the reasons they gave.

Another reason people gave—my hon. Friend the Member for Bolsover (Mr Skinner), as so often, touched on it—was a feeling that those coming from eastern Europe in particular were undercutting wages in some of the industries that operate in my constituency. Whether

that is right or wrong, that is what people felt at the time. As it happens, I think we need to have a more intelligent debate about immigration than we have had so far, so that people really understand the nature of it, but we have not had that debate, and we certainly had not had it at that point.

Secondly, I will not labour the point on sovereignty, because it has been made repeatedly by others, but the reality is that we are ceding more control than we are gaining, so the deal does not meet that requirement. Thirdly, on the issue of repatriating the money we spend in Europe and economic control, frankly, all the evidence is that it will go in the opposite direction. The reality is that everything the people in my constituency voted for when they voted to leave is not going to happen with this deal. This deal does not meet the requirements they set, and I think most Members are conscious of that.

Before I conclude, I want to talk about what I know of opinion in my constituency at the moment. Like every other Member of this House, I have had hundreds of people contact me in the last few weeks, and they fall into three distinct categories. The first is people who, like me, voted to remain, and they want us to have a second referendum, so that they can have a go at determining a different outcome. The second category is people who voted to leave, are still convinced of that and are willing for us to come out at any cost, with no deal at all. The third category, which is really interesting, is people—some of them remainers, some of them leavers—who are saying, “We’ve already had a referendum. We should get on with it.” The Prime Minister has been using that mantra over the last few weeks. The problem, given that the deal does not represent any of the things that those people voted for, is that getting on with it means getting on with something that virtually everyone in the House concedes is an unsatisfactory outcome.

I think we would all concede that those who contact MPs to tell them what they think are not necessarily typical of opinion in any given constituency. Nevertheless, that is one signal I have to go by. I got another signal when I went to speak on this issue at the All Saints sixth-form in Kirkby in my constituency six weeks ago. In the middle of it, for some reason, I decided to take a straw poll. Although Kirkby is a traditional white working-class area, the students overwhelmingly voted to remain. They wanted some means by which they could remain in the European Union, and that highlights the generational difficulty we have.

I also attended an event over the summer that I organised with the help of the local chamber of commerce, for local businesses that trade with Europe. From big companies like Jaguar Land Rover, down to a small company that deals in precious metal, they wanted a deal that assured their future trading relationship with the European Union. I do not think this deal provides that.

I am left with the view that this can only be sorted in one of two ways. The first is a general election. That does not seem likely to happen, but it is one way of doing it. The second option is another referendum. I believe that one or both of those, or even a combination of the two, is the only way forward, because there is no majority in the House for anything else.

4.10 pm

Mr Mark Harper (Forest of Dean) (Con): One of the things we are seeking to do as we leave the European Union is to make sure that we do not have a hard border between Northern Ireland and the Republic of Ireland. The way I think we should solve that—I think this is the Government's position—is to have a free trade agreement. The problem I have is the backstop in the withdrawal agreement.

The Prime Minister was clear that a backstop that treated Northern Ireland differently and put a border in the Irish sea was unacceptable and not something any British Prime Minister could sign off. I am afraid to say that she has done exactly that. I was not 100% convinced of that, based on my own analysis of the withdrawal agreement. I am just a humble accountant, not an expert lawyer. This morning, however, I read the legal advice—the letter from the Attorney General to the Prime Minister about the legal effect of the protocol. Paragraph 7 is plain and clear:

“NI remains in the EU's Customs Union, and will apply the whole of the EU's customs acquis, and the Commission and the CJEU will continue to have jurisdiction”

over it, and:

“Goods passing from GB to NI will be subject to a declaration process.”

That means that, if a company in my constituency wins an order with a business in Northern Ireland—in our own country—it will have to have the deal signed off by a British bureaucrat, and if our rules in Great Britain have deviated from those in Northern Ireland, it may be told that it cannot ship that order to a part of our own country. I do not find that acceptable. I think the Prime Minister was right when she said that no UK Prime Minister should sign off such a deal. I still stick to that, which is why I will not be able to support the withdrawal agreement as it is currently set out. This is the first time in my 13 years in this House that I will not be able to support my party. I regret that. I also regret being put in a position where, in order to hold to the promises that we made in our general election manifesto to the people of our country last year, I am forced to vote against a proposition put before this House by my Prime Minister. But I think it is important in politics that we keep our promises because that is how we maintain the trust of the British people. Breaking our promises is not something we should do.

Furthermore, the backstop is also of concern for those who may not be concerned about Northern Ireland because of the indefinite nature of it. The Attorney General set out earlier this week the indefinite nature of the customs union if the backstop is triggered. I fear that that will critically weaken our negotiating position as we negotiate the future trade relationship, which I agree with my right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb) is the thing that is really important. But if we cripple our negotiating position, we will end up with a very bad future relationship, which will stick with us not just for years, but potentially for decades.

The legal advice we have now seen—published this morning—is, again, clear. The Attorney General makes it clear that

“despite statements in the Protocol that it is not intended to be permanent, and the clear intention of the parties that it should be replaced by alternative, permanent arrangements, in *international law* the Protocol would endure indefinitely until a superseding agreement took its place”.

He also makes it clear that there is no mechanism that will enable us to leave the UK-wide customs union “without a subsequent agreement” and that

“remains the case even if parties are still negotiating many years later, and even if the parties believe that talks have...broken down and there is no prospect of a future relationship agreement.”

Sir Robert Syms (Poole) (Con): If in this country somebody had a contract of employment where only one of the parties could end the agreement, or if they had a business contract where only one party could end the agreement, it would be indenture and would be struck down by the British courts, yet we are contemplating an international treaty where that is the case.

Mr Harper: I completely agree with my hon. Friend. That is not a contract I would be willing to sign and I am afraid that is why I cannot sign up to this withdrawal agreement. It is also the case that the withdrawal agreement will hand over about £39 billion in an unconditional way. I think that most people who carry out negotiations generally do not hand over all the money until they have a deal. We should make the money conditional on both getting a good deal and getting a good deal on a timely basis. If we were to do that, we would get a good deal on a timely basis.

There may be before the House amendments to the motions and extra words may be added to the political declaration, but what we are being asked to vote on is a legally binding treaty—the withdrawal agreement. Unless that is changed, words added to the political declaration and any extra words on the motions before this House are legally meaningless. I do not think they are capable of persuading colleagues who are concerned about the withdrawal agreement that they have significantly changed the position.

Stephen Crabb: My right hon. Friend is making a clear and compelling speech. Given that it has been pretty clear for 12 months that the withdrawal agreement would include a Northern Irish backstop and that that would have some teeth to it, and that there was no way that the EU or the Irish Government were going to agree to a backstop with an end date because then it would not be a backstop, how does he propose that we overcome that problem? What does voting down the deal next Tuesday do to make a solution to the problem he sets out any more likely?

Mr Harper: First, there were two aspects to the joint report that was signed. We have delivered one of them in the withdrawal agreement. The other one was about ensuring that unfettered access to the United Kingdom market remained in place. That may well be true for Northern Ireland businesses, but it is not true for businesses in Great Britain. So we have not delivered, according to the Attorney General's advice, on that joint report in this withdrawal agreement.

The Irish Government, the British Government and the EU have all said that they do not want to see a hard border or infrastructure—we are all committed to that and we are all supposed to be committed to reaching a deal on a future relationship—so I do not see any need to have the backstop in this deal. It is clear to me that, if the backstop remains in the deal, the Prime Minister will not be able to get it through the House. If the

Cabinet's deal is defeated—this is the Cabinet's agreement, not just the Prime Minister's—the Prime Minister should go to the European Council at the end of next week and say that any deal with the backstop will not be passed by this House and that they should think again. I think they will reflect on the fact that, if the fifth largest economy in the world and a close defence and security partner is leaving the EU, they have a choice: do we leave with a good, positive relationship on which we can build in the months and years to come, or do we leave with a spirit of rancour and discord? That is something our European partners will have to reflect on. I hope that, if they reflect on that, they will reach a wise and sensible decision and we can reach a sensible agreement.

My final point is aimed more at my Conservative colleagues. Because of the importance of Northern Ireland, my colleagues need to reflect on the fact that, if the deal were voted through next week, it is my belief, having listened carefully to what they have said, that the relationship between our Democratic Unionist party allies and the Prime Minister would be fractured beyond repair and what we saw yesterday, when we were defeated three times in this House, will be a state of affairs repeated on a number of occasions day after day after day. I think we would be in office but unable to govern our country effectively. Colleagues need to think about that.

It is not too late for the Prime Minister to think again, to come before the House before the vote on Tuesday and to say that she is going to change the withdrawal agreement and deliver that message to our European partners. If she does that and the withdrawal agreement is changed, I for one will happily support the Government, and I believe that the majority of MPs in this House will do so. It will unify our party and bring our DUP allies back with us. If she does that, she will have my support. If she does not, I regret that, for the first time in my 13 years in Parliament, I will be unable to support the leader of my party and the Prime Minister of my country.

4.20 pm

Chuka Umunna (Streatham) (Lab): We are asked to approve the withdrawal agreement and the political declaration. I will vote against them because they are not in our national interest. I do not believe that they represent the will of this House or the will of our country, which is why we have to give this issue back to the people with the option to keep our current deal—a far superior arrangement. Some will say that that is unsurprising; I represent the area that scored the highest remain vote in the country. It is almost as if what my constituents think does not count, because ever since 2016, there has been a deliberate attempt to dismiss areas such as mine that voted remain and to divide them off from areas that voted leave.

Despite the multifaceted nature of the result and the fact that it was evenly balanced—17.4 million to 16.1 million—areas such as mine are sometimes treated like a small minority and airily referred to as being liberal, metropolitan and elite. In Lambeth, we are proud to be metropolitan and we are proud of our liberal values, but we are anything but an elite. We are the eighth most deprived local authority area in England. One third of the children living in our borough live in poverty. We have higher rates of unemployment and we

have more acute social problems than many of the areas that voted to leave, so my constituents have grievances, too. No one side of this debate has a monopoly on grievance. The only difference is that in Lambeth, we did not believe that leaving the European Union would do anything to help us or solve the problems that I just referred to, and nothing in the withdrawal agreement or the political declaration gives us any reason to think otherwise.

As for those who did vote to leave, what were they promised and have the withdrawal agreement and declaration delivered it? The right hon. Member for Forest of Dean (Mr Harper), who spoke before me, is absolutely right: it is important that these promises are kept. Vote Leave—I note that the Environment Secretary was the co-leader of that campaign—said that the Government would negotiate new trade deals that would immediately take effect on exit day. Where are those trade deals? I will give way to him if he wants to tell us where they are. We know that they are nowhere to be seen and that we will not see any of them in March 2019. [*Interruption.*] The right hon. Gentleman chunters from a sedentary position. Not one trade deal will be in place in March 2019. I am happy to give way to him if he wants to disabuse the House of that fact, but he knows that it is not going to happen.

Vote Leave also promised that trade with the EU would not be harmed. The Prime Minister acknowledged in her Mansion House speech that we will have less market access and trade will be harmed. The Government's own economic impact assessments are telling us that we will be poorer as a result. Then, of course, there was that ridiculous promise of the £350 million extra per week that we were told would go to the NHS—a straightforward lie, which I will not dignify with any further attention.

I want to address what is sometimes the elephant in the room: immigration. If one factor above all else was driving the vote, it was that and the issue of EU free movement. It was exploited in the most disgusting way. Remember Vote Leave's claim that millions of Turkish people would be coming to our country, bringing criminality and threatening our security—it was an absolute disgrace and those involved in making those claims should hang their heads in shame.

There is, of course, concern about the levels of EU immigration. Let us be honest: views are stronger in respect of non-EU immigration, and there are parallels between the discontent in some leave-voting areas about EU immigration and the discontent regarding the immigration that we have had in this country from the 1950s. There was, after all, a form of free movement from the Commonwealth up until 1971; my father was part of that. I do not deny that immigration poses economic and cultural challenges in parts of our country, but if we implement the right policies, it need not do so.

I turn then to the underlying causes of concern about immigration: not enough well-paid and decent jobs; not enough decent, affordable housing; a shortage of school places; an NHS in crisis. These problems will not disappear or be mitigated if we exit, be it with this withdrawal agreement and declaration or in any other way. As the Government's own Migration Advisory Committee has said, immigration has no or little impact on the overall employment conditions or outcomes of UK-born citizens; immigration is not a major determinant of the wages of

[Chuka Umunna]

UK-born workers; immigrants make up a small fraction of those in social housing; and, above all, EU immigrants contribute so much more to the health service and the provision of social care and financial resources, and through work, than they consume in services.

It is absolutely clear, therefore, that ending free movement will not solve the problems facing the country. We have to treat our constituents—everyone in this country—like adults and be honest. I am fed up with hearing people say, “People expressed concerns about immigration.” Of course we should engage with that, but let us not lie and say that we agree that they are caused by all these EU immigrants that people refer to. Governments from both sides of the House have not delivered enough for people, and that is the problem, not immigration.

Where does that leave us? We have absolutely no idea because we do not know the proposed post-Brexit immigration arrangements or our future economic relationship with the EU; we just have this declaration of aspiration. This is the point. Beyond immigration and security, we do not know the final Brexit destination, and let us be honest about this too: the House cannot agree what that destination should be either. For all those reasons and more, I cannot see how we can resolve this issue if we do not refer it back to the people to determine. Let us have the people’s vote we need.

4.26 pm

John Redwood (Wokingham) (Con): Almost two and a half years have now passed since the people spoke in that big democratic referendum. The people voted in very large numbers to take back control of our laws, our money and our borders, and to reclaim the lost sovereignty of the United Kingdom electorate, and they did so in the teeth of enormous hostility and propaganda from many elements of the political and big business establishment.

The people were told they were too stupid to understand the arguments and that there were huge dangers if they dared to vote to leave the EU. They were told by both campaigns, and by the Government in a formal leaflet, that we would be leaving the single market and the customs union, because rightly we were told that the EU would not allow us to cherry-pick bits of the single market and customs union and that those were an integral part of the whole. They were given a set of entirely bogus and dishonest forecasts about what would happen in the short term after the vote, and practically every one of those forecasts was wildly too pessimistic, which has led to the distrust between the vote leave majority and the establishment that pushed out those forecasts.

I urge the House to move on from “Project Fear”, to move on from gloom and doom, and to understand that many millions of decent, honest voters made a careful and considered decision, and they do not believe those who tell them it will all go wrong, that it must be reversed or that they must be told to think again and vote again because they did not do their homework. It is deeply insulting to the electors, and I am sure that this Parliament is worthy of a much better performance than that.

The people were saying something wonderful for this Parliament. They were saying, “We believe in you, Parliament. We believe you can make wise laws. We believe you can make even wiser laws than the EU. We believe you can make better judgments about how to spend the taxes we send you than the EU, which spends so much of the money on our behalf in ways of which we do not approve. We believe, O Parliament, that if you help us to take back control of our laws and democracy, we will get better answers. Or, of course, Parliament, if you do not give us a better answer, we the people will have our sovereignty back, and we will dismiss you.”

One of the things that most annoys people about the EU among the leave-voting majority is that we cannot sack them. Whatever they do, however bad they are, however much money they waste, however irritating their laws, we have to put up with them. We cannot sack them; we cannot have a general election. [Interruption.] Scottish National party Members say that they feel the same about the Union of the United Kingdom, but we gave them the democratic opportunity, and their people say that they like our system of government, because this is their democracy too. [Interruption.] The hon. and learned Member for Edinburgh South West (Joanna Cherry) should understand that her colleagues in Scotland, and her voters in Scotland, believe in UK democracy, and they have exactly the same rights of voice and vote and redress as all the rest of us.

Sir Desmond Swayne (New Forest West) (Con): I entirely agree with my right hon. Friend. Ever since the referendum, the narrative has been to find explanations for why the people voted as they did—any explanation other than the fact that they wanted to leave the European Union. Does he consider that the majority in favour of the amendment in the name of our right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) shows that the game is up, and that there is now a majority in the House against leaving the European Union? The game for us must be to find some orderly way around that, irrespective of the majority who are now against us.

John Redwood: I do not prejudge the evil intents of other Members. I hope that all Members will agree that we must implement the referendum result. We had a general election in the summer of last year, and I remember that in that general election Labour and the Conservatives got rather more than 80% of the vote in Great Britain, the Democratic Unionist party did extremely well in Northern Ireland, and all three parties said that they would faithfully implement the referendum decision of United Kingdom voters on leaving the European Union. I trust that they will want to operate in good faith in the votes that may be to come.

My advice to Ministers, as well as to the rest of the House, is that what we should now be doing is celebrating the opportunities and the advantages that we will gain after March, when we have left the European Union. We should be having debates about how we will spend all the extra money on improving our public services instead of giving it to the EU. We should be having a debate about all the tax cuts that we need to boost our economy, so that instead of growth slowing after we leave, we speed it up by deliberate acts of policy which

we would be empowered in this place to take if only Members would lift their gloom and their obstinate denial of opportunity, and see that if we spent some more money and had some tax cuts, it would provide a very welcome boost to our economy in its current situation.

I want to see us publish a schedule of tariffs for trading with the whole world that are lower than the tariffs that the EU currently makes us impose on perfectly good exporters, particularly of food products, from elsewhere in the world. Why do we have to impose high tariffs on food that we cannot grow for ourselves? I want us to have a debate on urgently taking back control of our fishing industry so that we can land perhaps twice as many fish in the UK and not let them all be landed somewhere else, and build a much bigger fish processing industry on the back of domestic landings from our very rich fishing grounds.

I wish to see us get rid of VAT on, for instance, green products and domestic fuel, which we are not allowed to do because we are an impotent puppet Parliament that does not even control its own tax system for as long as we remain in the European Union. I wish to see us take back control of our borders, so that we can have a migration policy that is right for our economic needs and fair to people from wherever they may come all around the world, rather than having an inbuilt European Union preference. I wish us to be a global leader for world trade. Now that the United States of America has a President who says that he rather likes tariffs, there is a role for a leading great power and economic force in the world like the United Kingdom to provide global leadership for free trade.

We will do none of that if we sign this miserable agreement with which the Government have presented us, because we will be locked into their customs arrangements for many months or years. We will not be free to negotiate those free trade deals, let alone provide the international leadership which I yearn for us to provide. I want us to have our seat back at the high tables of the world in the big institutions like the World Trade Organisation, so that with vote and voice and purpose, we can offer something positive, and have a more liberal free-trading democratic world than the one that we currently have. That is something that we are not allowed to do for as long as we remain members of the European Union.

I say this to Members. Lift the gloom. Stop “Project Fear”. Stop selling the electors short. Stop treating the electors as if they were unable to make an adult decision. Understand that they made a great decision—a decision I am mightily proud of—to take back sovereign control to the people, to take back the delegated sovereign control to this Parliament. It is high time that this Parliament rose to the challenge, instead of falling at every opportunity, and high time we did something positive for our constituents, instead of moaning and grumbling and spending every day—groundhog day—complaining about the vote of the British people.

4.34 pm

Mr Virendra Sharma (Ealing, Southall) (Lab): Many hon. Members have spoken in this debate on one of the most important pieces of legislation that this House has considered, and I am grateful that we have as much time

as we do to debate this nation’s next steps. I do not believe it is hyperbole to say that we are charged with setting this nation’s future.

I campaigned for our country to remain in the EU. I believe we are stronger when we work with our neighbours, not when we turn our backs on them. The majority of this House said that leaving the EU would be bad for business, strip protections from workers and leave us isolated in the world. We were not heeded. Many of us here counselled that article 50 should not have been triggered and that rushing to this momentous step was foolhardy. We were not heeded. We stood in this House and the Prime Minister paid lip service to the requests of hon. Members to negotiate to protect key sectors of the economy. We were not heeded.

The Prime Minister and her Government have carried on regardless, with the small clique running things the same way that they always have. In this country’s greatest leap into the unknown, she has chosen not to bring people together, not to create consensus, and not to work openly. But she has used every scintilla of strategy and guile she could muster to block this place from scrutinising her deal. Now it is too late; I am sure other Members will respond to that later on. Behind her sits looming the largest rebellion of this century, because she thought she alone could design the deal this country needs. Leadership may take self-belief, but it needs self-awareness, too.

The deal that we will vote on is not a deal for growth, it is not a deal for an outward-looking Britain, and it certainly is not a deal for the future. We abandon allies and friends in Europe, and we put into question our own security, and so I do not vote against this deal lightly. If we vote this deal down, the risk only rises of a no-deal Brexit—a no-deal Brexit that will destroy jobs and livelihoods, drive teachers, doctors and nurses out of the UK, and create another generation scarred by a self-inflicted recession.

This country was built on immigration. I myself came here more than 50 years ago, made a family and a life here, served as a local councillor for over 25 years, and have become a Member of Parliament. But the Prime Minister’s plan for Brexit will denude this nation of who it needs most, so I cannot in good faith vote for a deal that leaves my constituents, young and old, without a brighter looking future. Are my grandchildren and all their generation going to look back at this moment and at the Prime Minister’s deal, and remember it as the moment we snuffed out their hope?

The misjudgment, the mishandling and the sheer incompetence of our so-called pivot to the world is staggering, I cannot believe this is what anyone voted for on 23 June 2016. We owe it to everyone in this country, from Ealing Southall to Edinburgh and across the Irish sea, to end this madness. This House should vote down the Prime Minister’s deal, and the Government should take a stand for our country and withdraw our notice under article 50. They should show some leadership. If the Prime Minister cannot summon the courage even to hand the decision back to the people in a new referendum, then this is the appropriate time for her to stand aside and let others show some real leadership.

4.40 pm

Dr Sarah Wollaston (Totnes) (Con): It is a pleasure to follow the hon. Member for Ealing, Southall (Mr Sharma), and I agree with him that we are stronger when we work

[Dr Sarah Wollaston]

with our neighbours. No one doubts the commitment of the Prime Minister to try to deliver on the wishes of the 52%. The trouble is that no one really knows which version of Brexit she was mandated to deliver. There are so many possible alternatives, with everything from Norway, the European Economic Area, the European Free Trade Association and Norway plus a customs union through to a Canada-style free trade agreement and Canada plus plus plus. There are so many options, but after two years of hard slog, we now know what this looks like. We know what the withdrawal agreement looks like, for example. It is a legally binding agreement with more than 500 pages, but worryingly, it has only 26 pages describing what will actually happen after the transition period. That is nothing more than a wish list of asks and it is very sketchy. We are heading for a blindfold Brexit.

I also fear that we are being forced into a binary false choice in which we accept either a bad deal or something even worse: no deal. Unfortunately, the Prime Minister has set down red lines all around herself for the various options. The one area in which she has not put down a red line is the worst deal of all, which is no deal. I am afraid that I do not agree with my right hon. Friend the Member for Wokingham (John Redwood) when he talks about “Project Fear”. I think that very shortly, possibly in as little as 114 days, we will be up against “Project Reality”. In the context of no deal, “Project Reality” would be very serious indeed for patients who use our national health service. We are talking about major interruptions in the supply chain of vital medicines and medical supplies. We are talking about insecurity in the supply of vital diagnostic test materials such as medical radioisotopes, which cannot be stockpiled. We are talking about supply chain issues for complex biological drugs, including those that we use to stop transplant rejection and to treat cancers.

We are also talking about products that cannot easily be switched from one brand to another in cases of shortage, such as medication for epilepsy. We are talking about difficulty in guaranteeing sufficient refrigeration capacity for stockpiling. Nobody voted in the referendum because they wanted to see the stockpiling of medicines and the extra costs involved, or the difficulties that the NHS and our care services will face in providing the workforce that we need. The truth is that there is no version of Brexit that would be positive for our NHS, for our care services, for science and research or for public health, and we need to be honest with people about that.

We also need to be honest and have a reality check about what is happening in this place. It seems to me that even the dogs in the street know that the Prime Minister's deal is not going to pass this House next week. That is the truth of it. We should now be thinking about plan B, and we need to be honest about that. To my mind, plan B must not involve no deal. No responsible Government could inflict no deal on the United Kingdom in 114 days' time. We are absolutely not prepared for that. So what is the alternative? There is no majority in this House for any of the other options, so the alternative is to look at going back to the British people and saying to them, “This is what Brexit looks like. This is the best that could be negotiated. Is this the Brexit you voted for,

or do you want to stick with the deal that we have?” I would say that there was no consent to being dragged into Brexit without asking the people.

Before coming to this place, I was privileged to work in the health service for 24 years, and to teach junior doctors and medical students. In medicine, there is the really important principle of informed consent. We should apply it to Brexit, because Brexit is major constitutional, economic and social surgery. To give informed consent, one has to know what the operation involves. Two years ago, there were many possible versions of that operation, but now that we know what the surgery involves, it is time for proper discussion about the risks and benefits, and to allow people to weigh them up for themselves.

James Heappey: My hon. Friend knows that I respect her enormously. I agree that being very candid with the electorate is the right thing to do right now. Should we also be candid with them about the mechanism for delivering a second referendum—about the fact that it would require an Act of Parliament; about the European Union (Withdrawal) Bill taking 348 days to get through the Houses of Parliament; and about there being absolutely no expectation that a Bill as controversial as a second referendum Bill would be able to progress through this place any quicker?

Dr Wollaston: I ask my hon. Friend to have a look at the work of the Constitution Unit and others, who estimate that we could get a referendum Bill through the House in 22 weeks. We would first need to extend article 50. That is what I hope that the Prime Minister does. I hope that she looks at the reality of the situation, extends article 50, and asks the British people, “Is this the Brexit you voted for, or do you want to stay with the deal we have?”—the one that has served us well for decades. That question has to go back to the British people.

None of us in this House should be forced into a false choice—into choosing a bad deal because we are told that the only alternative is no deal. That is simply not the case, and I believe that the House will reject the deal. That is why I support the amendment in the name of the right hon. Member for Leeds Central (Hilary Benn) rejecting no deal, and urge colleagues to do the same. The House should ask to extend article 50, so that we have the time to consider where we go from here. Otherwise, in 114 days, we run out of road and fall off a cliff. What is needed now—this message is for the Opposition Front Benchers as well as ours—is a BFO; a blinding flash of the obvious. We need to think again. Delivering on a people's vote will require the Opposition Front Benchers not to cling to the idea that they will force a general election; we know that will not happen, either.

We do not have any time to waste. We need Members on both Front Benches to give a free vote, or deliver support for a people's vote. That is the way forward. This House would decide the exact question. I believe that the choice should be between this deal and remain; I know others feel that the question should be more complex. We do not have to decide that now—it is something that the House could decide later—but we must not run out of road; we must extend article 50.

4.48 pm

Marion Fellows (Motherwell and Wishaw) (SNP): It is a real pleasure to follow the hon. Member for Totnes (Dr Wollaston). I will vote against the withdrawal agreement, because I want to help and support my constituents in Motherwell and Wishaw, and because I believe the UN rapporteur and the Joseph Rowntree Foundation when they talk about increasing poverty; I have seen it in my constituency. I spent last Saturday helping a wonderful woman, Martine Nolan, with her great toy giveaway to children in my constituency and constituencies close by who will not have a Christmas because of the poverty that they are suffering. Those children's parents are in work. In this country, being in work no longer means that someone earns enough to support their family adequately. I will not listen again to those Front Benchers who tell me that the only way out of poverty is work, when people in my constituency work in a gig economy, earn very little money and have no job security.

Within weeks of setting up my office in Motherwell, the people in my office helped me to establish the Poverty Action Network. I pay tribute to the members of that network, which include people from North Lanarkshire Council, organisations across Motherwell and Wishaw, and organisations right across North Lanarkshire. They want the best for people, I want the best for people, and this deal most certainly is not that.

As I said in my maiden speech, my constituency has always welcomed immigrants, starting with Lithuanians after the first world war. We have had Congolese refugees and Syrian refugees, and huge numbers of Polish people have contributed enormously to the culture, health and wealth of my constituency. I do not want to see barriers go up to prevent that.

At the moment, EU nationals are choosing not to come to Motherwell and Wishaw. For example, last month's Nursing and Midwifery Council figures showed that EEA applications for registration in this country were down 87% last year, and they are still dropping. The people who look after our most vulnerable mostly come from EU countries.

When my husband was dying, I was relieved that he would not need more radiotherapy, because I was so worried about what might happen if he had needed it and there were queues at Dover, we were no longer in Euratom and he could not get the vital services he needed. He was lucky that he did not have to wait, and he is out of that kind of pain now.

Turning to businesses in my constituency, small businesses rely on there being higher numbers of EU nationals in Scotland. That is especially true in the highlands and islands, but even the factory in my constituency that makes kilts for the UK Army employs EU nationals. It needs those people and the support they provide.

The UK chair of the Federation of Small Businesses said that if small businesses are

"lumbered with complex paperwork to bring in EU staff post-Brexit that will cause a significant drag on the billions they contribute to the economy each year."

We cannot have that; it does not help our businesses. How will the economy grow when we do not have the right people in the right jobs because of paperwork?

The fact that Northern Ireland has secured a separate Brexit deal—and for very good reason—will affect competition between Scotland and Northern Ireland.

Unfortunately, companies will start to move. It is just a short hop across the water from Stranraer—or, rather, below Stranraer—to Belfast.

Paul Girvan (South Antrim) (DUP): Cairnryan.

Marion Fellows: Cairnryan—I thank the hon. Gentleman. It is only a short hop. That will affect Scotland's business community in a way that has not even been thought about.

I do not want people in my surgeries, whether they are EU nationals or others, to feel that they are not welcome in my country. I do not want immigrants to be treated differently from how they are treated now. I do not want them to have to pay any more. Thank goodness the Scottish Government are going to pay for the paperwork that may be necessary.

Workers in my constituency will suffer a loss in rights if this Government have anything to do with it. The Government have shown that they would prefer businesses to have rights than the workers who create their profits.

My constituents voted yes in the first independence referendum and remain in the 2016 referendum. I want them to continue to be members of the single market and the customs union, and I want to continue to welcome migrants to Scotland. As my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) said, Scotland has seen how the United Kingdom Government treat its Parliament, its people and its industries.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): With contempt.

Marion Fellows: With complete contempt. This Scotland will not put up with that much longer. In view of that, I have no faith in this Government, I do not want Scotland to remain part of the UK, and I am confident that my constituents will vote yes in the next independence referendum.

4.55 pm

Mr Philip Dunne (Ludlow) (Con): It is a pleasure to follow the hon. Member for Motherwell and Wishaw (Marion Fellows). I rise to speak in a debate in the Chamber for the first time for some months, but this takes me back to my maiden speech during a debate on the European Union back in 2005, because the topic has continued to be discussed in the House every year since.

Those looking at this debate from outside—I am sure that other Members are getting the same evidence that I am receiving in my postbag and via email—are encouraging the House to settle the issue and to get on with it. Since the referendum, and while the Prime Minister has been seeking to negotiate a deal, we have been living with a degree of uncertainty that we cannot, in all conscience, allow the country to continue to endure for years to come. Many of the alternative options to the deal that is on the table that have been referenced by other Members in this debate today and yesterday all require actions to be taken by parties other than the people in this House. In almost every case, they require either a continuing negotiation with the EU on matters that it has already indicated it does not intend to engage with us on, or

[Mr Philip Dunne]

they require both Houses of Parliament to enact further legislation, as we just heard in response to the question to my hon. Friend the Member for Totnes (Dr Wollaston) regarding a second referendum. Each option would involve months, if not years, of continuing uncertainty with no certainty whatsoever about the outcome, so I hope that hon. Members will take that into account when voting next week.

I want to talk about a couple of specific aspects of the deal that is on the table to try to explain why I intend to support the Government. I am looking for a pragmatic Brexit. I am looking for a negotiated deal that allows for as frictionless trade to continue as is possible, and not because that would be in the best interests simply of big business. I find it extraordinary that colleagues across the House refer to “Project Fear” or scaremongering when any business raises its head and says, “This is going to be damaging for my business. This is going to lead to job losses in my sector.” I sit on the Environmental Audit Committee, which heard yesterday from the chemicals industry, and the reality is that many Members have heard evidence given to multiple Select Committees that the complexities of seeking to continue to trade in a no-deal environment are such that many businesses in the chemicals sector, the pharmaceutical industry, the automotive industry and the financial services industry—many of the sectors that we rely on for the large majority of jobs in this country—would come under significant pressure in the event that we crash out with no deal. That would happen whatever colleagues might think.

I am thinking in particular of the largest employers in my constituency that I know best. My constituency is in the west midlands, so many are heavily involved in the automotive and manufacturing sectors. Grainger & Worrall is the largest employer in Bridgnorth alongside Bridgnorth Aluminium. The McConnell agricultural machinery business is the largest employer in Ludlow. Britpart, which is a motor manufacturer, is the largest employer in Craven Arms. There are companies engaged in food production and agri-products, such as Euro Quality Lambs in Craven Arms. All those companies are worried about what would happen to their business in the event of no deal and all are pressing us to negotiate a deal to allow frictionless trade.

In my time as a Minister, I was involved in two sectors in particular: defence and health. Some material has been put out regarding the impact of this deal on our defence relationships, and from the protocol I have seen for the future framework on security, there is nothing to be concerned about in relation to the Government’s intent on defence.

There is an opportunity for us to continue to have an associate relationship with, for example, the European Defence Agency, which has been characterised as a very damaging thing. We have been contributing the princely sum of £2 million a year to the European Defence Agency for the last 10 years, and we choose to take up very few opportunities to engage with its procurement arrangements because we think we can do it better on our own or through bilateral relations with many other countries across Europe. That is a canard, or a boil that needs to be lanced.

Similarly, we are not going to be engaged in a European army. In this country we rightly regard NATO as the foundation of our defence. If the European Union wishes to go ahead with a European army, we will have no part of it. On many occasions when operations take place around the world—some of those operations are EU initiatives—we choose whether we wish to participate. We should continue to be able to do that, but it will be our choice whether we participate.

On procurement, it has been suggested that we will lose the current exemption from article 346 and will therefore be bound by EU procurement arrangements for warlike stores. That is specifically ruled out by annex 2 of the protocol on the transition period, and it will undoubtedly be negotiated out of the eventual agreement.

On health, I am reassured that, in his opening remarks, my right hon. Friend the Home Secretary said that he intends to provide the unilateral right of residency to EU citizens and their families for the future, and I look forward to seeing that in the migration policy. That should provide considerable reassurance to the EU citizens who work in our health service and in our social care sector that they will continue to be welcome here, which I know concerns my hon. Friend the Member for Totnes (Dr Wollaston), the Chair of the Health and Social Care Committee.

I am concerned about having continuing access to medicines, which can only be achieved in a straightforward way through a negotiated deal. That is another reason why I will support the deal next week.

5.2 pm

Sammy Wilson (East Antrim) (DUP): It is an honour to follow the hon. Member for Ludlow (Mr Dunne), although I do not agree with his analysis of this agreement, nor will I be voting in the same manner as him next Tuesday. He talks about the importance of supporting this deal because we have to get on with delivering on the view of the people of the United Kingdom to leave the EU, but this deal does not do that. It does not deliver on the referendum result, nor does it deliver on the promises and the manifestos on which his party, my party and the Labour party stood at the last election, when people gave a second endorsement to the belief that we are better off out of the EU. This deal, because of its concentration on a mythical problem that will exist between Northern Ireland and the Irish Republic when we leave the EU, has tied the United Kingdom into a range of measures that will damage the economy and damage the Union.

Paul Girvan: I have just attended an event with a hand-picked group of businesses and organisations that the Secretary of State requested, and they told me to support this deal. Why are they so wrong?

Sammy Wilson: I will go through the reasons why they are wrong. This deal emphasises a mythical problem on the border—a problem that does not exist. The current practice means that trade can go across the Irish border, with taxes being collected, with goods being checked for conformity with regulations and with animal health being protected, yet we do not need a hard border. Indeed, all the parties to this agreement have said that they will not, in any circumstances, have a hard border. Only a couple of weeks ago, the EU and

the Irish Government were assuring us that even if there is no deal, a hard border will not be imposed, because a hard border is not necessary. What we have in this withdrawal agreement, with the Northern Ireland protocol and the UK protocol, is designed to do only one thing: thwart the wishes of the people of the United Kingdom to leave the EU.

That is because we have only a number of options. The UK as a whole could stay in the single market and the customs union. If the Government wish to free themselves from that, Northern Ireland has to stay within the single market and the customs union. I defy any Member of this House to say that they could go back to their constituents, tell them what the Attorney General told the Cabinet was going to happen to their constituents and find that they would not be chased. First, their constituency would have to regard the rest of the UK as a third country, with the implication that they could not trade freely with the rest of the UK. They would have barriers placed between their part of the UK and the rest of it, and businessmen would face all the impediments. Indeed, the legal opinion makes it clear that there would be friction in trade—in other words, there would be additional costs, delays and barriers, and there would be distortions to trade, yet that is what this agreement entails for Northern Ireland.

We can get out of that only by doing one of two things. First, we could reach a future trade arrangement that the EU says is sufficient to allow us to be out of that arrangement completely. It could even insist that if we reach a free trade arrangement, we still have partly to stay within those restrictions, including more than 300 EU regulations which would be applied to Northern Ireland. Just in case the EU has missed any, it says, “Any future new ones that fall within the scope of this would also have to apply”, so we would have different laws from the rest of the UK.

James Heappey: The Northern Ireland national farmers union has made it clear that the Prime Minister’s deal is in the best interests of farmers in Northern Ireland—why is it wrong?

Sammy Wilson: This is a surprising thing. If the Ulster Farmers Union read this agreement, it would see that article 12 of the Northern Ireland protocol makes it clear that because state aid rules would apply to Northern Ireland, even if this UK Government decided to subsidise agriculture, the EU could cap any subsidy. The subsidy could apply differently in the rest of the UK from how it could apply in Northern Ireland. I could take Members through a range of other things in this agreement that the UFU conveniently has just dismissed but that will have an impact on its members. That is one reason why many farmers in my constituency are raging with the UFU.

One way of getting ourselves out of this is by having a free trade arrangement, which the EU may or may not deem as allowing us to get away from these shackles. The Attorney General makes it clear that although best endeavours to reach a free trade agreement are required, the EU could still argue, “We have done our best but it is still not in our interests.” Sixteen years later it could still be arguing, “We are doing our best” and still not be in breach of the obligations in this agreement. We know—Scottish Members should be aware of this—that the French Government have already said that they will

use this as a cudgel to get further concessions from the UK Government on fishing, aviation and other things. Every other EU country will be doing the same and using the same tactic, so that is not an easy way out and we could still be negotiating this.

Significantly, the other method of getting out is for us to extend the transition period. There is great ambition shown in the withdrawal agreement about extending the transition period. Many people think that when we talk about extending the transition period we are talking about a few months. Well, according to the document it could be extended to “20XX”—we could still be at this in 100 years. This place could be refurbished, or even rebuilt, by the time we have got a free trade arrangement to replace the backstop.

The impact of this agreement on the constitutional integrity of the United Kingdom is that Northern Ireland would be treated differently from other parts of the United Kingdom, which is something the Prime Minister promised would never happen. Northern Ireland industries are more export-oriented than any other region of the UK, because we have a small local market. We produce a third of the world’s aircraft seats. If someone has sat in row C or F, they have probably sat in a seat made in Kilkeel. We produce 40% of the world’s stone-crushing equipment. All that goes to markets mostly outside the EU, yet we would be excluded from participating in any trade deals that our Government might arrange with the rest of the world because we would be permanently part of the customs union unless the backstop were lifted. The backstop can be lifted only if and when the EU decides it is time to lift it.

I say to those on the Government Front Bench that we had an arrangement to keep the Government in power and working between now and the end of this fixed-term Parliament. Promises were made. In December, we sat with the Prime Minister in Downing Street and she said, “I will make sure that Northern Ireland has the final say in this because the Assembly will be the final arbiter as to whether or not these arrangements are put in place.” Those promises were taken out of the agreement. There has been bad faith. The agreement and understanding that we had has been broken. As the right hon. Member for Forest of Dean (Mr Harper) said in his speech, that has caused tensions. Going down this road will create tensions. We want to see our agreement honoured because we want to see the United Kingdom preserved.

5.12 pm

Mr Nigel Evans (Ribble Valley) (Con): It is great to follow my right hon. Friend the Member for East Antrim (Sammy Wilson) and his siren warnings about what could happen over the coming weeks and months if we do not listen. I understand that people are talking to the DUP; it is about time that people started listening to the DUP. There is a huge difference.

I am not one of the MPs who has stood up and waxed lyrical on this issue over the past two years, as some Members in this Chamber have done. Barely a debate has gone by without certain Members sharing what they believe is right. I have heard a lot of talk today about honesty, transparency and treating people like adults. That is a good idea, because in 2016 we had a people’s vote. For anybody even to suggest that another

[Mr Nigel Evans]

referendum would be the people's vote because the last one was not is totally and wholly fraudulent. It is ridiculous.

A people's vote was held in 2016. We MPs in this Parliament allowed it to be held, and it was held. Surprise, surprise: it was not what people in the main thought was going to happen. I remember watching the result. There was no exit poll. The pound was up, shares were up, and Nigel Farage conceded defeat. Then, of course, the results started to come in. People who lived in the bubble of London could be forgiven for thinking that remain was going to win, but what happened was that there were swathes of people in the north-east, the north-west, and the south-west who felt as if nobody was listening to them—that they were the invisible people. Thanks to David Cameron, though, they were given a voice, they used that voice, and the voice said leave. Now, all of a sudden, those people are facing this Parliament, which is saying, “Not only don't we see you; we have now decided not to listen to you.” That is wholly dangerous indeed.

When we agree to a referendum, we really do need to respect the result. In 1997, when I was a shadow Minister, Wales had a referendum on devolution. The result was 50.3% in favour and 49.7% against, on a 50.1% turnout. What did we do? We conceded. The difference between yes and no was under 7,000, but we conceded that that was what should happen, and devolution was given to the people of Wales. It would have been wholly wrong had we not done that.

Tim Loughton: Does my hon. Friend not agree that one of the reasons why people voted to leave is that, when a country has a referendum and comes up with a result that the EU does not like, it is the practice of the EU to pat it on the head patronisingly and to tell it to go away and come up with a different result—one that the EU agrees with. Is that not what certain people are now telling us that we should be doing, which is why we wanted to get out of the EU in the first place?

Mr Evans: It is worse than that. Again, it is this idea of let us go for honesty and treat people like adults. I am talking about the people's vote—because we did not have one last time when 35 million people voted. What should be the options? “Oh”, says my right hon. Friend the Member for Putney (Justine Greening), “there should be three options.” The first is vote for the Government's deal, which hardly anyone I speak to thinks is any good; then there is the cliff edge, which most people believe can be avoided and is an option that people really do not want; or there is stay in the European Union, which people rejected in 2016. That is not fair. Let us be honest: we are told that, in this Parliament, we cannot reach a decision with which everyone will agree. We must accept that, during the referendum, the vast majority of Members of Parliament voted and campaigned for remain. We are in a remain Parliament, which happens to reside in a leave country. It is wholly dangerous for us to turn to the people now and say, “You let us down. You got it wrong.” What else is said about people who voted leave? It is that they are a bit thick and that they did not know what they were voting for. We have also had intimations that perhaps they were racist. Well, no, they were not. They were not racist. Immigration was

only part of it. It was all about the sovereignty of making decisions in this Parliament, with immigration being part of that.

Catherine West: Does the hon. Gentleman agree that, following the Welsh devolution debate, there was no requirement for a public inquiry into the funding of the various campaigns? A number of years have elapsed since that vote. There was not, at that time, the technological advances and the questionable use of Facebook and other social media, so it is not really comparing apples with apples.

Mr Nigel Evans: Well, it is apples and apples. It is simply because there are people here who are now using any excuse to try to ignore the result—to try to turn it over because they did not like the campaign. They think that people lied on one side or the other. In fact, those accusations were levelled at both campaigns. We should not forget that, on top of that, the Government spent £9.3 million on a brochure that they sent to every household in this country, using taxpayers' money. It was propaganda to try to convince them to vote remain. I objected to the pamphlet at the beginning. On the back of it, David Cameron put one paragraph that said, “We will accept the verdict of the British people.” I urge Members in this Chamber to be careful about what they wish for. The electorate will be incredibly angry if we try to ignore the result. In Lancashire, whether in Labour seats or Conservative seats, every constituency voted to leave the European Union, and we want our voices to be heard.

Let me move on to the problem that we have with the Attorney General's advice. I have specific problems with the backstop. The more that I read this advice the more I dislike it. I did not like it before, but now I like it even less. I love the mentions of “good faith” and “best endeavours”. The last time I heard “best endeavours”, I was a boy cub. Really, is that the best we can try for? I did hear the Prime Minister say that we will not have any borders down the Irish sea when, explicitly, that is what will now happen. I am very, very unhappy with that, although I listened to the Prime Minister at Question Time today and I got some sort of hope from her response to a question about what would happen on Tuesday if the deal was voted down. Now, we all know that I have more chance of winning “The Great British Bake Off” than the Prime Minister has of getting this through—[*Interruption.*] “Strictly”? No—I cannot cook and I cannot dance. That does not stop the Prime Minister—[HON. MEMBERS: “Ooh!”]—but it would certainly stop me. That was a joke. [*Interruption.*] My career stopped a long time ago, I can assure hon. Members.

The Prime Minister did say that she was going to look at the backstop, which is clearly a problem that needs to be looked at for a number of reasons. We need to be able unilaterally to leave the European Union, because that is what the vote said in 2016. At the moment, we can do so. If we were to sign the withdrawal agreement, funnily enough we would be handing over that power. All of a sudden we would be unable unilaterally to leave the European Union, and that is not what the people voted for. They voted to take back control, not to give it away. This is a real issue.

The agreement is dripping with problems, as has been intimated by our friends from the DUP. If a miracle happens on 34th Street and we get this deal through, it

will be the last thing we get through for a long while because we have lost the support of the people who are keeping us in power. Let us think long and hard about that. Right at the end of the legal advice, the conclusion states:

“In the absence of a right of termination, there is a legal risk that the United Kingdom might become subject to protracted and repeating rounds of negotiations.”

Think about that. Not only are we treating Northern Ireland differently; we simply do not know how long the backstop is going to last. Is that where we want to be? Is that what the British people voted for in 2016? I do not think so.

I have heard a rumour that the Prime Minister is thinking about a change, by saying that Parliament should be able to vote on putting us into the backstop, and giving Parliament that power. I do not want that power. Getting into the backstop is not the problem; it is getting out that is the problem. That is where this Parliament needs to be able to make a decision—the decision to say, “Thank you. We’re leaving.”

Harold Wilson said that politics is the art of the possible—[*Interruption*]. And Rab Butler as well. Well, he probably paraphrased him. All I can say is: over to you, Prime Minister. Let us see where the art of the possible takes us on Tuesday but, for goodness’ sake, don’t take this to defeat.

5.21 pm

Paul Farrelly (Newcastle-under-Lyme) (Lab): At the outset, I really want to congratulate the hon. Member for East Surrey (Mr Gyimah) on a very powerful speech that was rooted in reality, and the right hon. and learned Member for Beaconsfield (Mr Grieve) on the successful passage of his amendment yesterday. He has been truly outstanding through all these Brexit debates.

For very good reason, I want to use this occasion to say a fond farewell to my German teacher, Keith Walker, from my old school of Wolstanton in Newcastle-under-Lyme. Keith passed away a fortnight ago and his funeral is on Friday. Mr Walker, as we called him back then, was instrumental in helping to form my views on Britain’s right and proper place at the heart of Europe. His wonderful teaching made sure that I got a place to study German at Oxford, and it was because of Keith that I first took part in—and then for six years helped to organise—international youth exchanges in Berlin with the German War Graves Commission, when the wall was the starkest reminder of the outcome of the second world war and of the cold war that followed.

In the trading of facts and fictions during the disastrous 2016 referendum, the historical perspective very much got completely lost. Yes, the European Union could be frustrating. It was not perfect, like everything, but from its origins after the war as the European Coal and Steel Community through to the Common Market, it has been very much part of the architecture of peace, trade, dialogue and prosperity in our times. Could we ever imagine that the states of the former Yugoslavia would have engaged in such shameful blood-letting had they been part of the European Community, to which we have belonged for 45 years and membership of which was confirmed by 67% of our people at the first referendum in 1975?

Now fast-forward to the debacle of 2016. My constituency and home town of Newcastle-under-Lyme voted around 60:40 to leave, and it is hardly a secret that I profoundly disagree with that verdict. Aside from matters of economy and trade, history shows that when Britain has been disengaged from European affairs, it has harmed not only our national interests but the national interests of countries on the continent as well. We have had, and still have, very much to offer.

When the subject of Brexit came up on the doorstep last year, I politely—I hope—disagreed with people of a leave persuasion, and then we moved on to discussing the state of our local hospital and the potholes in the road. For all the heat that we feel at Westminster, most people were simply not obsessed about Europe. The great, reasonable majority want us to get this right in the national interest—and, for all the reasons that most Members have outlined today, the Prime Minister’s deal does not serve that national interest.

In Newcastle, we campaigned as passionately in the referendum as at any general election. At the start, it was possible to have a fairly reasonable debate. Quite a number of people I had known for many years, and would have sworn were leavers, said that their heart was with “out”, but their head said “stay in” for jobs, investment, kids and opportunities for the future. So it was possible to have a decent discussion—until about a fortnight before voting day, that is. Then, at the entrance to my town, like many others up and down the land, the big red banner posters went up saying, “Turkey, population 76 million, is joining the EU—vote leave”. Photographs of queues of refugees were mingled, to great effect, with an old-fashioned blue British passport. It was of course an outright lie, but it was impossible to get that through to people, because their immediate response, time and again, was “What are you going to do about the Turks?”

What I did not know at the time was that that message was not only being shouted out from old-fashioned billboards but was reverberating exaggeratedly around social media in targeted dark ads that remainers like me would never see. That has only become clear since our Digital, Culture, Media and Sport Committee inquiry into fake news, involving Facebook in particular. Of course, that inquiry has followed up on breaches of the law and spending limits by both main leave campaigns.

But two years on, I do not want to cry over spilt milk. I think that the past two years have shown that people are now much better informed about the consequences of exactly how we leave—if indeed we do. If the Prime Minister loses next week’s vote, we are in interesting territory, to say the least, but one thing must be certain: no matter how much she tries to cling on in the hope of making amends for her disastrous election performance last year, the Prime Minister really has to go, like her predecessor did after the referendum result. Then the question for us will be whether the House can form a majority to chart the way forward, or whether this can only be settled by a general election or a referendum.

I view the prospect of another people’s vote with more than trepidation. I do not know how it is going to be possible to have a reasonable debate when the poll will be framed by shrieks of betrayal from most of our printed press, reinforced by deep pockets using and abusing the echo chamber of social media. But if that is the only road ahead, we should not shirk from holding that vote. Come an election or a referendum, I will be

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making the same arguments again. I firmly believe that it is in Britain's national interest to remain within the European Union with a seat at the table, a vote and sometimes a veto—to reform, where needed, from within, not just to shout from the sidelines without, or, under this deal, to go cap in hand begging for favours in future.

5.27 pm

John Stevenson (Carlisle) (Con): It is a pleasure to follow the hon. Member for Newcastle-under-Lyme (Paul Farrelly).

In many respects, this is the classic issue for MPs—what are their priorities? Are they based on their personal view, their constituency's view, or the view of the party that they should perhaps be following? Then, ultimately, how do they make their decision in the national interest? Generally speaking, that issue does not really crop up, but we live in unusual circumstances. We have to acknowledge that parties are fundamentally split. MPs' views can be very much at variance with those in their own constituency. The dilemma for each and every one of us is what we, as individual MPs, believe is in the national interest.

When I look back over the past two and a half years—I appreciate that hindsight is a wonderful thing—I see some key mistakes that have been made. There were the red lines that the Prime Minister set out. In many respects, when you go into a negotiation, you do not lay down what your views are before you enter into it. Then there was the early calling of the election when we actually had a working majority, and of course the triggering of article 50. Looking back, we should have prepared all the legislative requirements and Bills to get them passed before we even thought about triggering article 50. Indeed, we should also have had a national debate about exactly what our long-term relationship with the EU should be.

But at the end of the day, we are where we are, and the Government are suggesting that there are now three alternatives: no deal, remain/second referendum, or their own proposal. I fully accept that we voted in 2016 to leave EU institutions, and we definitely have to respect that, but the nature of our future relationship still has to be decided, and that is a decision for Parliament. Of the three options that the Government have effectively set out, I do not support a second referendum. It would be unnecessary and divisive, and I wonder what it would achieve. I cannot see how remaining in the EU would be sensible, because it would undoubtedly be a changed relationship with our EU partners. As for no deal, I find that equally unpalatable. It is not in our country's interests. I think it would lead to a recession and make us a poorer country. It is not in the interests of our national economy and certainly not in the interests of my constituents.

The Government therefore have to argue that the only real option is to support their position—that is, the withdrawal agreement and the political declaration. I, like many others, have concerns about the withdrawal agreement. I do not feel a need to go into those, because they have been well expressed by other Members. I also have concerns about the political declaration, many of which have been raised. We would have two years of

negotiations before we even got a deal, if we did in fact get one. I question whether the unity of the EU would hold, because its members would have competing national interests. I wonder where we would end up with those negotiations. We have to await the decision of Parliament next Tuesday to know whether that is the course we will take.

I believe there is an alternative—a fourth option—that is acceptable to the EU and fully understood by all, and that is EFTA-EEA. Simply put, that would allow us to have an independent agricultural policy and an independent fisheries policy. We would not be part of the ECJ; the EFTA court would determine decisions. There would be no payments to the EU, and we would be a member of the single market. I have never quite understood why people are so hostile to membership of the single market. We are proposing to enter into a free trade agreement. What is a free trade agreement? It is an attempt to get rid of tariffs and regulatory differences between economies. I genuinely believe that staying in the single market is in this country's interests. I accept that there is the issue of free movement, but we have the emergency brake under article 112 of the EEA agreement, and the reality is that more immigration comes from outwith the EU than within it, and we have absolute control over that.

I think that proposal would have widespread support from Members on both sides of the House. It would ensure that we were actually out of the EU—out of the political project and out of any sort of union—but back to the common market ideals of old, which the people of this country have always supported.

I remind the House that relationships change. The EU will change with our departure and will continue to change in other ways that we have not thought of. EFTA would also develop. The arrival of a large economy would change its dynamics, and it would become a much more significant player. The relationship between the EU and EFTA would change because of the arrival of a large economy, and EFTA's importance would increase significantly.

I make those comments on EFTA to remind the House that there is a potential alternative should the Government lose the vote next week, and it is one that I would certainly support. On Tuesday, we will have to weigh up what we as individual MPs believe is in the national interest. I certainly believe that no deal and remain are not sensible alternatives. Whether the political declaration offers us a route to a sensible future relationship with the EU is a judgment that we will all have to make on Tuesday, but should the Government's proposal be defeated, I believe there is a genuine and real alternative.

5.33 pm

Mr Ivan Lewis (Bury South) (Ind): I agree with the hon. Member for Carlisle (John Stevenson) on membership of EFTA and the EEA, and I will come on to that later in my speech.

It has fallen to this generation of politicians to make one of the most profound decisions outside of war that this country has ever had to make. The referendum result exposed a deeply divided country, with many voters wanting to send a strong message to elites, whether political or business, that government and the economy, whether national or European, are not delivering for them, with wage stagnation and rapid migration fuelling alienation and resentment.

The Prime Minister is fond of talking about the national interest, but the whole Brexit shambles is a consequence of the eternal European fault line in the Conservative party. This shambles of a negotiation, which has left our country a laughing stock, has been caused by red lines that may as well have been written in invisible ink and by the dogma of some hard Brexiteers who prefer a scorched earth Brexit. They can afford years of poor growth, unlike my constituents, whose jobs and living standards are on the line.

The problem with our negotiating position from the beginning has been that the starting point was not the national interest but an ill-fated attempt to reconcile the irreconcilable factions in the Cabinet and the parliamentary Conservative party, and we have ended up with a worst-of-all-worlds deal. The deal has united the Leader of the Opposition and the Democratic Unionist party—that takes some doing—and united leavers and remainers in opposition to it.

I want to turn to the notion of a people's vote, about which I am extremely sceptical. I recall that many who now advocate a people's vote were the biggest critics of David Cameron for holding the first referendum. In the internal debate that took place in the Labour party, good and hon. Friends now supporting a second vote were the most vociferous persuaders in ensuring that an EU referendum was not in our election manifesto. If determining our future in the EU by referendum was wrong in principle in 2015, 2016 and 2017, why is it right now?

Of course I deplore the untruths promoted by the leave campaign, including false promises, but if that is a justification for a second vote, I suggest that many general election results through history would be null and void. The only certainty about the result of a second referendum is that it would once again expose the fact that we remain deeply divided as a nation. Worse than that, even if it resulted in a decision to remain, it would fuel support for nationalism and hard-right politics and politicians like never before. It would be the elite telling the people they got it wrong and we know best. Have we learned nothing from political earthquakes erupting around the world?

I say to my Labour friends that even if a second vote results in a victory for remain, it may turn out to be a pyrrhic victory. We were in the EU when, for 18 years, Thatcherism destroyed the fabric of communities in our society. We have been in the EU since 2010, while we have seen the poorest suffering the most as a consequence of austerity. There is nothing more likely to perpetuate right-wing Governments than a backlash against a second vote supported and promoted by progressives. Of course it is right to ask whether we will be worse off if we leave the EU, but it is also right to ask who will suffer the most if, through apparent contempt for half the population, we consign our country to long-term right-wing Governments.

It is incumbent on all of us not simply to oppose this bad deal and to oppose no deal, but to present an alternative, as the hon. Member for Carlisle did. I have come to the conclusion that the best, if far from perfect, option—crucially, it could secure a majority in this place—is so-called Norway plus. I accept that will become possible only when hon. Members' first preferences are defeated, but I believe a significant majority in this House will act in the way envisaged in the amendment

of the right hon. and learned Member for Beaconsfield (Mr Grieve), which we passed last night, and unite around that option as the best and only viable alternative to no deal. It is not perfect, but it respects the referendum result while providing the stability to ensure a relatively smooth economic transition.

Since the referendum, the Government have let the people of this country down very badly. They failed to seek cross-party consensus when that was possible and indeed was required by such a close result. Instead, they have allowed the dysfunctional Tory family on Europe to create a dysfunctional country that is much diminished in the world. The Prime Minister has not listened, and in the case of Northern Ireland has clearly breached trust. That is a question of substance, and not just for the politicians representing Northern Ireland in this House; it is about a sense of being told untruths.

That is why Members of good will on both sides must make the best use of yesterday's amendment, assert the authority of Parliament and show what acting in the national interest truly means. Only then will we put the country on a path to a better future, and maybe even regain some public confidence and respect. Hon. Members need to reflect on the public's contempt: they asked this group of politicians to make the decision on Brexit in the national interest, yet all they see is a disastrous situation where the Government have negotiated a shoddy deal and Parliament seems absolutely incapable of coming together and working together in the national interest. If, as we suspect, the amendments and the substantive motion are defeated next week, it is incumbent on all of us in this House to unite not around the ideal, but around a solution that is pragmatic and actually represents the best interests of this country. I urge people to give serious consideration to Norway plus in that context.

5.40 pm

Mr Marcus Fysh (Yeovil) (Con): It is a pleasure to follow the hon. Member for Bury South (Mr Lewis). There is a better plan and a better future than this friendless withdrawal agreement, one free of fear. The way to unify, as he said, is to lead and to show what that alternative is. It is not, however, Norway plus a customs union. That would make us a rule taker with no autonomy. It would be against the referendum result and our manifesto pledges. We would continue to pay money and there would continue to be freedom of movement. It would still require a withdrawal agreement, which we all hate, and it would not settle the issue. It would just create more uncertainty for business and for the people in this country.

We need to go for an advanced free trade agreement and replace the protocol on Northern Ireland with something that will still give confidence to communities on the island of Ireland. We can provisionally apply such an agreement if a plan and a schedule are agreed for zero tariffs, so that that can persist after the end of March. It can have efficient cheap processes for all our borders, which business can deal with, and free trade rules that cumulate, so that supply chains do not suffer dislocation. It is a future that we can have, but we need to ask for it and not give in.

That does not mean that we have to leave in a disorderly way. We can continue to talk constructively about how we can be friends and allies, and what the

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best arrangements are for that. For me, money can remain on the table—that is fair enough; give and take and compromise are okay by me—but we must do this as separate, sovereign jurisdictions. Both sides must now prepare. When the EU hear that, I think there will be relief on their side. They will know what they are dealing with. They will have interlocutors with whom they can have frank and constructive dealings, knowing that there are limits. The EU are not bullies—that disrespects them—but they are what they are, which is a bureaucracy whose natural imperative is to push limits. If we do not show them where those limits are, they will have no reference point for where to stop. We have to stand strong at this point.

The truth is that the withdrawal agreement is not a compromise, but a capitulation made out of misunderstanding and fear, and out of letting the EU make the running by letting it set the schedules, agendas and the texts. This, sadly, is what has led our country and our democracy to the chopping block, trussed up for the EU's feast. It is a tragic misconception of the economics and the practicalities by those who I think have never really properly applied themselves. Yes, I have been very critical of the Cabinet and those on the Government Front Bench. I think that that is justified and I am not afraid to say why.

There is certainly a better way to do this. The forecasting has been wrong. The countries that have offered us free trade have been rebuffed, and experience and knowledge within Government Departments and the civil service have simply been ignored. That makes me wonder why. Is it because we have a Government full of EU ideologues, or are they just afraid because they do not understand how trade can be really efficient and how cross-border supply chains can sit well in a trade agreement framework outside the EU? It is not really a case of whether the perfect is the enemy of the good. The point is that there is a better plan and I am afraid that the Prime Minister's deal is in no sense good. It really is a very bad agreement. It is not something that the Government have modelled because I do not think that they dare.

We have heard about a lot of things in the backstop element of the withdrawal agreement that are not good. The joint decision that is required in the Joint Committee, unless there is a superseding agreement, pretty much guarantees pain for this country. In the backstop, our interlocutors will have massive leverage and they will have hostages to fortune. They will have us where they want us and we would be just wrong to say that it will be uncomfortable for them. I believe that is naive, delusional or worse. It would put us as a captive into a customs union with antiquated procedures. There would be wet stamps, for goodness' sake, on physical pieces of paper—Toyota will not like that one bit. The Government should be embarrassed by the deal, because it really is that bad. Has the Treasury modelled what it would cost industry to do this wet-stamping process? When we look at third country trade on current EU rules, the cost is only about 0.3% of the value of consignments, but the Treasury is forecasting 11% for the car industry. It must have wet stamps in mind, because in modern customs, it ain't that expensive, or anything like.

This really is a matter of trying to see what we can do now. There are other hostages—I have mentioned before that I have discovered that state aid would apply to our

defence industry in the backstop. That is an outrageous change and it gives our sovereign ability in defence wholly to the EU to decide how competitive that is. I have asked five Cabinet members now whether they know about this. None of them does, and I think that people need to read the agreement properly. I will be circulating a note about this later tonight so that Members can make up their own minds, but this concerns 123,000 jobs all over our country, in Labour constituencies, SNP constituencies—it affects all of us. This is just not an acceptable state of affairs for our national Government to be putting us into.

I implore colleagues to say no to this humiliating servitude that has been served up for us. It would be the cause of shame for generations to come. There is a better way to do this.

5.47 pm

Mr Jim Cunningham (Coventry South) (Lab): This is probably one of the most important debates that I have ever taken part in in this House, and we have had quite a few important debates. Certainly for my constituency and probably for other constituencies up and down the country, we are talking about our young people's future just as much as we are talking about our constituents today and their interests today.

If we look at the effect on the economy and GDP, the Treasury's analysis suggests that this deal would leave the economy 3.9% smaller after 15 years than if we stayed in the EU. Unsurprisingly, it also shows that any form of Brexit would leave us facing a huge economic loss. Of course, the worst-case scenario is a no-deal Brexit, which would leave us 9.3% worse off over that 15-year period. We did not need that analysis to tell us that a no-deal Brexit is a significant threat to this country, but the choice facing us today is not between a bad deal or no deal. There are strong economic grounds for us to vote down this deal and to seek a different Brexit with the EU, or to remain as we are.

Coventry has a long history of manufacturing, and 11,000 people in my constituency work in the manufacturing industry, just as I did. Because of that, I have had regular meetings with some of the biggest manufacturers in Coventry, including Jaguar Land Rover, Meggitt and the London Electric Vehicle Company. Throughout the Brexit negotiations, they have been concerned about what Brexit will mean for future business in the EU. Anybody who knows anything about manufacturing knows that manufacturers need at least some stability to look forward four or five years—sometimes it is a lot longer in the aircraft industry—but this deal does not give them that.

The Government have responded to some concerns, but they have not provided enough information for businesses to plan long term, as I have already indicated. Their failure to convince business is shown most of all by the leaked CBI email revealing its true opinion, which is that this is not a good deal. All businesses need stability to plan ahead and to protect the jobs of our constituents. This deal offers no stability and is a stab in the dark that puts the jobs of my constituents at risk. I will therefore not be joining the CBI in backing the deal, which I, and the CBI, have great reservations about. If the deal is defeated on Tuesday, it will set us on a path to a different Brexit—one that puts the jobs of my constituents before the ideology of some of the Prime Minister's Back Benchers.

I am lucky to represent a constituency with not only skills and success in manufacturing, but two world-class universities, Coventry and Warwick—incidentally, research and development is as important to them as to the manufacturing sector and companies such as Jaguar Land Rover. Those universities bring huge benefits to the local economy and to the UK as a result of their cutting-edge research, which contributes £1.8 billion in GDP annually. They are a crucial part of our community and economy, just as other universities are across the country.

I have been in touch with both universities to see what the deal would mean for them. Unsurprisingly, they are not willing to back a deal that does not mention the word “university” once in its entire 585 pages. Since 2010, they have received close to £100 million in EU funding. There is no mention in the agreement of replacing that. Considering that the previous Universities Minister resigned over the deal, it is clear that it does not deliver for students or universities. Both universities are outward-looking institutions with strong links to Europe, as shown by the fact that about 10% of both students and staff in Coventry come from the EU. The Government say they want diversity to continue, but that is not backed up—the deal fails to mention the Erasmus scheme.

The EU contributes a huge amount to Coventry through funding beyond that given to universities, but this funding has yet to be protected and guaranteed for the long term after Brexit. According to the House of Commons Library, Coventry has received over £400 million in funding from the EU since 2014. This money is a crucial part of the local economy and keeps thousands of people employed. Unfortunately, we all know there is no chance of the Government maintaining this funding as well as increasing funding for the NHS.

The Prime Minister may pretend there will be a Brexit bonanza, but her Brexit will not fill the gap left by EU funding, and that will leave Coventry worse off. She has made numerous vague promises of extra funding for the NHS after Brexit, but this relies entirely upon us starting new trade deals immediately after the transition period, and these deals will not be that easy, despite promises to have 40 of them ready by next March. Without any definitive evidence of extra funding, her warm words on the NHS may as well be written on the side of a bus.

As well as threatening the jobs of my constituents and their public services, the deal threatens their rights at work. Any new workers’ rights protections from the EU enacted after the transition period would not apply to the UK, and if we fell into the backstop—an agreement that we cannot leave unilaterally—workers’ rights would be frozen. It would leave UK workers and trade unions unable to take complaints to the European Court of Justice, despite the Court’s responsibility for this. The Tory right want to cut back on workers’ rights in their ideological vision of Brexit Britain. This deal makes it far too easy for that to happen.

5.54 pm

Tim Loughton (East Worthing and Shoreham) (Con): I approach this debate with a sense of disappointment, the same disappointment that I felt when I decided to campaign for, and vote for, Brexit. I did so not because I had an ideological phobia of the EU, but because

I believed that the EU was going backwards, that the UK’s interests were diverging from it, and that without reform it was doomed to steady but terminal decline. That reform was not forthcoming. However, I do not want to repeat what was said in the debates in the run-up to the referendum, as, I fear, many Members have in recent weeks and, indeed, today. This debate is about the deal that is now before us. The country voted to leave on 23 June 2016, as did my constituency. The Government pledged to implement “what you decide” in their little booklet costing £9.3 million. At the time of the 2017 election the two main parties secured 82% of the vote, and both pledged to implement the referendum result. The people have given us no alternative instruction since then, and manifestos have not been rewritten.

The campaign to sideline the referendum result has been marked by two, I think, disingenuous approaches. The first is that it has all become a bit too complicated, so should we not just call the whole thing off? The second is a constant embellishment of the horrors of post-Brexit economic forecasts, which have dually encouraged remain voters to believe that the result could be reversed and encouraged EU negotiators to believe the same, which makes any terms for our departure doubly unpalatable.

I have discussed my view with my constituents, and more than 1,000 have written to me urging me to vote against this deal. In contrast, only a few dozen have urged me to support it. Today I should be welcoming a meaningful vote for a proposal that delivers the Brexit for which I campaigned and for which my constituents and the country voted, but alas, I cannot do that, because this proposal does not deliver Brexit. Its unprecedented terms have the potential to undermine our sovereignty and the Union of the United Kingdom like nothing before, and I am deeply worried for the future of Brexit after the shambolic way in which the whole issue has been handled by the Government in recent days.

Alberto Costa (South Leicestershire) (Con): I have a simple question for my hon. Friend, and for others who have difficulty in voting for the deal. If we do not vote for it, what will happen to the rights of United Kingdom nationals living in the EU27 after 29 March?

Tim Loughton: That is up to the Government to negotiate. They have failed to produce the immigration White Paper for which we have been waiting for some time, and they really need get on with answering questions like my hon. Friend’s and providing some certainty.

Many Members have used metaphors for our present predicament. Let me add another to the mix. It is like buying a house that you have only seen from the outside. You hand over the full asking price at the outset, upfront. You sign all the legal transaction documents without even agreeing on the fixtures, fittings and completion date, or indeed knowing whether the immigration status of your family allows you to live there. Only after that do you commission a survey, the results of which you do not share with your family despite eventually finding out that the neighbours have an unlimited right of way across your garden and unfettered access to your garden pond—and you have no indication of when you will be able to move in. Who in their right mind would agree to such

[Tim Loughton]

a deal on buying a house, let alone on such an important issue as the future constitutional basis of our whole country?

My hon. Friend the Member for East Surrey (Mr Gyimah), in an excellent speech—he is welcome to the Back Benches if he is going to make more speeches like that—described this as a deal in name only, and said that it was another case of difficult decisions being kicked into the long grass. Above all, what we need now, and have needed for some time, is certainty: certainty for our citizens, certainty for our businesses and investors, certainty for our fishermen, our farmers and many more. Yet the political agreement that accompanies this document—which sounds good—is littered with conditional phrases such as “agree to develop”, “intend to consider”, “will explore the possibility”, and “best endeavours”. That is not concrete enough for me to feel that I can sign up to it. My biggest fear is that this deal only extends the uncertainty—now confirmed by the Attorney General’s advice—over how long we will continue to be rule takers for our tariffs, our regulations, our alignment requirements, our competition laws and our trade deals, and the uncertainty over the integrity of our whole United Kingdom and our sovereignty.

As for Northern Ireland, the EU has spent the last two years declining to agree a practical arrangement for the border, despite facing the real and present danger of that ending in a no-deal Brexit that would see no handover of £39 billion, and the serious disorder that a no deal could bring in the short term at least. What I do not understand is why on earth the Prime Minister thinks the EU will agree to a solution to this, I think, much overhyped and largely fabricated problem of Northern Ireland in the next two years when the cheque will have been signed and a legally binding framework deal agreed. What leverage will we have left to secure mutually beneficial terms in all the outstanding issues to be resolved to avoid an interminable backstop—and there are many issues still to be resolved? It is unthinkable that we should sign a deal that compromises our sovereignty and the ability of this House and this Government, answerable to our peoples, indefinitely to set our own laws.

Justine Greening: My hon. Friend is making a powerful case. Does he agree that the perverseness of this is that it is putting us in a worse position than the status quo?

Tim Loughton: I am afraid that my right hon. Friend is right. There are some advantages to the position we are in now that we sign away in this never-ending backstop, transition, waiting-room phase that we are going to be stuck in. For all those reasons, I cannot support a deal that has an open-ended backstop at its heart. We need a clean, global Brexit on terms on which both partners can confidently plot their future beyond 2020 to our mutual benefit—no more kicking into the long grass; no more avoiding taking difficult decisions. It does not make that decision any easier by having endless transitions and further discussions and negotiations lasting years and years. We have to grasp the reality.

Where is a crack team of the best brains across the UK and EU working on credible, practical, technology-based solutions for the Northern Ireland-Irish border,

for example? Surely that should have been our biggest priority for some time if the backstop hinged on it, but I do not think I am alone in looking in vain for any sense of urgency here.

Those who have come up with no practical solutions for a workable Brexit deal, despite having stood on a Conservative or Labour manifesto at the last election that pledged to deliver Brexit, should stop kidding themselves and stop conning the British public that everything will be magically resolved by a second referendum. If it were to come up with a different result from the first referendum, why should 17.4 million people who voted in good faith, many for the first time ever, accept the result? If it were to come up with the same result, how much more time will be wasted, how many more resources will be wasted and how many further damaging delays will be caused? And given the huge divisions resulting from the first referendum, how does repeating that bruising experience do anything to help to bring the country back together again? Surely our current travails would be exacerbated even further, if that were possible.

So for me there is only one alternative—to resoundingly reject this framework deal in the House when we vote next Tuesday. It will send out a strong message to the EU that, while there is much in the agreement we can sign up to, and much that can be negotiated in subsequent negotiations, an unbridled, non-time-limited backstop makes it completely unworkable. If the EU is serious about achieving a mutually beneficial relationship, it must acknowledge that, re-engage accordingly and come up with more realistic terms that this House then can show a lead in agreeing to in determining our future and bringing back some degree of the certainty that everyone is screaming out for.

6.3 pm

Wera Hobhouse (Bath) (LD): In June 2016, the country voted by a narrow majority to leave the European Union. The Prime Minister is offering us a deal and says we should vote for it because it delivers the will of the narrow majority. She also threatens us with the prospect of a no-deal Brexit, with all the truly damaging consequences for our economy and for people’s livelihoods. So what is my duty as an MP to resolve this matter in the light of the 2016 referendum? Do I have to vote for any Brexit that is put in front of me? The duty of an MP in our representative democracy is to listen to the people and respect their views, and to use our own judgment as to what is best for our constituents and the country. Keeping this balance is at the heart of the matter before us.

Nobody can deny that the referendum happened or the result it produced. In the past two years, we have been confronted by many worrying reports of how the leave campaign manipulated the campaign in an improper way, and we should be deeply concerned about the threat to our democracy that such manipulation poses. However, the result has not been nullified and the Government had a duty to find a Brexit that was good for the country, so I have looked at the deal in front of us and asked two questions. Does the deal result in us leaving the EU? It does. Does it protect the long-term interests of our country? It does not. Why should I vote for it if I truly believe that it is not in the interests of my constituents or the country?

James Heappey: I am grateful to the hon. Lady, my near neighbour, for giving way. If we are to leave the European Union, does she believe that the Liberal Democrats should campaign thereafter to rejoin it?

Wera Hobhouse: A deal has been put in front of us, and I am looking to see whether it is in the best interests of the country.

The Prime Minister has refused to work with Parliament to find a consensus. She rushed off and drew up her red lines, which made it impossible to find reasonable alternatives, and she is now trying to bully Parliament into forgetting what is good for the country. She tries to make us think that our only duty is to vote for her deal and deliver a Brexit of any form. If the Government had won the argument, and if a good Brexit were possible, this would be a very different debate. However, if no particular deal put before Parliament is a good deal compared with EU membership, what should Parliament do? Should we vote for this deal just because it is here, and because it is not as bad as crashing out? No, we should not. To do so would be to violate a deep principle and a duty that no MP can escape from, which is to use our own informed judgment. I encourage my colleagues across the House to look into their hearts and ask themselves whether this is the deal that is best for the country.

The Prime Minister is using a different argument. She says that we have to leave the EU even if it is bad for the country, because the people voted for it. She suggests that the dutiful thing for MPs to do, in the light of the referendum, is to vote for something even if we believe it is not good for the country, but that would make a nonsense of our representative democracy. I have been elected as an MP to employ my own informed judgment when voting. I have never yet seen a proposal for a good Brexit. In every aspect, it has become plain to see that leaving the EU is making us economically poorer, less influential and less able to control our own destiny.

Even the Government have given up telling us that this deal offers anything better than EU membership. All they do is reiterate that it delivers the will of the people, but no MP should be obliged to vote for something that they believe not to be good, or no worse than what we already have. On the contrary, we have a duty to do the opposite. Does this mean that we should defy the will of the people? No. We can legitimately reject any particular Brexit deal in accordance with our own informed judgment, but Parliament cannot move from there and cancel Brexit. This House cannot call off Brexit. Only the people can do that, and that is the true meaning of the referendum result in 2016.

When Parliament decides that no Brexit deal is good enough, Parliament is stuck. At this point, the decision has to go back to the people. That is how our democracy works. It balances our representative democracy with the fact that we have had a referendum. Our representative democracy does not demand that MPs surrender their judgment. This Parliament has spent the last two years trying to find a Brexit that is good for the country. If no such Brexit can be found that commands a majority in this House, MPs must agree to go back to the people. In my judgment, this deal is not good for the country. It would be a catastrophic mistake, and I will vote against it. As I have said many times before in this place, I believe that the only way forward is a people's vote.

6.9 pm

Anne Marie Morris (Newton Abbot) (Con): This country voted for Brexit, and it is incumbent on the House and the Government to deliver just that. The people who voted for Brexit did not vote for something that they did not understand. They voted for a land of opportunity and for freedom: freedom over our laws and borders, and the ability to trade freely, which we cannot do as members of the EU.

Today and over the next couple of days, we are asked to consider a withdrawal agreement and a political declaration. Amazingly, the withdrawal agreement has everything the EU wants in it, and would be binding. The political declaration, which looks at our future trading agreements and relationship, is what we in the UK want, and guess what? That is not binding.

In the west country, the impact on the fishing industry would be devastating. A clear link is intended between our ability to fish and reaching some form of economic deal. Voting for the deal would be damaging not only to my fishermen but to the country as a whole. Most importantly, it would not, in any shape, size or form, deliver Brexit. The motion is a triumph of hope over experience. Our experience of the EU is generally, "This is what we want. You can have as many goes at it as you like, but it is that and nothing else. We will not move."

If we vote for this agreement, we will remain a rule taker from the European Court of Justice on environmental and employment matters; even the withdrawal agreement will ultimately, if there is a dispute, be determined by the ECJ. As has been discussed, we will have no right to leave unilaterally. We have all now seen the Attorney General's advice; I do not really need to say more, do I?

We will be unable to pursue independent trade deals. The agreement does not say that we cannot, but because we are bound to strict equivalence with the EU in many areas of legislation, we are very unattractive, as the Americans have already said. If we stick to the EU's rulebook, we cannot do what one normally does in a trade deal: agree tariffs and the methods of rule and regulation to ensure an equivalent outcome in both countries.

As we have heard said very emotionally, the backstop threatens the integrity of the UK, and would potentially put a border down the Irish sea. That is not acceptable; it breaks the Union. The extension period will continue the uncertainty for business, not bring it to an end, as many seem to think.

Quite a number of amendments have been tabled. They will not improve matters. What do they do? They have a go at sorting out the backstop by removing or time-limiting it, but the backstop is not the only problem with the agreement, so that will not work. There is also an amendment requiring another referendum. I am afraid that I have to disagree with the hon. Member for Bath (Wera Hobhouse); the people have spoken, and we must accept that. It is not for us to say to the people, "Try again, and get a result that the EU wants." That is simply not acceptable.

The Opposition's amendment would keep us in the customs union, which would absolutely disempower us from doing any trade deals. Worst of all, none of the amendments would stop us paying £39 billion—and according to the Office for National Statistics, it is no

[*Anne Marie Morris*]

longer that but £46 billion. If we extend our relationship, which we could do for a very long time, we continue making annual payments.

Next Tuesday, we will be asked to take a meaningful vote. Those who think that supporting the agreement is the only thing they can do to deliver Brexit should think again. That is absolutely not right. There is another option—I wish there were others, too, but there is no more time; 29 March is almost upon us.

Alberto Costa: My hon. Friend says that there is simply not enough time. I pose the same question that I asked my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton): on what rights will UK nationals—1 million of whom reside in EU27 countries—rely on 29 March 2019?

Anne Marie Morris: My hon. Friend has asked a very sensible question, to which I will give an answer.

I am afraid that I reject the description of what will happen as crashing out or as falling over the precipice. We will go out on a World Trade Organisation deal, and that will be very much to our benefit. We do 98% of our trade on WTO arrangements. I do not agree that the Government are not prepared, because they are. I have listened to proposals from most Government Departments, and I do not agree that suddenly there will be chaos. I do not dispute that there will be a bumpy ride, but we are prepared. I can also tell hon. Members that, from the evidence I have seen on the Public Accounts Committee, those on the other side in Calais are no more in favour of chaos than we are in Dover, so please—

Mr Dominic Grieve (Beaconsfield) (Con): Will my hon. Friend give way?

Anne Marie Morris: No, I will not.

Mr Grieve: Why not? You get another minute. I am most grateful to my hon. Friend for giving way.

I have just two points. First, my hon. Friend talks about the WTO. If I understand her correctly, she therefore expects to get a whole series of deals from the EU around the WTO arrangements. Otherwise, she has not answered the question of our hon. Friend the Member for South Leicestershire (Alberto Costa). Secondly, I assume she also believes that the Belfast agreement should simply be ripped up, disregarded and reneged upon by the UK Government.

Anne Marie Morris: As one lawyer to another, I say to my right hon. and learned Friend that he has misrepresented the way the WTO works. It does not require lots of other deals. It takes us out and enables us to look at all sorts of options—we could move into a Canada-style free trade agreement. There are many things that we could do.

I take issue with the amendment my right hon. and learned Friend tabled yesterday. Many people think that, at the end of the day, it will empower us to say, “Okay, if you don’t like this withdrawal agreement, this House has the power to stop us going out”—as he would say—“with no deal.” As I have said, there is no such thing as no deal. As a matter of law, as I

understand it—from lawyer to lawyer—the power of such a motion cannot bind this House and cannot stop article 50 triggering on 29 March.

I say to those who are thinking of supporting the arrangement put forward by the Prime Minister because it is the only way: “Think again. That is not Brexit. There is another way.” Rather than buying time and extending the uncertainty, we should go out on WTO arrangements. We will then be free to trade and free to get the sort of deal that this country absolutely needs and deserves.

6.17 pm

Anna McMorris (Cardiff North) (Lab): I was not elected to this place to make my constituents poorer or less safe. I do not believe that anyone from any party came into politics to do that, but if we vote for this deal we will be doing just that. The evidence is clear: leaving the European Union will make us poorer as an economy, as a country and as a society. It will put people’s livelihoods at risk and the future of our children in jeopardy. I will vote against this deal.

For me, this is deeply personal. I have studied in France and Spain; I have worked in Brussels and Madrid; I speak French and Spanish; and I call myself a citizen of both Wales and Europe. I am proud of the European Union for bringing countries together in unity and peace. Members may disagree with me, and that is their right, but anyone who says that we must leave the EU because of a vote that was taken two and a half years ago is mistaken.

The splits and divisions that we see across society are not going away. Extremists are waiting to expose the differences we see in our politics today, and our actions and words will scar Britain for decades to come. Now is the time for leadership, to be brave and to stand up for what is right, not to blindly follow the path set out by previous Governments and Administrations. We were elected to do the right thing by our constituents—those hard-working families and people who depend on the jobs that a stable and flourishing economy provides; on well-run and efficient public services; and on high performing schools, universities and hospitals. Being a full EU member keeps us safe from terrorism and international crime. It keeps us in the crucial networks that our Prime Minister fought to keep us a part of when she was Home Secretary—access that she cannot now guarantee.

We have heard a lot of nonsense, repetition and bluster in this House. Many Conservative Members, such as the right hon. Member for Wokingham (John Redwood) have been using the issue for their own ends. They are ego-driven, nostalgic for a past empire and an imperial nation, which is a dangerous attitude from Members ignorant of this nation’s history. Brexit has dominated everything here. It is the single biggest issue facing us since the second world war, it will have repercussions for many years to come and we know that other important business is being sidelined as a result. This week and next, world leaders are coming together in Katowice in Poland to decide how to tackle climate change. It is the single biggest issue facing the world and our future place in it, but one would not know it here. This place is embroiled in an act of immense self-harm: Brexit. The UK should be leading the way on climate action. Instead, it has tangled itself up in untruths and falsehoods about Brexit.

We have heard many of those untruths over the past two years. We have heard that getting a good deal would be the easiest thing ever, that we hold all the cards in the negotiations, and that there will be £350 million a week for the NHS. We are now hearing another lie: that we should back the Prime Minister's blindfold, lose-lose deal or plummet off a cliff edge with a no-deal Brexit. We know that that is a false choice. This blindfold Brexit deal is a fantasy. Major decisions are being postponed, leaving us forever negotiating our future relationship with the EU. We also know that there is no Brexit deal that can meet all the promises that have been made. The real choice now is whether to go ahead with this blindfold fantasy or stick with the best deal, which we already have as a member of the EU.

There is still time to change course and do the right thing. Many people come up to me in my Cardiff North constituency and ask me to put a stop to the madness. Many of them actually voted leave two years ago, but they are frantic with worry. Businesses and people are frantic with worry. The only reason why the Prime Minister has received half-hearted support for the deal from business is that it provides a few years of transition for businesses to plan their move out of this country. The real risk with this so-called deal is that it leaves absolutely everything unresolved—indefinite uncertainty. That is not what people want. Democracy means that only the people can sort this out, which is why we must ask them in a people's vote on the final deal.

6.23 pm

Zac Goldsmith (Richmond Park) (Con): It is often said and has been said today, particularly by strong remainers, that we cannot possibly know why each of the 17.4 million or so people voted for Brexit. That is obvious, because there are any number of reasons why people voted leave, but we can be confident that few of them did so in the hope that we would end up with a deal like the one we are debating today. In a legalistic sense, the withdrawal agreement removes us from the EU, but for all intents and purposes its effect is to bind us to the rules of the EU while removing our ability to influence those rules.

I will not focus specifically on the transition period today, although it is certainly true that the EU is given vast, possibly unprecedented, powers over the UK during that time, and that is uncomfortable, but it could well be necessary. The issue is with what happens afterwards. It is also possible that, during the transition period, we will be able to agree a comprehensive free trade agreement with the EU and, as a consequence, we may be able to avoid the backstop, but that seems incredibly unlikely. The backstop effectively keeps us in the customs union and it subjects us to EU rules, with no UK say at all in framing those rules.

We have heard today from numerous speakers that the backstop would divide Northern Ireland from the rest of the UK and would prevent us from striking meaningful new free trade agreements with other countries. The Attorney General gave a magnificent performance in Parliament a couple of days ago, in which he described the backstop in three words: undesirable, unattractive and unsatisfactory.

But the biggest concern about the backstop is that we cannot leave it without the permission of the EU, which is not disputed. The question, then, is what incentive

there is for the EU to negotiate in good faith. What would stop the backstop becoming a trap, by becoming the long-term basis for the UK-EU relationship? Given that any EU country could veto our departure from the backstop, the likelihood of being stuck in the backstop is surely very high indeed. We would have to wait until each and every EU country had its fill before agreeing finally to let us out. Yes, we could leave the backstop, as we have heard again and again, if we could prove that the EU is not acting in good faith, but what on earth does that even mean in practical terms?

The withdrawal agreement has united leavers and remainers in an extraordinary manner. I shared a platform a few weeks ago with the right hon. Member for Twickenham (Sir Vince Cable), my constituency neighbour, and it was the first time in two years that we have agreed on something relating to the EU.

We have known for some time that this deal has virtually no chance of making it through Parliament. We know that it jeopardises the Conservative party's relationship with the DUP, which is critical to keeping the Government going. So it is odd that the Government continue so vehemently to flog what is so obviously a dead horse.

I do not agree that the choice is between this deal, no deal and no Brexit, and I do not agree with those people who gleefully hold up this deal as proof somehow that Brexit is impossible or a fantasy. All it really proves is that those in charge of conducting the negotiations have not succeeded. Mostly they have not succeeded because they are miserable about the referendum result and have treated the exercise as disaster management. They set out to look at all the risks of Brexit—of course there are risks in such a transition—but they have failed to look for the opportunities as well.

We are one of the biggest economies in the world. We are geographically well placed to continue playing a big role in world affairs. Our language is the global language. Our judiciary is trusted. Despite all the rubbish that is happening at the moment, our democracy remains the envy of the world. Our legal system provides more certainty and clarity than pretty much anywhere else in the world. And people want to live, work and raise families here.

Had we never joined the EU in the first place, does anyone honestly believe that it would not be biting off our hand to agree a comprehensive free trade agreement today? Of course it would. There is still time to pursue the option that Brussels was always expecting, and that makes the most sense for the world's fifth largest economy: the foundation of a comprehensive free trade agreement based on mutual respect and mutual recognition.

There are many in this House who share my views about the deal but whose answer is to press for a second referendum, which would be madness. There was a consensus at the time of the referendum that the outcome would be honoured. Solemn promises from the Prime Minister were echoed on both sides of the House.

We all remember some people brashly saying that it did not matter how people voted because the EU would never let us out anyway. I remember those people being dismissed as if they were lunatics, but that did happen in Denmark, France and the Netherlands, and I think it happened twice in Ireland. I was one of the people who

[Zac Goldsmith]

dismissed those concerns as conspiracy theories. How extraordinary and how depressing that there is now a real chance those people could have been right all along.

I understand that some people remain mortified by the outcome of the vote, and of course this place is filled with extremely clever people who could potentially find a clever way of stopping Brexit one way or another, but it would demonstrate a remarkable lack of wisdom. A failure to honour the referendum would surely cause an irreparable breakdown in the relationship between the people and the authorities. It would usher in a new era of extreme politics.

There is no reason why the UK should be immune to the trends that are plaguing almost every other country in Europe: in France, where Le Pen leads in the polls; in Germany, where the Alternative für Deutschland, founded in only 2013, is now the second biggest party; in Austria, where the Freedom party is part of the Government; and in Italy, Spain, Sweden, Greece and so on.

If the gut fear that so many people have, the feeling that the political elite simply cannot be trusted, is utterly and completely confirmed, where will those mainstream voters go? It is madness. It could possibly, potentially, perhaps be justified if something truly seismic had happened, but it has not. Millions of pounds have been poured into a campaign to undermine the referendum and make people fear every aspect of Brexit, but the polls have barely moved; they are still within the margin of error. I believe the Government are going to lose this vote next week, and I am afraid to say that I hope they lose it. Then, either this Prime Minister or, if she will not do it, another Prime Minister must take this deal back to the EU and change it.

6.29 pm

Catherine West (Hornsey and Wood Green) (Lab): It is a pleasure to follow the hon. Member for Richmond Park (Zac Goldsmith), who I know prizes the environment highly, although he did not mention it in his speech, perhaps because it might not have gone along with his argument today, as he is a leaver.

Zac Goldsmith: I thank the hon. Lady for her kind words. She is right to say that I did not mention it, but I have given three lengthy speeches about why Brexit, if done properly, would be a boon—a great thing—for the environment.

Catherine West: I beg to disagree, but I will mention the environment later in my short speech, and it is a pleasure to follow the hon. Gentleman.

I wanted to start by talking about the language we have been using in recent days. The particular term that has caused a lot of concern in my constituency is “queue jumpers”, and I was pleased to hear that the Prime Minister apologised for that in the House the day before yesterday. We know that so many EU citizens in my constituency have been worried by that term. My right hon. Friend the Member for Tottenham (Mr Lammy) and I share the London Borough of Haringey, where 42,000 EU citizens are resident. They are friends, colleagues, NHS workers and neighbours, and they are a valued part of our diverse community. It is important that we

in this House do not forget the importance of having that respectful debate, despite our differences of opinion and views.

Obviously, the economy has to be mentioned in relation to this deal, because many have warned about the danger of this deal. In particular, we know that the Governor of the Bank of England has said that all of the assessments identify significant negative outcomes for the economy, resulting in hard-working families facing food price hikes of 10%, businesses facing increased friction when trading and the country as a whole facing yet another recession. I find it difficult to believe that anybody could vote for a deal that could lead to another recession, given that we have not really recovered from the one in 2008, following the global financial crash.

Equally, we have no firm or clear commitments on participation in Europol and Eurojust, and several concerns about security arrangements, which have been highlighted by not only my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott), but others. We know that human trafficking, international crime, drug smuggling, terrorism and illegal immigration are all issues that are tackled most effectively through deep and integrated international co-operation, which is, logically, done in particular with our closest neighbours.

On geopolitics, just a few weeks ago we marked the centenary of the armistice. It is not stretching things too far to bring that into this debate and say just how moving it was to see the German President lay a wreath at the Cenotaph. It was a reminder of the importance of internationalism, and the specific role the EU has played in maintaining peace across the continent and promoting that ideal worldwide. We speak about NATO, defence and security over and over again in this Chamber, but we all know that it is the people-to-people contact, the country-to-country contact, the Erasmus students and the internationalism that underpins that security and makes that relationship meaningful. At a time when the liberal order is once again under threat, with the rise of an expansionist Russia, a volatile American foreign policy and the far right once again on the march on the streets of Europe, as the hon. Member for Richmond Park mentioned, now is not the time to distance ourselves from our European friends.

It is abundantly clear that this deal cannot command a majority in this House, for the reasons I have set out, as well as others. Likewise, we all know that the destination of no deal will not be accepted by a majority of hon. Members. It is pleasing to see so many Members, regardless of which side of the EU referendum debate they are on, say today that no deal would be an act of vandalism. So where does that leave us? Like many Members from both sides of the House, I have continued to make the case for a second vote. The hon. Member for Richmond Park is quite right to say that we must respect the referendum result and must not be patronising about why people voted the way they did. In the same way, once the democracy switch is flicked, the only way to unflick it is to flick it off.

Earlier in the debate, the hon. Member for Totnes (Dr Wollaston) made a valuable contribution. If someone needs a hip replacement, they go to see the surgeon, and in consenting to the operation they know exactly what they are getting. A second meaningful vote for people would really help us Members of Parliament to make the decision. It would be completely different if we had

a Parliament in which there was an overwhelming majority and it was clear as a bell, but given that the result was so close in June 2016 and that we are living through such unusual times in the House of Commons, it is important that the people assist us to make this crucial decision.

I welcome the fact that the shadow Chancellor, my right hon. Friend the Member for Hayes and Harlington (John McDonnell), and the shadow Brexit Secretary, my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer), have said that a second vote has not been taken off the table. I look forward to progress on that position.

On multiple occasions, the Prime Minister has refused to consider the option of a second referendum, on the basis that the decision was made in 2016, but nothing ever stands still in politics. As we go forward and see that each week we are losing £500 million from our economy, it is important to be a little more decisive and provide the opportunity, quite quickly, to have a second vote. We can then put the issue to bed and focus on other key issues, including the NHS, schools funding and universal credit—all the things that we know our constituents want us to get a wriggle on with.

I recognise the result of the referendum. As mentioned in my intervention on the hon. Member for Ribble Valley (Mr Evans), I have serious concerns about the way Vote Leave ran the campaign. I should emphasise that the illegitimate use of social media, which the Digital, Culture, Media and Sport Committee is now looking into, along with the questionable use of political donations and the question marks over whether some of the funds used may have come from abroad, are all crucial to our democracy. Each time we have a democratic exercise, we learn more from it. It is crucial that if we ask the public a further question on this issue, we get it right, maintain a positive tone and ensure that we have the best standards of democracy. I look forward to hearing other contributions and hope that we eventually get that second vote.

6.37 pm

Sir Robert Syms (Poole) (Con): This will surprise you, Mr Speaker: I am old enough to have voted in the 1975 referendum, and I voted yes to stay in the common market. But what I voted for then changed rather substantially over the years, and I became somewhat concerned about the way the EU had developed. When it came to the last referendum, I was for leave—on balance, but I think that was the right decision. The truth of the matter is that it was not to do with what was on the side of a bus, but that most of our citizens have had to live with the EU over several decades. There was just that general feeling that the EU was not very responsive to their needs. The British people have a certain native common sense that tells us that we could do better on our own. Compared with the 1970s, when Britain was a rather depressing place, Britain is doing really well in the world, and it has been doing over the past 20 years. The reality is that it was a vote of confidence in this country from the British people. We can do a lot better. We can be an open, flexible, dynamic economy in the world.

Leaving the EU was always going to be a messy business, because any kind of divorce is, and there are compromises to be made. I give credit to the Prime Minister for the work that she and the negotiators have

done. It is a difficult job and probably a thankless one, and it will be even more thankless next Tuesday when we get the House's decision. There are some good things in the agreement and I could agree with a lot of it as a compromise to see us out of the EU, but as a Conservative Unionist, I find the Irish backstop very difficult to deal with.

I do not want to treat any area of the United Kingdom differently from my own constituency. There is a danger of our getting hung up in that arrangement. The advice of the Attorney General is very clear. The Prime Minister needs to go back to the EU and say, "Deal on providing that we have a date to the backstop." If there is a date, many people's fears about our getting hung up in the arrangement and not being able to do deals would disappear. We have already heard that there is no intent either north or south of the border to establish a hard border. My fear is that the backstop will be used as a device during the negotiations over trade and over fish—as President Macron has already said—to screw the British down and give us a bad deal.

Antoinette Sandbach (Eddisbury) (Con): I am very grateful to my hon. Friend for giving way. Given that he supported the Common Market, does he accept that there may be an alternative, such as an EEA-EFTA style deal, that would give us back the fisheries, remove the need for the backstop and provide the kind of reassurance that he seeks?

Sir Robert Syms: It would not be my favourite choice, but it may well be a choice that the House will have to consider depending on how we end up next year.

The reality is that I hope we can finesse the current agreement. Ultimately, the EU must accept that the backstop is unacceptable to Parliament. If it accepts that, there is a fairly good chance that the deal will go through. The deal, without the backstop, might be rather better than the EFTA proposals. We will have to see how the Prime Minister does. When there has been to-ing and fro-ing between member Governments of the EU, referendums and agreements, it is not unheard of for Governments to go back to the EU and say, "Our people will not wear it, think again." It would take only some very modest changes to get the deal done. I hope that the Prime Minister listens to what the House says next Tuesday. I am afraid that I will be voting against the deal in its current form, but I will be receptive to modification of the backstop and then I hope that we will be in a position in which we can move on.

I am unhappy about voting against my Government. I have been a Member of Parliament for more than 20 years. Since coming into government in 2010, I have voted against the Government only once. This will be the second time. I hope that I never have to do it again because I believe that politics is a team game and I want my team to win and I want the Prime Minister to do the best for our nation. Unfortunately, though, I am a Conservative and Unionist and the backstop is something that I cannot accept.

6.42 pm

Ellie Reeves (Lewisham West and Penge) (Lab): There can be no doubt that this is a defining moment in our history. Our global economic and political success is at stake. I represent a constituency that voted overwhelmingly to remain part of the European Union and I stand here

[Ellie Reeves]

today to make this speech on their behalf. Although the European Union is not perfect, it is a union that has helped to bring so much peace and prosperity to our nation and to our continent. To dismiss our 45 years of membership diminishes what we have collectively achieved and what is possible.

Turning to the theme of today's debate, we should not forget the benefits that EU membership has brought to the country through immigration. Could our economy or our NHS thrive without it? Of course not. In England, 63,000 NHS staff are EU nationals—one third of these staff work in London. Across the capital, almost half of the home- building workforce is from the EU, yet over the course of the referendum and subsequent negotiations, I have frequently been saddened by the fact that freedom of movement has become a political football spoken of only in negative terms.

A few weeks ago, when I was speaking at a public meeting in my constituency, a constituent, an EU national, stood up and told me that she had made her life here and now feared that she was no longer welcome in this country. I assured her that she was welcome. Like many others, I am immensely proud of our multicultural community in south-east London, but the Government have provided nothing but uncertainty on this issue. It is irrefutable that immigration has aided our nation and our continent. We should be proud of what it has contributed and what it has helped us to achieve.

Let me now speak of my personal experience. As a teenager, I was given the opportunity to live and study in Italy through the European Union's Leonardo da Vinci programme. Growing up in south-east London and attending my local school, the idea of being offered, at the age of 18, the chance to temporarily move to Italy was almost incomprehensible. It was a completely life-changing experience, and I consider myself to be a citizen of the European Union. I want my son and all young people to have the same opportunities that I have had to live, work and travel freely within the EU. Instead, young people will be denied the chances of upward social mobility and co-existing with our European partners, compounded by an uncertain future of potential economic gloom as a result of this poorly negotiated deal.

When the withdrawal Bill was before the House this time last year, I tabled an amendment highlighting the work that Europe had done on family-friendly employment rights and gender equality. If my amendment, which lost by 14 votes, had passed, it would have ensured that Parliament was kept informed of changes in European law, making sure that we kept pace and did not fall behind on the equalities agenda. Rights in the workplace have been fought for long and hard, and a large number of employment rights on our statute book come from Europe, including rules on paid holiday, working hours, pregnancy and maternity rights, TUPE and age discrimination, to name but a few. Sadly, some Conservative Members would not think twice about tearing them up, and the workplace risks becoming even more precarious and insecure without EU safeguards.

I respect the outcome of the 2016 referendum, but nobody in the House could argue that things have not changed in that time. The political landscape has changed. The economic landscape has changed. Public opinion

has changed. All the while, the Government are trying to force through answers to questions that were not on the ballot paper in 2016, and expect constituents to follow blindly.

When I was elected to Parliament, I vowed to my constituents that I would not support any form of Brexit that would be detrimental to them. London voted overwhelmingly to remain part of the European Union, and by a factor of two to one in Lewisham West and Penge. As my constituents' representative and voice in this place, it is primarily their future that I consider when casting my vote on this motion.

This terrible deal would result in a miserable Brexit for the UK, threatening business confidence, jobs, our NHS and the future of young people. The biggest issues will remain unresolved while we follow rules over which we will no longer have any influence. I say to those on the Government Benches that these negotiations have been flawed from start to finish, and the results of this catastrophic approach are apparent for all to see. With time still left before the end of March, this does not have to be a binary choice between the Government's deal and no deal.

I do not believe that anyone voted in the referendum to be worse off or less secure. The people should be given a voice again. They should be empowered to decide whether they want their future to be carved out by the Prime Minister's deal, on which even her own MPs cannot unite, or whether they want an alternative. Given the shambles of the deal now before us, surely it is now time for the decision to go back to the public, with a people's vote with an option to remain in the EU. With so much at stake—our prosperity, our success and our security—it is only right that we return the decision to the people and give them their say once more.

6.47 pm

Steve Double (St Austell and Newquay) (Con): It is a great privilege to speak in this very important debate, and it is an honour to follow the hon. Member for Lewisham West and Penge (Ellie Reeves). Although we come at this from very different perspectives, I respect her passion in speaking up for her constituency.

The people of Cornwall have a long history of being a little bit awkward, a little bit independently minded and occasionally even a little bit rebellious. There was the famous time when 20,000 Cornishmen marched on this place because the King had put one of our bishops in the Tower of London. Even since way back then, the Cornish have had a slightly awkward relationship with authority, so it was no surprise whatever to me that Cornwall voted to leave the EU in 2016.

St Austell and Newquay—the constituency that I have the privilege to represent—actually had the biggest leave vote in the whole of Cornwall. However, it is important that we recognise that the vote was not just about our relationship with the European Union. It was about much more than that. Much of it was about people who felt disconnected, neglected and often ignored by what we might call the establishment. Thousands who had never before voted in any election voted to leave. Despite "Project Fear" and their being told continuously that this decision would be terrible for them, they voted courageously for us to leave the European Union because they wanted their voice to be heard and they wanted to know that their vote mattered.

That is part of the challenge before this House today and in the coming weeks. This is no longer just about Brexit; it is about the heart of our democracy. It is about who runs this country, whether we are truly a democracy where the will of the people prevails, and whether we in the House listen to those who have voted for us and sent us here to implement the decision that they have made.

Yesterday, a constituent of mine pointed out that on 22 June 2016 he wrote this and posted it on Facebook:

“The day has finally come, tomorrow is EU referendum Day where we all get to vote on a once in a lifetime opportunity to decide whether we are in or out of the EU. I’m not going to persuade anyone either way I don’t think it will make a difference what the result is. We aren’t leaving Europe ever and no vote by the people is going to change that. There are far too many higher powers with vested interests in the status quo to let a silly little thing like democracy get in the way.”

He went on to say that if the vote was to leave,

“higher powers will set into motion a series of events that will prevent leaving ever happening. Because it has to be approved through Parliament. There will have to be White Papers, debates, amendments, more debates, more amendments, and plenty more political posturing from both sides of the argument. It won’t be settled in the next 3 years and will then become an issue for the next general election. And by then we will have served another 4 years under Europe anyway and so why would we want to leave now?”

I do not know if he was Mystic Meg or a prophet, but there is a great fear among many, many people that what he described all that time ago is exactly what is happening. There is a sense outside this place that we are in the middle of an establishment stitch-up that is trying to prevent what the people of this country voted for from happening.

When the amendment that some of my colleagues voted for was passed last night, a cheer went up with the sense that somehow a victory had been won over those on this side of the House who want to see a true and proper Brexit. That victory was not against people like me—it was against the 17.4 million people in this country who voted for leave, and believed in this place, and put their faith and trust in us to deliver what they voted for.

I do not support the Prime Minister’s withdrawal agreement because I do not believe that it delivers what we have promised time and again as a party. It does not deliver what we put in our manifesto last year when we said that we would respect the result of the referendum. It puts this country in a worse place in terms of negotiating than we are now. I do not understand those who say that what we failed to achieve in the past two years when we have had cards to play will somehow be better achieved when we have removed all our cards. We have had the £39 billion to bargain with. We have had the ability to walk away from the table to bargain with. How we think we are going to get a better deal from the EU once we no longer have those cards to play, I fail to understand.

People will say, “What is the alternative if we vote this deal down?” That is a very good question that I have considered very, very seriously, but I will not be pushed out of fear into voting for something I do not believe is right for this country simply because people tell me that the consequences could be serious. We have to face that. I do not want no deal. I want the Prime Minister to go back to the EU and say that there are

elements in the withdrawal agreement that are not acceptable to the House and need to be removed in order for the House to support it. Obviously, that is primarily around the backstop. If the EU will not do that, under the legislation, no deal is the default position. Those in the House who say that no deal should never, ever be considered are effectively saying that we can never leave the EU until the EU agrees terms with us. That is admitting defeat. That is saying that we are effectively a colony of the EU and we can never leave of our own volition, but only when it agrees terms with us. I do not believe that that is right. It is not what the future of this nation is about.

When we vote against the deal next week, I hope that the Prime Minister will listen to the genuine concerns of many of us across the House who believe that this deal does not deliver what we promised the people of this country, and that she will go back to the EU with a positive message. We need to believe in the future of our country—not just our right to be free and independent of the EU, but our ability to deliver a proper Brexit and enable this country to flourish outside the EU.

6.54 pm

Wayne David (Caerphilly) (Lab): I voted in favour of triggering article 50, so that negotiations could begin on Britain’s withdrawal from the European Union, but having read the result of the Prime Minister’s negotiations—the withdrawal agreement and the political declaration—I will vote against what has been negotiated. The majority of my constituents voted to leave the EU, but I do not believe that they voted to make themselves poorer or to jeopardise their safety. I am not taking this decision lightly. I believe that it would be enormously damaging for the people of this country, and in particular my constituents, if Britain were to leave the EU on the basis of what the Prime Minister has negotiated.

Fundamental to my concern is the fact that the withdrawal agreement deals only with the process of Britain’s departure from the European Union. After December 2020, the only thing that has been agreed is a political declaration of a mere 26 pages that is extremely vague. In other words, if Parliament accepts the Prime Minister’s package, we have no real idea of what this country’s relationship with the EU will be like in the long term. It will be a blind exit and a step into the dark. We will be leaving the European Union on a wing and a prayer. The real negotiations on our long-term relationship will only begin in earnest once we have left the EU, during the transition process, and Britain will be in a weak bargaining position as a consequence. I am passionately concerned about that.

I am very concerned about the number of young people in my constituency who have expressed concern about the situation in which this country finds itself. They are concerned about their inability to travel around the EU and the reduction of opportunities if travel is restricted. They are concerned about the creation of a constantly inward-looking country, while their instincts teach them that they must be looking outwards to Europe and the world.

There is also concern in my constituency about the employment consequences of this deal. That is extremely important, because much of my constituency’s prosperity and the employment prospects of a large number of people depend on Britain having a positive relationship

[Wayne David]

with our largest and nearest trading market—the European Union. This deal does not offer the prospect of such a positive relationship.

There are huge problems with the short-term withdrawal agreement, not least the weak commitments to workers' rights, which have been highlighted by the TUC, and the prospect of weak environmental standards. There is also concern, as has been highlighted in the debate, about the security implications of the transitional agreement and beyond. Let us not forget that last year, the European arrest warrant resulted in 183 individuals being brought back from other European countries to face justice in this country. Because of the European arrest warrant, we have seen an increase in security and justice internationally.

My concern is that once we leave the EU and go beyond the transition period after December 2020, we are by no means certain what arrangements will be in place and what will be negotiated. It is quite possible that we will have to fall back on the kind of extradition agreements that we had in the past. Let us not forget the problem we have there, which is that France and Germany's constitutions prevent them from entering into such extradition agreements. There is real concern about security and the rule of law, which have huge implications for our future.

In essence, that is why I will vote against the Prime Minister's deal on 11 December, but I want to make the point that I am also strongly against any attempt to take Britain out of the European Union without an agreement. A no-deal Brexit would be disastrous for the people of my constituency, and the Prime Minister should not even contemplate such a course of action under any circumstance.

It is small wonder I have been approached by a constituent who is diabetic and insulin-dependent, and who is genuinely concerned about what will happen to his health if we leave the European Union without a deal and he cannot get his insulin. That concern can be replicated throughout the country time and again, and it is completely wrong that the Prime Minister is holding this sword of Damocles above the House of Commons.

This is an important decision that we will face next Tuesday. We should not underestimate the significance of the meaningful vote, but I honestly believe that this agreement is against the best interests of the people of this country and against the best interests of the people in my constituency. Therefore, I have no doubt in my mind that the best, correct and proper thing to do is to vote against the agreement.

7 pm

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): It is an honour to follow the hon. Member for Caerphilly (Wayne David).

Since the EU referendum result in 2016, we have all been grappling with the result and what it means for our constituents and our country, and with how we should best respond in the interests of our country. I believe the public, rightly, are tired of Brexit. For many, it has become an issue that is far too abstract, legalistic and confusing. Frankly, they want us to get on with it, but our constituents are relying on us to get it right. This

debate and vote may be one of the most important that right hon. and hon. Members in this place will have to make a decision on. Probably it is one of the most important votes, if not the most important vote, that we will cast in our parliamentary careers.

Almost everyone I have spoken to, whether or not they support this deal, has a huge amount of respect for the Prime Minister and admiration for the job that she is doing. Negotiating a Brexit deal with the European Union was an almost impossible job. I have never doubted the Prime Minister's desire to achieve the best for our country, and she has poured her heart and soul into every aspect of these negotiations. My admiration for our Prime Minister is making this decision for me all the more difficult. It goes without saying that I am loyal to this Government and to this Prime Minister. Our country is undoubtedly better served by this Government than by any alternative. After 10 years in the Scottish Parliament and 18 months here, I understand the significance of even contemplating voting against my Government and colleagues. However, my job here is also to consider the national interests and those of my constituents. That is why I am listening carefully to contributions from all parts of the House during the course of this debate, and particularly those of Ministers in reaction to some of the concerns that colleagues, especially those on the Conservative Benches, have raised.

Part of my decision-making process has been considering what happens if Parliament rejects this agreement. We have been told it is this deal, no deal or Brexit could be stopped. The default position for this process is clear: we leave the EU at 11 pm on 29 March next year with no deal. That is due to both the EU treaty and the European Union (Withdrawal) Act which, when it was passed earlier this year, was amended to include the date and time of exit. In my view, it is regrettable that there has not been greater clarity from the Government about what will happen in the event, as seems increasingly likely, that this place does not give its support to the withdrawal agreement. We are being asked to support this agreement without any proper understanding of the alternatives. We are in effect balancing risks as part of our decision-making process—the risks associated with this agreement as opposed to the risks of the unknown.

Turning to the withdrawal agreement itself, the fishing industry along the Berwickshire coast in my constituency has been decimated in recent years. I know that many of my local fishermen and women are looking forward to a life outside the common fisheries policy. While I have been reassured by the words from the Prime Minister, I am less comforted by the views expressed by other European leaders, notwithstanding the fact that fishing could still be sacrificed as part of the trade deal negotiations. I am happy to accept the words of our Prime Minister and her commitment to Scotland's fisheries, but my fear is that the precise arrangements will be decided at some point in the future. No Government can bind their successors, so no promise now will necessarily have any effect in the future.

As a Unionist, I also have serious concerns about the provisions for Northern Ireland, given that there will be at least a risk of Northern Ireland being treated substantially differently from the rest of the United Kingdom. That would certainly be contrary to the articles of Union, as I understand them. The main nationalist parties in

Northern Ireland have signed up to the agreement. However, both the Ulster Unionist party and the Democratic Unionist party have said that they are completely opposed to it. That causes me a serious problem. Given the troubled history in Ireland, any constitutional change needs to have the support of both communities in Northern Ireland. Some say that the Unionists in Northern Ireland need to take a pragmatic approach and that they need to compromise. I would suggest that that fundamentally misunderstands Unionism in Northern Ireland. I have every sympathy with those in this place who represent Unionism in Northern Ireland, who have expressed concerns about the potential impact of the agreement on the constitutional status of Northern Ireland within the United Kingdom.

My fundamental concern is that so much of the EU withdrawal agreement is an agreement to agree something further down the line. The can is being kicked further down the road. As someone who studied law at Glasgow University and trained and worked at Freshfields along the road from here, one of my lasting memories from law school and from those teaching me how to draft legal documents is the danger of drafting something that could be construed as an agreement to agree. Why is that a problem? My hon. Friend the Member for East Surrey (Mr Gyimah) touched on some of the political aspects, but the consequence is that agreements to agree lack sufficient certainty to constitute a legally enforceable commitment.

There have been many reassuring words about the high standard imposed by the “best endeavours” commitment in the withdrawal agreement, but the reality is that it is meaningless if the obligation itself lacks certainty. The withdrawal agreement was supposed to be a bridge to a permanent relationship with the EU, but the danger is that it will become the norm. We are putting off so many of the outstanding decisions for a later date.

I have wrestled with this for many hours and have lost much sleep over the past few weeks. I have spoken to many businesses and residents in my constituency. I am here to represent their views as their Member of Parliament. I am trying to reconcile my deep misgivings about the agreement with my loyalty to the Prime Minister and the Government. It is not easy. In fact, it is proving to be probably the hardest decision of my political life. I have until Tuesday to decide what I am going to do, and I am going to carefully judge what—[*Interruption.*] Perhaps SNP Members could show me some respect rather than mocking my decision-making process—I am wrestling with a very difficult decision on behalf of my constituents and my country.

Brendan O’Hara (Argyll and Bute) (SNP): We have heard so much from the hon. Gentleman and his colleagues about threatening to resign if Northern Ireland is treated any differently from anywhere else in the United Kingdom. His own Attorney General’s legal advice said it will be treated as a third country, but and he is still wrestling with it. It is patently clear. Have the courage of your convictions and vote this down. It is bad for Scotland, and it will be bad for the rest of the UK.

John Lamont: I have not threatened to resign from anything. I have just reinforced the point that I am here to represent my constituents, many of whom have concerns about the withdrawal agreement. I am here, as somebody

sitting on the Government Benches, to express such concerns and misgivings, and to try as honestly as I possibly can to articulate to the House, and hopefully to my constituents, the thought process I am going through. That will take as long as I need. I will certainly not be intimidated or bullied by SNP Members to make that decision any more quickly. I will take my time, and on Tuesday I will cast my vote for what I think is in the national interest and in the interests of my constituents.

7.8 pm

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): May I start by paying tribute to you, Mr Speaker, for your longevity in sitting through the business today and last night? I think your presence throughout the whole debate shows the importance of these deliberations. As many Members have already said, these are perhaps the most important votes we will ever face in our political career. I think we can safely say, Mr Speaker, that your bladder is considerably stronger than mine.

There is little doubt that people were misled during the referendum by those purporting to suggest that a land of milk and honey awaited if leave won. Two years later, reality bites and the British Government have been forced into signing a humiliating agreement and a political declaration that means that the British state, due to the intransigent policy pursued by the Prime Minister, will leave the European Union with absolutely no idea what the future trade arrangements with its largest trading partner will be after the transition phase.

At every step, the British Government have been outwitted by the European Commission. Its priorities were threefold: first, get the British Government to commit to paying their outstanding liabilities; secondly, preserve the Good Friday agreement, leading to the backstop; and thirdly, negotiate formally only the divorce proceedings before the end of the article 50 period. The British Government, on the other hand, seemed to think that they would be able to negotiate the terms of the final relationship and settle Brexit before the end of the article 50 period. The withdrawal agreement and the accompanying political declaration indicate that what the British Government are claiming as a diplomatic coup is nothing of the sort—it is a capitulation.

All this does not bode well for the detailed negotiations that will happen from March if the current policy is adopted. During those negotiations, the British Government will be a third country, outside the European Union and in a far more vulnerable position. I am not a professional trade negotiator, but it is crystal clear that in those circumstances, the larger participant in the negotiations—the European Union—will be able to squeeze the smaller participant. International trade is a brutal business, where the size and wealth of the market matters. Brexiteers point out that under current arrangements, EU countries collectively export more to the UK than the UK exports to the EU. That shows a gross misunderstanding of how international trade negotiations work. During the negotiations, the European Union’s objective will be to increase that disparity in its favour at the expense of UK producers.

Despite the stark economic reality, we face a Brexit policy being driven by the British Government and the Labour Opposition on the basis of scrapping freedom of movement, regardless of the fact that it is a reciprocal right that works both ways. British subjects will lose the

[Jonathan Edwards]

right to work and live in 27 European states. In her obsession with curbing immigration, the Prime Minister set out red lines in her Mansion House speech that made the current shambles inevitable. Because of that, my colleagues and I voted against triggering article 50. From the very start, the Prime Minister has prioritised party management above the greater good. Like a salmon poacher, the approach of the British Government has been to massage the fantasies of Brexiteers, as opposed to being straight with the people of the UK that they were sold a false prospectus and that if Brexit was to be delivered, it would mean making people far poorer, with the poorest and most vulnerable hit worst.

In the September withdrawal agreement debate, I warned the British Government to take no deal off the political table. It served no purpose as a negotiating tactic with the European Union, which knew that the British state would never be willing to accept the economic damage of no deal or able to get itself ready for the eventualities of no deal by March. I also warned that threatening no deal would not bribe MPs into supporting the Prime Minister. We will wait to see whether my prophecy was correct on Tuesday evening next week. The House's support for the amendment tabled by the right hon. and learned Member for Beaconsfield (Mr Grieve) last night effectively takes no deal off the political table in any case.

Right hon. and hon. Members and our constituents should be aware of the ruling of the advocate general in the European Court of Justice yesterday recommending that article 50 is revocable unilaterally by the British state. If that recommendation is adopted by the Court, it will clearly indicate that the Prime Minister put forward a false argument that it is a choice of her deal or no deal. This House or the British Government have the power to stop no deal at any time of their choosing. Considering the dire warnings of the British Government over recent weeks, the game of chicken that they have been playing with Members of the House now rebounds on them.

If the British Government's policy is implemented, it will effectively mean leaving the European Union with absolutely no idea what the long-term future relationship will be following the end of the transition phase. The British Government have utilised the vagueness of the political declaration to try to appeal to kamikaze Brexiteers who favour the WTO option and more sensible politicians who seek a more formalised association-type agreement by saying that everything will be up for grabs during the transition phase. I have outlined the vulnerability of the negotiating position of the British state in those circumstances. The negotiations will be far more complex than the withdrawal agreement, with far more at stake.

Writing in the *Western Mail* last month, I described the events of the last two years as a tickle fight compared with what would await us if the British Government's policy was carried. Labour's policy of trying to use the crisis to force a general election is a complete distraction. I will not waste my time eviscerating their position, but two words come to mind: incoherence and cynicism. With the House of Commons effectively in control of Brexit policy, the Labour party must decide what it wants, a softer Brexit or a people's vote. Those are the only two options facing us that are palatable to me and many others.

Should we aim for a people's vote on the British Government's policy, or the status quo? If the House of Commons cannot agree a way forward, the people must be asked once again to cast their verdict. The only other solution I can see is to support moves towards a formalised association status with the European Union by staying within the economic frameworks—namely, the single market and the customs union. For Wales, that would end the cynical power grab of our powers by the British Government, except in policy fields not within the EEA-EFTA agreement, such as agricultural measures.

The vision that I and my colleagues have for Wales has no time for the narrow-minded British nationalism at the heart of the Brexit project. Ultimately, as we emerge from the current wreckage, the people of my country need to start asking ourselves serious questions about where our best interests lie and what future we seek for our people—the splendid isolationism of British nationalism, or an outward-looking Wales playing its full part in the world. I know which future I choose.

7.15 pm

Victoria Prentis (Banbury) (Con): It is an honour to follow the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards), though I do not agree with all his ideas, and my hon. Friend the Member for Berwickshire, Roxburgh and Selkirk (John Lamont), who made a characteristically thoughtful speech.

Many ideas have been put forward today, but, as lawyers are fond of saying, we are where we are. I urge hon. Members putting forward ideas—650 different ideas, possibly, if you can fit everyone into this enormous debate, Mr Speaker—to look down the corridor, where there is another debate going on that is possibly even more thoughtful and perhaps a little less political than the one in this Chamber. I was made to stop and think when I read the speech of the Archbishop of Canterbury earlier today. I encourage all Members to have a little look at what is going on down the corridor.

In the 2016 referendum, the result in the Banbury constituency was the closest in the country. By 500, we voted to leave. I have seen no evidence, talking to people or in my postbag, that significant numbers on either side have changed their minds, though there have been a few. It is really important, given that we are where we are, that we now be sensible and practical. This is a fair deal—in fact, it is growing on me more and more as I read it and listen to debates such as this. There are two main reasons why I think that.

We have in the deal the beginnings of certainty on the status of EU nationals and an inkling of where our immigration policy is going. We know a fair bit about immigration in north Oxfordshire. Poles make up 10% of the population of Banbury. We also have another significant minority in the Kashmiris, who have been with us, in some cases, for four generations. The Poles and Romanians living locally are well integrated, and we value their contribution to our workforce and all aspects of public life.

I am concerned that we put flesh on the bones of the withdrawal agreement, and I look forward to engaging in detail with the White Paper so that my constituents might get practical solutions to problems such as, “Will granny be able to join me when she needs care in her old age?”. The deal is going in the right direction, which is one reason why I am inclined to vote for it, but I am

also persuaded by the almost frictionless trade ideas set out in it. Of course, the future agreement needs more work, but we are going in the right direction.

In Banbury, we are lucky to have almost full employment. We have a wide selection of middle-sized family manufacturing firms—in the food and automotive industries, for example—that are a part of the critical just-in-time European-wide system. When I was hoping to speak in this debate, I thought I would ask my local business leaders what they would like me to say. I asked a wide selection, but I have chosen to read out the comments of two in particular. One is a great local entrepreneur. He was a Brexiteer, which is unusual among my local business leaders, and he now runs a company that is a leading distributor of health and beauty and household brands. He said:

“The deal on the table sorts several of the big Brexit issues—immigration being one. It also protects trade. Smooth trade through ports and ferry terminals is vital to the UK. So much of everything we eat and use comes from Europe. Likewise our exports are crucial to many UK businesses—especially automotive.

My view is we should sign it. I have not seen any credible alternative proposals from others...The Irish situation was always going to be difficult. It should not become a deal breaker. No deal would be a disaster.”

Let me also quote what was said by a representative of a company that manufactures high-end tools. This lady was a passionate remainer, and I am particularly fond of both her and her business—as, indeed, was my predecessor. The company is a great local employer. It is notable that those who visit its factory meet people who have worked there for 35 years, and successive generations of whose families have worked there. She said:

“The deal that is now on the table I believe is the best we could get. It isn’t as good as staying in for obvious reasons—you don’t get a better deal being out of the club than you get by being in it. But, it is a deal that an export company like ours can work with and while trade with the EU will cease to be frictionless we will have until 2021 to get things in place to deal with that. If I do my best to be positive about the situation, there may also be benefits for trade outside the EU post transition—although I sincerely hope not at the cost of lower standards for products, employee protection, the environment or animal welfare.”

I could not have put it better myself.

It could be said that Banbury was the most divided constituency on 23 June 2016, but I have seen plenty of evidence locally that we are prepared to come together, work together, and have a bright future with the deal that is on the table.

7.22 pm

Angela Crawley (Lanark and Hamilton East) (SNP): Thank you for calling me, Mr Speaker. I appreciate your forbearance and patience, because it has been a long afternoon.

Along with every other area in Scotland, my constituency voted to remain, yet Scotland has been repeatedly ignored. Because my time is limited, I will focus on three main points. I believe that this deal is bad for young people, bad for women and bad for the economy. The Scottish National party has repeatedly argued that it would be best for jobs, the economy and living standards to remain in the single market. We have refused to be dragged by those on the right into a self-defeating argument about immigration. Instead, at every opportunity, we have focused on the positives, such as free movement and the ability to live, work and

travel across 27 countries, as well as the rich economic, cultural and societal benefits that migrants have brought to our country.

Since 2016, I have met many EU citizens and their families—French-born and German-born, teachers and nurses. People who have raised their families in Scotland and have spent the vast majority of their lives there are concerned about their ability to continue to live in the Scotland that they call home. That is just one instance where there is still a lack of certainty. There is also uncertainty for young people. It was my predecessor, Winnie Ewing—“Madame Écosse”—who championed the Erasmus programme. We should not deny future generations of young people the opportunity to learn, to travel and to broaden their horizons but, if anything, sadly, Brexit will only serve to do the opposite.

For all those reasons and more, the Scottish National party has repeatedly argued in favour of remaining in the EU, and, short of that, remaining in the single market and the customs union. Otherwise, free trade arrangements will introduce barriers to trade that will damage jobs, investment, productivity and earnings.

Women will be particularly affected, and the most disadvantaged and the most vulnerable will be hardest hit. When the Women’s Budget Group and the Fawcett Society examined the economic impact of Brexit, they found that there are serious implications for women, predominantly those who are workers, consumers and use public services. The cuts that this Government have placed on those services already have a disproportionate impact on women. A failure to prioritise gender equality has led to an increase in economic insecurity and inequality for these women.

This debate has served to do nothing except highlight how much Brexit has taken over the agenda. I should have been in Westminster Hall this afternoon condemning the Government on their record on gender inequality. Instead I am here debating this. That is of course where we are at and I would not choose to be anywhere else on this day but debating this important subject, but there are so many other important subjects that have been completely neglected.

In most scenarios, real wages for low-paid workers will reduce, prices will increase, and inevitably increase further, and levels of productivity will reduce as well. The UN special rapporteur on extreme poverty outlined that it was clear that the impact of Brexit was an afterthought. That is the point here. So I wish to focus on those who have already been forgotten in this debate: the vulnerable in my constituency, the one in four children who grow up in poverty, and that is only expected to increase. People will ultimately be worse off. We know that for a fact. Is that not sufficient reason in itself for the Government to reconsider their actions and to prioritise protecting the interests of those who need protecting most and are most at risk of the harsh impact of Brexit? Instead they are freezing their benefits and hitting them with five-week delays in universal credit. We are fully acknowledging by visiting food banks that there is an issue here and that we need to do more to support food banks. It is a scandal that these people are an afterthought—frankly, that is how this comes across. While we stand here discussing Brexit, people will go hungry at Christmas—people will go without food, children will go without gifts, and that is the least of many families’ problems.

[Angela Crawley]

My constituency is home to many multinational companies that rely on trade with Europe. In fact, Europe is eight times the size of the UK market, so our relationship with Europe could not be more important. DFDS, the largest employer in Larkhall that daily delivers to all major fish markets and distribution centres; Tunnock's in Uddingston, which sells its famous teacakes and caramel wafers across Europe and beyond; and Borders Biscuits, based in Lanark with customers across the EU, all not only trade across Europe but are employers in my constituency. Their trade and the trade of many others rely on a good deal with Europe. In my opinion this withdrawal deal fails to deliver that. It offers no guarantees of frictionless access to the single market. It places Scotland at a serious competitive disadvantage to Northern Ireland—and, frankly, to the Union, which Members are so keen to keep. It is no certainty versus stability for the UK's economy and relationship with the EU in the long term—[*Interruption.*] I thank hon. Members for chuntering from a sedentary position. Let us remember that in 2014 the people were told that the only way to remain in the EU was to remain part of the UK. Please tell me how that is working out for us. Tonight, too, there has been cross-party support in the Scottish Parliament from four of the five main parties rejecting this deal.

For all those reasons and more, I will be voting against the withdrawal agreement and supporting the amendments to protect businesses and jobs and, most importantly, the most vulnerable in my constituency. I cannot honestly in good conscience vote for a bad deal. The bottom line is: the Tories and everyone else across here protected the Union by telling people they could stay in the EU and then pulled the rug from under them the minute people voted to remain part of the UK. What kind of deal is that for Scotland? So of course Scotland is going to vote for independence.

7.28 pm

Daniel Zeichner (Cambridge) (Lab): There has been much talk about the backstop and about the deal in general—so much talk that, if there is a single word that should be deleted from the English language at the earliest opportunity, it is “deal.” This is not about shopping around for a second-hand car or a better mobile phone tariff. It is about our relationship with our nearest neighbours. If there is one thing we probably could all agree on, it is that relationships between states in the modern world are complicated, very complicated. They cannot just be reduced to deal or no deal. Yet after two and a half years, that is how the argument is all too often presented.

Given that the political declaration is so vague and thin, let me try to characterise in stark terms where we have got to. Many have talked about cliff edges. To me it looks as though we have reached the edge and jumped. That is the withdrawal agreement bit. We will have a two-year transition period in which to sort out what happens before we hit the ground—it is quite a high cliff—and the political declaration is the rope by which we are dangling. But while we are dangling from that rope, the clock is ticking. We will hit the ground, and because that ground is the backstop from which we will have no exit, we will effectively have handed the scissors to the people at the top of the cliff. They might let us

land gently, but they do not have to do so. Frankly, as negotiating positions go—with the clock ticking and with us heading towards somewhere we really do not want to be—this is really not a very good place.

There is also the simple fact of geography. We are part of Europe, just as Ireland is one island. Nothing can change either of those facts, so we will have a relationship. It is just a question of what kind it will be. And I have news for those who feel that they have had enough of all this Brexit stuff. Frankly, we are only just at the beginning of all these negotiations. The great irony is that the EU is actually the place where negotiations are done, so coming out will not end the need for reaching agreements with others or for following standards that much bigger trading partners will decide; it will just make it all harder.

That point has been well made by someone I would not normally find myself in agreement with: the right hon. Member for Bromsgrove (Sajid Javid). In February 2016, he wrote in *The Mail on Sunday*:

“When a deal is reached, it may require us to accept the same blizzard of regulations that's imposed by Brussels not just on member states, but on countries like Norway and Switzerland that need access to European markets. And, like them, it's possible we would have no say over what those regulations contained, while still potentially paying an access fee.”

I would not have used that exact language, but I rather agree with the right hon. Gentleman, who is now the Home Secretary. It is no surprise that this proposed agreement, despite the hard work of officials over many months, cannot deliver what was promised by the leave campaign. It is no surprise because what was promised was just not deliverable. The political declaration is, unsurprisingly, just a wish list that kicks decisions down the road for future discussion while leaving a vacuum of uncertainty.

Moving specifically to today's debate topic of immigration and free movement, I can tell the House that this has been a cause of intense distress and uncertainty in Cambridge since the referendum, not just for the thousands of non-UK EU nationals who are anxious about the future but for their friends, neighbours and workmates, who never expected to see their friends suddenly facing such divisions. In recent months, I have worked with my neighbour, the hon. Member for South Cambridgeshire (Heidi Allen), and the business group Cambridge Ahead on surveying businesses, universities and research institutes across our constituencies. Their responses have been consistent in stating that a third-country-style immigration process for EEA nationals would add more bureaucracy, time and cost to their recruitment. That recruitment is essential, due to skills shortages in the UK labour force and the global market in research specialisms. The tier 2 visa system and the £30,000 salary cap are already not working for non-EEA migration, and extending them to EEA movement would be a major own goal for our country.

Detailed evidence has been submitted to our inquiry from the University of Cambridge, and I will quote part of it:

“The postdoctoral research community serves as the engine room for much of the research that underpins Cambridge's world-leading reputation, and provides a source of the ideas, innovation, business generation and disruptive technology that enables the UK to compete as a high-tech economy. Any barriers or disincentives to such recruitment, such as visa costs, could therefore have a significant impact on the University's research and education operations”.

It went on to state:

“Extending the Tier 2 visa route to EEA nationals, as suggested in the MAC report, would significantly harm the UK’s competitiveness”.

I want to underline the fact that the university believes that that would significantly harm the UK’s competitiveness.

We are having this debate in the absence of any policy direction from a Government who cannot even agree a White Paper, but I hope that the view from Cambridge goes some way to exposing the risks that we would be taking if we continued with a backward-looking, numbers-only focus approach to immigration as the nature of our relationship with the European Union changes. We should of course be celebrating the benefits of movement between countries, not cowering in fear. We are at the global forefront of research, science and medicine, and we should not be risking throwing that away.

The agreement gives us no certainty about future mobility, for research or for any other sector or individual. This is not just about those who are traditionally termed the highly skilled; we also need the cooks, cleaners, bus drivers and builders, because our policy should be based on the needs of our economy, not on fear of being part of a rapidly changing world.

The deal fails on other fronts, too. The Prime Minister has gone from high aims—aiming to be part of the European Medicines Agency and of the European Research Council’s programmes—to what we now have: a hope of some form of co-operation. With such weak, limited ambition, the future for research and innovation—the shining star in the UK economy—looks much less bright.

In conclusion, there is a very good deal on offer—the one we currently have as members of the European Union. However, if we are to remain, it must be remain and reform. The EU has to respond to the unhappiness expressed in so many countries across Europe. Business as usual just will not cut it. That is the debate we really should be having. It is inescapable that we live in Europe. But what kind of Europe do we want it to be? I do not think that the Government are capable of facilitating that kind of discussion with the public. The only way out of the impasse we appear to be heading for is an election or a people’s vote.

7.35 pm

Vernon Coaker (Gedling) (Lab): It is a privilege to speak in the debate. I was reflecting, as I think the country is, on how we arrived at this point. It seems that a catastrophic failure of leadership has brought us to within a few weeks of when we are supposed to leave the European Union without us having any clear plan for what that should look like. There is no clear consensus in Parliament, or indeed our country. When the history books are written, they will see the way that the Government have run things since the referendum as absolutely catastrophic. History will also write that, at this time, particularly yesterday, Parliament recognised the importance of reasserting its authority to try to ensure some sort of reason was brought to the chaos all around us.

How can a Government be held in contempt by the Parliament that they are supposed to control? That has never happened in our history. It is simply astonishing that that just seems to have been swept away. So I say with sorrow that we are in a situation now where as a Parliament we are looking to say what sort of future we

want for our country and how we try to resolve this. Parliament is about trying to say that we need to re-establish and rebuild consensus. There will be a variety of views on how that is done but let us be clear: Parliament—virtually everyone who has spoken—has said that there is not a binary choice between what the Prime Minister has put before us and no deal. That is not the choice that faces all parts of the United Kingdom; it is a false choice. It does the Prime Minister—and, moreover, the country—no good at all to have that presented as the choice.

Parliament’s decision yesterday that we will not allow no deal should reassure the country, but it is unclear what happens after Tuesday if the deal, as we all expect, is voted down, as it should be. I for one will join my colleagues in happily marching through the Lobby to vote against the deal, in the belief that Parliament will ensure a better deal for all people of the United Kingdom as a result of our standing up and saying, “We will not be bullied by the Executive.”

So what does that actually mean? It may be that we have to extend article 50. It may be that we have to go back to the European Union. It may be that there will be a general election. It may even be that there will be a second referendum. All those things are unknown, but step by step and bit by bit, this Parliament will look at the facts and govern in the interests of the country. That is what is important, and that is why what happened yesterday was significant.

Let us also say in this debate that we can, as a Parliament, start to reassert some of the values that perhaps should have been spoken about more loudly during the referendum campaign. Let me start with immigration. I think immigration has been good for this country. I think it has benefited this country. That should be said loudly and clearly, time and again, because it is something that virtually every Member—sorry, I shall correct myself and say every Member—in this Parliament would agree with. Why do we not shout it out? Why do we not take on the bigots and the racists much more assertively? I say this about migration, not just immigration. There have been problems with migration, but migration overall has been good for this country as well. That is not to say that there are not problems with it, and of course those need to be dealt with, but as soon as we give ground on these things, into that space flows populism and all the anti-establishment rhetoric that we hear. That was a failure in the referendum campaign.

It does no good for the Government—the Executive—to pretend that this deal sorts anything out. If we do leave at the end of March 2019, what will be important is the fact that nothing is decided. My constituents and many constituents around the country thought—to be honest, until a few weeks ago I thought this as well—that, on leaving the European Union, large numbers of things would have been sorted out, such as trade and security. However, when I read the political declaration, not much has been decided, other than that we are going to leave—if that happens. What does the political declaration say about what happens after that? It says, “We will consider”, “Our aspiration is”, “We look to”, “We hope that”. My goodness me, Mr Speaker—is that what we are asking the British people to accept as a result of our withdrawal from the European Union?

I do not quite know where we will go, but I do know this: the fact that this Parliament has reasserted its authority means that we will be able to stand up, in

[Vernon Coaker]

whatever way we feel is correct, in the interests of the British people and that we will put them first, whatever part of the United Kingdom we represent.

7.42 pm

Brendan O'Hara (Argyll and Bute) (SNP): It is an honour and, indeed, a challenge to follow the excellent contribution of the hon. Member for Gedling (Vernon Coaker).

It will surprise no one when I say that I, along with every one of my SNP colleagues, will vote against the Prime Minister's withdrawal agreement when the House divides on Tuesday. I will vote against it because it is a very bad deal for Scotland, but also because it is a potentially catastrophic deal for the people of my constituency. What we in Argyll and Bute are being asked to do by the Prime Minister is to support a deal that by every analysis will make us poorer and that will put us at a competitive disadvantage to our near neighbours in Northern Ireland, just a few miles across the water from the Mull of Kintyre. It would be a dereliction of duty if I were to back the deal, because I would not be acting in the best interests of my constituents, my country or, indeed, the rest of the United Kingdom if I were to support a deal that I believe would be harmful to the social, economic and cultural wellbeing of the people of Argyll and Bute.

For the past two years, the Prime Minister has told us repeatedly that no deal is better than a bad deal. We were assured that there were no circumstances in which she would sign up to a bad deal, yet what we are being asked to vote for next week is exactly that: a bad deal—a very bad deal. Any deal that puts Scotland at a competitive disadvantage can only be a bad deal. Any deal that prevents us from attracting people from right across Europe to Argyll and Bute to live, work, invest or raise a family in order to reverse a decades-long stream of depopulation is a very bad deal. I commend and 100% endorse the remarks made last night by my right hon. Friend the Member for Ross, Skye and Lochaber (Ian Blackford) when he said to the EU nationals who have chosen to make Scotland their home, “You are welcome.” We thank them for choosing to live in Scotland and welcome the contribution they make to our lives and our economy. Their presence enriches our culture.

That point was forcibly made to me last night by a constituent, Mr Graeme Lyon, who wants to know how the Prime Minister can justify causing such economic and social harm by ending the freedom of movement that has enriched everyone in this country. How could I possibly support an agreement that will have such disastrous consequences for our inshore fisheries fleet and our world-famous shellfish and fin-fish industries, that fails to protect our fragile west coast hill-farming sector, and that denies our vital tourism industry access to the continent-wide pool of labour it so desperately needs? I cannot and will not support the deal.

Of course, none of that should come as a surprise to the Prime Minister, because she came to Scotland last week to meet the people and to listen to their concerns—aye, right, so she did. Meeting and listening to the people of Scotland does not mean arriving at Glasgow airport at 3 o'clock and driving 12 minutes to a factory in Bridge of Weir, where a hand-picked group of journalists were waiting while the rest stood outside in the rain. It is not

about firing out that old cliché about “our precious Union” before jumping back in the car for the 12-minute drive back to Glasgow airport to be in the back in the air and out the country by 6 o'clock that evening. That is nobody's definition of meeting or listening to the people. In fact, it is an insult to the people of Scotland.

If the Prime Minister really wanted to hear the voice of Scotland, she should have a listen to the CNN report by Erin McLaughlin from Glasgow on the same day that the PM flew into Bridge of Weir. The report showed that the people of Scotland were insulted by the contempt shown by the Prime Minister and this sham of a PR stunt. It also showed that the people of Scotland do not want to be dragged out of the European Union against their will. Indeed, one young Glaswegian gentleman was so incensed that he, inadvertently perhaps, used a form of industrial language rarely heard on the streets of the “dear green place”.

The CNN report also showed that the people of Glasgow and of Scotland are moving from no to yes on the question of Scottish independence. This is not the future Scotland was promised back in 2014 when we were told that only by voting no in the independence referendum would we be able to retain our EU citizenship. No one was told when they voted no back in 2014 that not only would they be giving the green light to Scotland being dragged out of the European Union, but that Scotland would become poorer and that we would be put quite deliberately at a competitive disadvantage compared with other parts of the UK.

Another of the hollow promises made by those advocating a no vote in 2014 was that the Scottish Parliament would be the world's most powerfully devolved Parliament. However, from that day to this, the Scottish Parliament has been ignored, sidelined and disregarded. Tonight, that Parliament rejected the Prime Minister's withdrawal deal by 92 to 29. I wonder what cognisance this Government will take of the opinion of the world's most powerfully devolved Parliament. I suspect we already know the answer to that, but I sincerely urge the Government to take on board what the Scottish Parliament has said, because it is absolutely right. An escape route is being offered, and I urge the Government to take it. Despite the Prime Minister's bluster, this is not a take it or leave it situation.

This whole Brexit process has been an embarrassing fiasco. Over the past two years, we have heard about a hard Brexit, a soft Brexit, and a blind Brexit. Well, after yesterday we are now in the realms of a burst-ba' Brexit. Regardless of how the fiasco is resolved, Scotland needs the full powers of an independent Parliament not just to stop and reverse this Brexit chaos, but to ensure that Scotland will never again be reduced to a passive bystander while things are done to it and for it by Governments and Prime Ministers whom the people of Scotland have overwhelmingly and consistently rejected.

7.49 pm

Darren Jones (Bristol North West) (Lab): It is a pleasure to follow the hon. Member for Argyll and Bute (Brendan O'Hara).

I rise as one of the Brexit generation of politicians elected to this place because of the causes and consequences of Brexit. I now find myself, as a Member of this House, faced with a divided Parliament and a divided country embroiled in a constitutional crisis not previously

seen in our history, and I am being asked to use my vote on behalf of my constituents to make this great country of ours poorer and weaker in the world. Understandably, in that context, many people look to us with bemusement, questioning our ability as elected politicians to lead and to serve.

Regardless of whether one voted to leave or stay in the European Union, we do not have what we were promised. The Prime Minister's proposals are worse than our current position, and they mean that Brexit will dominate the political agenda for many years to come. Leave voters were promised £350 million a week for the NHS. Instead, we have European doctors and nurses leaving us and Government risk assessments resulting in the stockpiling of medicines. Leave voters were promised that the UK could go it alone, with new trade deals around the world. Instead, we have heard the United States say it is not that interested, and we have the prospect of a transition period—which we may never get out of—that will make us unable to conclude trade deals until 2021 at the earliest.

Leave voters were promised that we would take back control of our laws. Instead, the Prime Minister's proposals lock us into European regulations without the UK having a meaningful say. Unsurprisingly, this confirms that we have more power and more influence as a member of the European Union. We do not have what we were promised. Our current position is far better, and we will be locked into a debate on Brexit for the next decade.

Britain is a powerful nation. We are one of the largest and most sophisticated economies in the world, and we should be proud of our status and of the benefits it brings to the British people. In contrast, the Prime Minister's proposals are a humiliation.

The majority of my constituents in Bristol North West voted to remain and, based on my extensive engagement with them, I know they continue to want to do so. Whether for advanced manufacturing jobs in aerospace and automotive industry across north Bristol, for NHS jobs at Southmead Hospital, for research jobs at our two universities or for warehousing and logistics jobs reliant on import and export in and around the port at Avonmouth, our current position as a member of the European Union is far stronger than any other option on the table.

I did not stand to be the Member of Parliament for my home constituency, where I was born and raised, only to come here to vote to make my constituents poorer. Whether I am an MP for a short time or for a long time, as a millennial and as the father of a daughter who turns one today, I will be left to deal with the mess left behind by this incompetent Government long after they leave the Treasury Bench.

In the face of the inevitable rejection of the Prime Minister's proposals, I support the call for a people's vote. All of us, regardless of whether we voted to stay or to leave, now know what leaving the EU means. I did not know when I voted to remain, and nor did people who voted to leave. New facts have emerged. It is not patronising to say to people that they have the right to change their mind now they know what leaving the EU means—a basis for the rules on which we leave and a wish list for the future. It is not undemocratic to provide more democracy by going back to the people. It is the right of the British people to have the final say on whether we leave on the Prime Minister's proposed basis or stay in the European Union.

Securing a people's vote is not the end, regardless of whether the outcome is to leave or stay. We now know loud and clear that the country is divided, driven apart by an increasing gap between the haves and the have-nots, between the cities and the towns, between the south and the north, between the old and the young and between the rich and the poor and struggling, characterised by differences in access to education, in the ability to rent or own a secure home, in the reliance on struggling public services and in the despair that comes from flatlining wages and a fear that our children are being raised in a country in decline.

Leaving the European Union will not fix these woes, and neither will remaining, unless we reform both the EU and Britain. As politicians, it is our job to step up to meet that cry for change and put forward a radical programme of reforms that shows we can be on the up once again. As politicians, we must not pander to the politics of the easy answer, as we have seen in this Brexit campaign. Instead we must be honest about the significant challenges facing our country in a fast-changing world. We must embrace the opportunity and the power of patriotism to drive our great nation forward, and discard the destructive desire of national populism to secure power for power's sake.

This country of ours feels as though it is coming to the end of its current chapter. In a proudly sovereign Parliament, at the centre of a strong and successful United Kingdom, we have a choice to make about what comes next. We are a proudly sovereign Parliament, with our sovereignty derived from the British people, which gives us the right to go back to them to check and ask for further instruction. I truly hope that from the ashes of Brexit, whatever that will mean, we choose a future of hope and possibility, anchored in the reality of the world that we find ourselves in, and not another chapter of self-inflicted, populist decline.

7.56 pm

Matt Rodda (Reading East) (Lab): I am grateful for the opportunity to speak in this important debate and it is a pleasure to follow my hon. Friend the Member for Bristol North West (Darren Jones). Like other hon. Members here tonight, I am very concerned about the Government's proposals, and the serious implications for our country and for the local community in my constituency. The negotiations have produced a deeply flawed draft agreement, and I am very concerned about how our relationship with other European countries could develop. I firmly believe the proposals are against the national interest, and could damage our economy and harm local communities across this country.

Other Members have made clear and telling points about the weakness of the UK's position should these proposals be agreed. I want to associate myself with the speech of my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott), and I commend the speeches made by the hon. Member for East Surrey (Mr Gyimah) and my hon. Friend the Member for Gedling (Vernon Coaker). I do not accept the Government's assertion that we either have to accept the proposed deal or have no deal, and I am pressing for a much closer and more sensible relationship with the EU. The United Kingdom would simply be in a dreadful position if it were to sign up to the Government's Brexit deal, yet, they are still seeking to foist this deal on our

[*Matt Rodda*]

country. That cannot be right, which is why I will vote against the deal, and I urge other Members here tonight to do the same.

I turn now to the substance of today's debate, as I want to speak about the serious impact of the Government's proposals on my constituency, particularly with regard to immigration. Families are suffering real stress and hardship because of the Government's policy. Thousands of local residents are from the EU and many families in our area include both British and EU citizens. Imagine the worry and the stress they have suffered during the past two years and let us consider what they are suffering now. The Government's failed negotiation and lack of a plan for the future have led to families facing enormous uncertainty. Ministers have refused to accept Labour's alternative, which would offer clarity and certainty to both EU residents in the UK and British citizens in Europe, who are sometimes forgotten.

Businesses and public services also need clarity and certainty, and they have been badly let down by the Government. My constituents in Reading and Woodley are at risk of being badly affected by a shortage of skilled workers caused by the failure of this Government's policies. The risk to our NHS, in particular, is clear. GPs, our hospital and other services are already under severe pressure: they face increased demand from a growing and ageing population, insufficient funding and the additional problems of high housing costs, which make it harder for medical staff to afford to live in our area. Our local NHS is particularly vulnerable to a loss of staff from the EU, as a large number of EU citizens work in the local health service. EU staff make up just 5% of the total NHS workforce, but the proportion is much higher in my constituency: as many as 12.8% of employees at the Royal Berkshire Hospital are from the EU—two and a half times the proportion in the NHS as a whole.

The deal also risks inflicting serious damage on our local economy. As many may know, Reading is home to a number of IT and telecoms businesses. These international firms are major employers that create a significant benefit to our local economy and, indeed, to the wider area across the south of England and west London. Many have their Europe, middle east and Africa head offices in the Thames valley, and they are there partly because of the access to the EU and the wider pool of skilled staff. Many of these businesses hire skilled staff from the EU precisely because the two-tier visa system for non-EU staff is too expensive and complicated to navigate. There are real concerns that if they cannot bring teams together quickly because of immigration rules or cannot move staff immediately because of visa requirements, there is a serious risk that businesses could away from the UK.

Reading is also home to a number of tech start-ups. These small and medium-sized enterprises drive innovation and add immense value to the local and national economy. Many such small companies are run or were started by EU nationals, as well as by UK nationals. They may well have come to our area precisely because of that international outlook. They contribute their knowledge, entrepreneurship and hard work, and they are deeply concerned about the uncertainty over Brexit, which exposes their businesses to significant and unnecessary

risk. Yet despite all the evidence from my area and throughout the country, the Government have quite simply failed to set out sensible plans for immigration.

The Home Secretary told the Home Affairs Committee that the White Paper on immigration would be published in December. We heard Members asking earlier which December that would be. He now says that it will be published "soon" and that it is "unlikely" that Members will see it before the meaningful vote next week. On top of that, the political declaration includes less than a page on the future immigration policy. It commits the Government to ending free movement but fails to include a plan for what will replace it. The Government have quite simply failed to deliver on their promises on immigration. They have failed on immigration, just as they have failed to deliver a Brexit deal that protects jobs, workplace rights and frictionless trade for UK businesses. This simply is not acceptable. Members from all parties have a right to know what the new immigration system will look like before we cast our votes next week.

I have never accepted that it is a choice between the Prime Minister's failed deal and no deal. No Government have the right to plunge the country into chaos as a result of their own failure.

8.2 pm

Ruth Cadbury (Brentford and Isleworth) (Lab): It is a pleasure to follow my hon. Friend the Member for Reading East (Matt Rodda), who spoke so eloquently about the fears and worries of his constituents. Many of my constituents have told me of the same challenges and fears that they will face if Brexit goes ahead.

I campaigned to remain in the EU and my constituency voted to remain. I voted against triggering article 50, because I felt that there was so much work to be done to establish exactly what Brexit would mean to this country, knowing that the promises given to leave voters were untruths and, as we well know, are undeliverable. There was no mention by leave campaigners of the conflict between Brexit and retaining the Good Friday agreement, and there was nothing about the impact of leaving the EU on our rights at work or on environmental and consumer standards. Nor was there anything about the impact of losing the significant benefits from the UK's full membership of and influence in bodies such as the European Medicines Agency, the European Aviation Safety Agency and so many more.

Twenty-eight months later, we have got no further than documents containing broad principles with massive gaps. It is not a deal, just a framework. I will not vote for such a pile of vagueness, and I certainly will not vote for no deal, either.

The lack of the long-awaited immigration white paper is just one of many legislative gaps among the issues on which we are expected to vote next Tuesday. EU migrants are integral members of our society and are vital to our economy. For those here now and for those who may wish to come to the UK in future, the Prime Minister's deal offers nothing concrete on which they can plan their future lives. Thousands of my constituents are citizens of other EU countries. They work as carers and construction workers; they work for the NHS, and for the massive hospitality sector and many other bodies across both the public and the private sectors.

This morning, I met my constituent, Anette, a German national, who has been here for 30 years. She is not only married to a UK national, but a mother of UK nationals. She is apoplectic about being accused of jumping the queue, especially given what she has contributed to the UK not only in taxes, as a higher rate taxpayer, but as someone who has spent her professional working life in teams of highly skilled nationals of many EU countries, improving services, providing millions of pounds of benefits and international prestige to our public and private sectors.

What about those whose future plans are based on freedom of movement? There are many reasons why young people voted so strongly for remain, and they include the freedom to work, study, live and love anywhere in Europe. For young people, whether or not they choose to travel, remaining in the EU is the key to prosperity in their future. Given the rising costs and lower wages that my children's generation already face, I am not prepared to commit their future to the recession that the Government's own analysis clearly predicts. Furthermore, if another referendum were held now, another 1.8 million young people—and that is the figure as of today—have now reached voting age and they want a say in their future. I have no doubt that they will follow the voting preference of the 18-year-olds in June 2016.

On the economy and jobs, there is not a business or a sector that will not be worse off if the UK leaves the EU, and at least the Government now have the grace to accept that. Many of my constituents work in the broadcasting and audio-visual sector across west London. The UK is Europe's leading international broadcasting hub, home to more cross-border channels than any other EU country. West London has grown as a hub for international broadcasting, taking advantage not only of the skills base, but of the unique range of languages spoken in London, which has come about partly through the EU's freedom of movement.

The EU is setting up a digital single market because of the importance of frictionless movement, trade and similar regulations, but the country of origin rule means that, to broadcast into EU countries, a broadcaster needs to be based in an EU country. Brexit means that the growth in the sector will be killed stone dead and that the UK's competitive edge will be lost. Companies such as Discovery, which is based in my constituency, have already announced plans to leave the UK. They cannot wait for the uncertainty of the next two years, and, like other companies, are gradually moving investment, and staff. There is nothing in either the withdrawal agreement or the political declaration to give any comfort to this major and growing sector and, as other Members have said in this Chamber yesterday and today and will continue to say over the next few days, the same is true for many other sectors, which are important to all our constituents.

What was promised in 2016 by the leave campaign cannot be delivered, and even Cabinet Ministers now admit that. This deal is much, much worse than the deal that we already have, which is in the EU as a full voting and influential member of all the many European arrangements and organisations that make for stability, and with the benefit of being a full player in the largest economic bloc in the world. With no majority in this House for the Prime Minister's deal, or for no deal, the only option is to put the vote back to the people with all the implications of each option clearly set out.

8.28 pm

Alex Sobel (Leeds North West) (Lab/Co-op): Although I have spoken in more than 100 debates since I entered this House, none has been as important as this one, which will guide the future of this country for generations to come.

Many hon. Members have covered the security implications, but it is worth reflecting on the fact that the agreement makes no mention of Europol and says that the UK would be locked out of EU tools, including the Schengen Information System, European Arrest Warrant and the European Criminal Records Information System when the transition period ends.

The Police Federation, which represents 120,000 rank-and-file officers, said it has “no idea what the policing landscape will look like post 29 March 2019.”

This in and of itself is enough to reject the agreement as presented to us.

The Prime Minister's deal merely pushes back decisions into the transition and does not even answer what sort of Brexit we will get, and the security arrangements are merely the tip of a Titanic iceberg.

After the Prime Minister gave her statement to the House on 22 November, she said that the post-transition options for the future relationship with the EU were a spectrum. I asked the Prime Minister what her spectrum was and her response was,

“there is a balance between checks and controls and the acceptance of rules and regulations.”

Are any of us any clear on the Prime Minister's spectrum? No, I can see that we are not.

I believe we have five basic options: a no-deal Brexit; the Prime Minister's withdrawal agreement; a renegotiation of the withdrawal deal; membership of the European Free Trade Association and the customs union, or the so-called Norway-plus arrangement; and remaining in the EU.

Everyone understands no deal, in that we leave over 70 international trade deals and the all-Ireland electricity market ceases, with the potential to completely disrupt Northern Ireland's power supply. The chaos around customs checks puts all goods coming into the country at risk, including food, medicines, fuel and machine parts. The Government's technical notices make for grim reading, but after passing the amendment of the right hon. and learned Member for Beaconsfield (Mr Grieve)—my former MP, in fact—last night, we are on the road to asserting the will of the House and avoiding a no-deal Brexit.

The Prime Minister's deal means no immediate cliff edge. Instead, we would leave the EU and move into a transition period of at least 21 months where we would stay within and would need to update all EU rights and regulations. But what then? Well, the Prime Minister's non-answer tells us all we need to know. The Government would negotiate a free trade deal that is

“a balance between checks and controls and the acceptance of rules and regulations.”—[*Official Report*, 22 November 2018; Vol. 649, c. 1131.]

Considering this is all the Government have managed in the last 20 months, I cannot write them a blank cheque. It might not even be a cheque made out to the current

[Alex Sobel]

Prime Minister, so I cannot and will not support the EU withdrawal agreement when it comes before Parliament next Tuesday.

I have consistently said that I cannot support any option that does not protect jobs by preserving tariff-free, barrier-free, frictionless trade with the rest of Europe. Any option should retain current employment and consumer rights and environmental standards, and at least keep pace with Europe in the future. There should also be no hard border between Ireland and Northern Ireland, Gibraltar and Spain, and our sovereign territory on Cyprus and the Republic of Cyprus. Let us remember that the single market accounts for 25% of global GDP and represents Britain's biggest trading partner. I believe that only the latter three options I outlined earlier can achieve this.

Yesterday we saw the Government lose three votes including, historically, on the contempt motion. The confidence is visibly draining from the Government, whose majority has always been built on a billion promises. If the Prime Minister cannot pass this "take it or leave it" deal, this House will call time on her. There is an opportunity for another Government to negotiate a deal built on adopting higher regulatory, environmental and labour standards. If we have higher standards and regulatory alignment, our deal will look totally different from the second-rate agreement that we have been asked to vote on.

For us to enjoy the same access rights and benefits of the European single market without having to negotiate a whole new treaty, we could apply for membership of the European Free Trade Association and be part of the European economic area. This could be completed in a fairly short space of time. However, there is no customs union for EFTA members. If we wanted seamless trade and no tariffs for goods originating outside the UK but being sold into the EU, we would need a new customs union. Given that it is not possible to be both in EFTA and the customs union, we would secure a derogation from the EFTA convention in order to facilitate the new EU-UK customs union. This honours the question in the referendum, which simply said:

"Should the United Kingdom remain a member of the European Union or leave the European Union?"

Well, we will not be a member of the European Union if we are a member of EFTA.

Finally, we could simply remain in the EU. Consider all that we have learnt since 24 June 2016. We have learnt that negotiating a deal that is better than the one we have now is effectively impossible; that the queue of countries in Whitehall to ask for trade deals has been oddly missing; and that Vote Leave broke electoral law, overspending by hundreds of thousands of pounds, with Cambridge Analytica employees admitting they used illegal data harvesting techniques. Considering all that, should not people be given the chance to think again?

If there was another vote on whether to stay or leave, I would vote to remain, just as I did in 2016, because there is no better deal for the United Kingdom. I will vote to reject this agreement. If there is an opportunity to vote to renegotiate, join EFTA or have another vote on EU membership in the parliamentary procedures

that we are going to undertake after we inevitably vote down the Prime Minister's withdrawal agreement, I will vote for any and all of these. I will not vote for the Prime Minister's blank cheque withdrawal agreement, and I will oppose a no-deal Brexit with every fibre of my being.

8.13 pm

Siobhain McDonagh (Mitcham and Morden) (Lab): During the referendum, I was a reluctant remainer. I appreciated that our relationship with the EU was not perfect. I acknowledged that many of us would like to see changes. Like so many people, I felt that the EU was often a remote and arrogant bureaucracy.

But there is no doubt in my mind that the deal brought back by the Prime Minister is not what was promised to those who voted to leave. It means not taking back sovereignty but giving more of it away, desperately accepting rules that we have no control over in order to cling on to access to our largest trading partner for goods, and to keep our countries together, while completely ignoring services, which make up 80% of our capital's economy. Why should someone in Liverpool, Newcastle or Sunderland care about London's economy? Because right now, London and the south-east are the only regions that generate more taxes than they spend, so if London gets hit, so do the hospitals, schools and services of our other great cities. Perhaps it should not be that way, but it is.

The idea that we can make ourselves smaller as globalisation becomes faster and stronger, while comforting, is unlikely to be successful. As a block of 28 nation states standing together against the likes of Google, Facebook and Amazon, we are a far more effective bulwark against the worst excesses of these amazing global companies who can have extraordinarily negative impacts on some of the most vulnerable towns and people. I have been amazed by the politicians and commentators who blithely suggest that our economy taking a hit would be a price worth paying. We all know that the people who get hit first are always the poorest. I do not believe that anybody voted to make us poorer, I do not believe that anybody voted for us to debate for two and a half years and choose a worse deal than the one that we currently have, and I certainly do not believe that anybody voted to see our country opt for a monumental act of self-harm.

We have thousands of people sleeping rough on our streets—the number is higher now than at any point under this Government. We have over 130,000 children who will wake up trapped in unsuitable temporary accommodation on Christmas morning. At my local A&E, we already have patients queuing out of the door, indicating that last year's winter crisis will be but a preface to the problems that lie ahead this year. Yet, meanwhile, here we are still debating the level of uncertainty and destruction that we should plunge our economy and our country into. Take the plans to reopen the Wilson Hospital in my constituency, halted after the funders pulled out due to Brexit's economic uncertainty. Why would we choose to give ourselves self-inflicted wounds costing billions of pounds when we still have the chance to say no?

So what is the alternative? Looking back to 2016, I know so much more about the impact of leaving the European Union than I did then. I suspect that is true for all of us. We gave the responsibility for deciding on

whether we should leave the EU to the people of this country, and now we know the terms of the deal on the table, those same people deserve to have their say. Now that the practical consequences of Brexit are there for all to see, almost two thirds of my constituents support a vote on the deal. The costs and complexities are clearer now than at any stage during the referendum, and it is evident that there is no majority in Parliament for this deal, because the one thing that unites both sides of the debate is that nobody voted for the deal that is on the table. Parliament is in gridlock, but there is a clear solution: let the people decide.

8.18 pm

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): I like to think, Mr Speaker, that you have been employing the Emery effect tonight by keeping me on the bench so that I can come on and make a late impact. Thank you for that.

It is not often that I see one of the Scots Tories speaking and think of an American President, but I did tonight, as I was reminded during the rather tortured contribution by the hon. Member for Berwickshire, Roxburgh and Selkirk (John Lamont), who is no longer in his place, of the quote by George Bush, who said:

“I have my opinions, strong opinions, but I don’t always agree with them.”

I think I am justified in saying that it would be right to be greatly concerned by the deal that is on offer. It is a democratic outrage that Scotland is being dragged out of the EU against the people’s vote in Scotland, where 62% of people, in all 32 local authority areas, voted to remain. As we have heard, all the parties in the Scottish Parliament, with the exception of the Tories, voted 92 to 29 tonight to reject the deal on offer.

I am greatly concerned by what my hon. Friend the Member for Dundee East (Stewart Hosie) described as “economic illiteracy”. He pointed out that this is already costing £600 per person per year. Scottish Government analysis shows that the deal will make Scotland £9 billion worse off by 2030. That is £1,600 per person per year. Even the Chancellor has admitted that that will make our economy smaller.

I am right to be concerned by those things, but the thing that worries me most is what we are becoming and, as we have heard from many Members tonight, the message that is sent out about what we feel about people in other countries. I have had the great honour of performing an unpaid role as honorary consul to Romania since 2011, both unofficially and officially. The Romanians who come to work in the highlands and islands are fantastic people. They have all made a genuine contribution to our communities and have slotted in as friends and neighbours and are part of the fabric of our communities. I can say the same for the Poles, the French, the Germans, and all the EU nationals who have contributed to the highland economy.

Brexit does not only have consequences for business, the economy and communities. It affects each of us as individuals and our very identities. The Scottish Government’s national outcomes state:

“Scotland’s national and cultural identity is defined by our sense of place, sense of history and sense of self. It is defined by what it means to be Scottish; to live in a modern Scotland; to have an affinity to Scotland; and to be able to participate in Scottish society. A flourishing economy and society depend on ambition

and self-confidence in Scotland and on Scotland’s effective integration into the European and global economy. Our international reputation will influence the extent to which people see Scotland as a great place in which to live, learn, visit, work, do business and invest. A good quality of life and a strong, fair and inclusive national identity are important if Scotland is to prosper and if we are to achieve sustainable economic growth.”

That is the kind of Scotland I want to live in.

Our European identity and shared EU values are at the heart of this. Despite the overwhelming vote to remain in Scotland, European Scots face not only the economic and social impacts of Brexit, but they face losing their European identity. There was a nice piece in the *Sunday Herald* in 2016 that said:

“Scotland has been an outward looking European nation since the late middle ages. From the 16th century, Scots merchants, academics and soldiers spread far and wide in the continent establishing communities in countries like Poland, Sweden and the Low Countries.”

Our bond and connection with European nations is deep, strong and long-lasting.

In the highlands, we have long had a problem with emigration, not immigration. Our deepened relationship with the EU has presented an opportunity for us to welcome EU nationals to our region, a great many of whom have settled in the area and contributed to our economy. The UK Government’s obsession with unrealistic and counterproductive one-size-fits-all net migration targets overlooks the incredible value of migrant people to our isles and the different economic needs of the highlands and islands, as well as those of Scotland as a whole. Over the next 10 years, 90% of Scotland’s population growth is projected to come from migration, which is especially vital for the highlands.

I do not have as much time as I would like to explain in depth the importance of EU nationals to the highland economy and of our people who go across to other EU nations to live, work and contribute. It is, quite simply, the fabric of what we do, and this deal or any no-deal scenario that might be proffered by the Prime Minister will do nothing—absolutely nothing—for the people of Scotland, wherever they have come from. I will be absolutely proud to be with my colleagues in voting down such a deal when it comes before this House. I will say, finally, that the actions of this UK Government in, once again, ignoring Scotland, ignoring its people and ignoring its Parliament only make the case for the independence of Scotland much stronger.

8.25 pm

Bambos Charalambous (Enfield, Southgate) (Lab): One of the saddest things to have come out of the Brexit referendum vote on 23 June 2016 has been the rise in racism, and the fear and uncertainty felt by EU citizens living in the UK and also by those from non-EU countries living here. I have heard from my constituents in Enfield, Southgate who are EU nationals, married to UK citizens, working in UK institutions, paying taxes in the UK and making a positive contribution to our society that they are now seriously worried about their future, fearing that their family will be torn apart by the confusion caused by the Government’s position on EU citizens living and working in the UK.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): Does my hon. Friend agree that this is also having a huge impact on children? I recently met such children at

[Seema Malhotra]

a primary school, and their parents are unsure about their future, let alone about where their children will be going to school.

Bambos Charalambous: My hon. Friend makes an excellent point. That is something I have noticed from speaking to children—I am a governor of two schools—and that factor has also been raised with me.

Although the Government's proposed settlement scheme may help some of my EU constituents living in Enfield, Southgate, the withdrawal agreement does not guarantee that the rights of EU citizens living in the UK and of UK citizens living in EU countries will be protected. If my previous and current experience of the Home Office is anything to go by, I have no confidence that the Home Office will be able to cope with the 5 million or so settled status applications that it will have to process. The Home Office is struggling even to cope with some of the Windrush claims, so how it will cope with settled status applications is anyone's guess.

It is a shame that the Government have not produced their immigration White Paper yet. We are being asked to approve this deal blindly, when immigration was one of the reasons why people voted to leave. The truth is that for years the Government have been trying to show that they are tough on immigration. However, rather than have an honest debate about it, they have decided, just to look good, to kowtow to every knee-jerk reaction to every negative news story about immigration.

The latest net migration statistics, out last week, show that the number of EU migrants coming to the UK was 74,000, whereas the number of non-EU migrants was 248,000. It seems that the Government have been unable to control migration since they promised to do so when they came into power in 2010.

We need a sensible debate about migration to this country. This country needs migrants. On 1 January 2018, the UK was ranked 153rd in the world for percentage population growth, with a rate of just 0.52%. Considering that we are all living longer and that population growth in the UK is stagnating, we need migrants to keep the NHS running, work in our care industry, work in the hospitality sector, collect the crops and package the produce from our farms.

We live in a global world where collaboration is part of everyday working life. In May, I visited the Institute of Cancer Research, where I met scientists, researchers and doctors from all over the world who are all working together to help develop a cure for different types of cancer, trying to discover the relationship between lifestyle choices and causes, and looking at genetic cell mutations and how they can be prevented. All this collaboration is done for our benefit, and the idea that barriers would be put up to restrict this good work is just madness.

Collaboration on a global level takes place in virtually every sector, whether it is finance, advertising, creative industries, the nuclear sector or even the creative industries. Many orchestras, artists and performers work with international colleagues, and they need to be able to do so if they are to ensure that we have the very best cultural enrichment and that it is shared across the world.

My parents were immigrants. They came to the UK from Cyprus in the 1960s. They worked hard and made a positive contribution. A significant number of

hon. Members who have a claim to immigrant heritage have similar stories to tell. We should celebrate the contribution of immigrants to UK life. It makes us all the richer, as I have outlined above.

I have heard stories of non-UK workers being picked up in vans on street corners to go to work on building sites and being paid a fraction of the minimum wage, thus undercutting what UK workers would be paid. Let us go after those using such sharp employment practices, and make sure that no one can be paid less than the minimum wage, and that people's employment rights and health and safety at work are protected.

The Prime Minister described the withdrawal agreement as taking back control of our borders. Well, the current immigration figures show that nothing of the sort is happening right now. The Prime Minister also said that the UK's immigration policy will be based on the skills and talents that someone has to offer. That fails to take account of the EU workers who provide seasonal unskilled labour in the agriculture and hospitality sectors, to name but two. Worse, we have yet to see the draft immigration White Paper. The withdrawal agreement makes us worse off. It is not good for jobs and the economy. I will vote to reject the deal on Tuesday.

8.30 pm

Emily Thornberry (Islington South and Finsbury) (Lab): This has been an excellent debate covering a range of vital and urgent issues. I am not going to repeat the many compelling points made by the shadow Home Secretary, my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott) in her speech. I cannot do adequate justice to all the other 48 contributions that have been made, some of which I missed. I am told, however, that there was a typically brilliant speech by my hon. Friend the Member for Caerphilly (Wayne David).

In the time I have available, let me highlight those contributions which I believe best sum up why the Prime Minister's proposed Brexit deal would leave us less secure as a country and would not deliver the fair rules for migration that we need—two out of Labour's six tests failed in one debate. As my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper), the Chair of the Home Affairs Committee, said, we are being asked to make this decision without even seeing the immigration White Paper we were promised. We therefore have no detailed idea of what the new migration rules will say or how they will work in practice. She also said that we are being asked to support a political agreement that is entirely silent on our future access to the SIS II database and will leave our police and security services less well able to protect the public than they are at present. As the former universities Minister, the hon. Member for East Surrey (Mr Gyimah), pointed out, if we are being cut out of the Galileo database even while the agreement is being discussed, what hope do we have of negotiating access to other vital databases once the agreement has been signed?

We also heard an important contribution from my hon. Friend the Member for Newcastle-under-Lyme (Paul Farrelly), who talked about his German lessons at school and the lessons from history that show that our place in the world is not strengthened but diminished when we cut ourselves off from Europe—a point also made by my hon. Friend the Member for Ealing, Southall

(Mr Sharma). From the Chair of the Health Committee, the hon. Member for Totnes (Dr Wollaston), we heard about the grave consequences of the dangers of this deal, and even worse of no deal, for the national health service, both for medical supplies and for medical staff. That is something that the Foreign Secretary should understand better than anyone, because that is what he used to say when campaigning for remain.

We were reminded by my hon. Friend the Member for Cardiff North (Anna McMorrin) not just that EU co-operation and networks help to keep our country safe from crime and terrorism, but that the Prime Minister personally fought to keep our part in them when she was Home Secretary. Now, however, she cannot guarantee that they will continue. My hon. Friends the Members for Cardiff North and for Hornsey and Wood Green (Catherine West) both rightly said—I agree with them—that far from helping to maintain Europe's leadership on climate change, which is the single biggest threat to the world's long-term security, this political agreement cannot even guarantee that we will continue to agree a common position in future international negotiations. Indeed, let us note that it used to be one of the warnings against a no-deal Brexit that Britain could lose access to the EU emissions trading scheme. However, even this supposed deal does not guarantee that continued access, and says only that the parties should “consider” co-operation—just one of many foreign policy sections of the document where clear, existing agreements on co-operation have been replaced by vague, loose aspirations.

What this debate and all the many contributions have laid bare is that on the first duty of every Government—the duty to protect the safety and security of their citizens—the Prime Minister's deal fails. I hope that when the Foreign Secretary speaks in a moment, he will address the points that I have mentioned: access to vital security databases—

John Redwood: Will the right hon. Lady give way?

Emily Thornberry: No, I have been asked not to take interventions at this stage of the evening.

The Minister for Europe and the Americas (Sir Alan Duncan): By whom?

Emily Thornberry: We have had an opportunity over the last eight hours for everyone to have—*[Interruption.]* Mr Duncan, please calm down. I have been asked not to take interventions at this stage and I am not going to—

Sir Alan Duncan: By whom?

Emily Thornberry: When the right hon. Gentleman has had a chance to calm down, perhaps I can continue. What this debate and all the many contributions have laid bare is that on the first duty of every Government—the duty to protect the safety and security of their citizens—the Prime Minister's deal fails. I hope that when the Foreign Secretary speaks in a moment, he will address those points that I have mentioned: access to vital security databases; our future international co-operation with the EU; our ability to tackle terrorism and organised crime; our place in the world; our shared fight against climate change; and even the future of our NHS.

I hope that the right hon. Gentleman will answer one other very specific question that goes to the heart of his responsibilities as Foreign Secretary. He was proud to announce yesterday the new embassy that his Department

is opening in the Maldives, one of 12 new posts due to be opened by the Government over the next two years. However, even after those new openings, there will still be 16 other countries around the world where Britain has no direct consular representation but where other EU countries do. These countries have a combined population of 72 million people, spread across Asia, Latin America and Africa, including 10 past and present members of the UN Security Council. These are countries where up until this point, thanks to the common foreign and security policy, any British citizen visiting, working or living there who found themselves in difficulty and could not look to a British embassy for help had the right to go to other EU embassies based there and ask for consular support.

My hon. Friend the Member for Bishop Auckland (Helen Goodman) asked the Government last week what provision was being made in the Prime Minister's proposed deal to continue those arrangements after we leave the EU. The answer was none. In fact, it is worse than that—the answer was that British citizens who are arrested in those countries or who are affected by a hurricane or an earthquake could no longer ask the French or Spanish embassies to help, but they could “phone the Foreign Office switchboard.” If we needed any more evidence of how half-baked, hurried through and totally botched the Prime Minister's deal is and how reliant it is on vague future aspirations of co-operation, it is the fact that the Government have not even bothered to think about what it means for British citizens being left without consular support in dangerous situations. It is the very definition of making the British people, whom it is our first duty to protect, less safe and less secure.

That is not the only loss of security that I hope the Foreign Secretary will address in his closing speech. If the first duty of the Government is to protect the physical security of their citizens, their second duty is surely to protect the economic security of the nation, which was a point well made by my hon. Friend the Member for Coventry South (Mr Cunningham). What we have learned with this Foreign Secretary is that he is very willing, quite often, to say one thing about the economic impact of Brexit behind the closed doors of Downing Street and another when he is in the television studios or standing at the Dispatch Box. When he is trying to sell this deal to Parliament tonight, I hope that he will clear up some of the disparities between what he says publicly and what he says privately.

I have three questions for him to that end. In the television studios, he says that this is the best deal for Britain and we can look forward to a glorious era, where

“we become an independent sovereign power, negotiating our own trade deals”

around the world. Around the Cabinet table, presumably informed by the Attorney General's advice, he says the opposite—that this deal will leave us in what he calls a “Turkey trap”, stuck in an exclusive trading agreement with the EU, but unable to influence any of its decisions and unable to negotiate our own deals. Will he tell us tonight what he really thinks? ?

Secondly, in the television studios, when asked to talk about the backstop, the Foreign Secretary says it simply will not happen. He says:

“Britain will be an independent nation...it is in black and white. That is the intention of the EU”.

[Emily Thornberry]

But round the Cabinet table, he says the opposite. The backstop will become a “frontstop”, he says. “As soon as the deal is signed,” he says, “the EU will have what they want”. “They will block any progress,” he says, “on the final new trading agreement, and will turn the backstop into the only available outcome.” Will he tell us tonight what he really thinks?

Thirdly and finally, in the television studios, the Foreign Secretary says:

“We will not be significantly worse off”

as a result of the Prime Minister’s deal, but did he not used to say the exact opposite around the Cabinet table, especially about the impact on the NHS, when he warned of the need to avoid a hard Brexit?

I hate to say it, but I have to agree with the Chief Secretary to the Treasury’s remarks over lunch on Monday. She said that the Foreign Secretary was “so charming” but that there was “no consistency”, and she was absolutely right. Even more damning, however, was her explanation for the inconsistency. Excuse me, Mr Speaker, for using the Foreign Secretary’s name, but I am quoting his Cabinet colleague. “Hunt”, she says, “is all about the game-playing”. Doesn’t that sum it all up?

We have a Tory Cabinet obsessed with their own internal power games and fighting like ferrets in a sack to succeed their lame duck leader, with a Foreign Secretary who, according to his own Cabinet colleague and the evidence of this debate, has been more interested in playing leadership games than in making sure that this political agreement can maintain our future foreign policy co-operation with the EU and protect the security of British citizens, whether at home or abroad. That is the kind of Front Bench we see before us today. In the light of their complete failure of leadership and their total—[*Interruption.*]

Mr Speaker: Order. No, it’s not boring to me. Sir Alan, you are normally a figure of dignity in one way or another. You are a little over-excitable. Calm yourself. You really need to get a grip. You are not only a knight, but a KCMG and a figure of enormous celebrity in the life of the nation. I know that you do not underestimate all that, so a tad of dignity would be greatly appreciated.

Emily Thornberry: That is the kind of Front Bench we see before us, and in the light of their complete failure of leadership and their total failure to deliver a new set of fair rules on immigration and to protect our country’s security, it is absolutely no wonder that this House is only a week away from rejecting their dismal Brexit deal and already holds this dismal Government in total and utter contempt.

8.43 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr Jeremy Hunt): I have seen off four shadow Health Secretaries and several shadow Culture Secretaries in my time, but I have to say that tonight, when I was called charming by the shadow Foreign Secretary, I nearly blushed. I thank her for the compliment, and I will assume that she could not possibly have meant the other less gracious things she said about me. I thank her for this one happy moment in my Dispatch Box career.

We have had a good debate today on the implications of the Brexit deal. I thank all hon. Members for their contributions. Unfortunately, I did not hear the contribution from my hon. Friend the Member for Berwickshire, Roxburgh and Selkirk (John Lamont), but I heard that he made a particularly thoughtful speech about the dilemmas in everyone’s mind and the conflicts of loyalty—to party, to Government, to country and, particularly, to voters who voted to leave the EU. We should not pretend that this is an easy decision for anyone.

I commend hon. Members in all parts of the House who emphasised the obligation that collectively rests upon all of us to fulfil the mandate of the referendum and take Britain out of the EU. I cannot mention every Member who spoke this afternoon, but I do want to mention my right hon. Friend the Member for Wokingham (John Redwood) and my hon. Friends the Members for Ribble Valley (Mr Evans), for Carlisle (John Stevenson), for Newton Abbot (Anne Marie Morris), for St Austell and Newquay (Steve Double), for Poole (Sir Robert Syms) and for East Worthing and Shoreham (Tim Loughton), all of whom spoke with passion about how those who voted to leave the EU deserved respect for their views rather than indignation. My hon. Friend the Member for Ribble Valley spoke with particular passion about leave voters who felt that no one was listening to them. He said that if Parliament decided not to listen to them, that would be wholly dangerous.

Those sentiments were expressed not just by Conservative Members but by the hon. Member for Blyth Valley (Mr Campbell), the right hon. Member for Knowsley (Mr Howarth) and the hon. Member for Newcastle-under-Lyme (Paul Farrelly), who reminded us that their constituents voted by clear margins to leave the EU. There was common ground even with the right hon. Member for Hackney North and Stoke Newington (Ms Abbott)—I do not always say that—who said that we must honour and respect the referendum result. Let me emphasise that the fundamental aim of the withdrawal agreement and the political declaration is to make good on the verdict of the referendum. That is why they have been painstakingly negotiated for the last two years.

We heard some passionate arguments for a second referendum from the hon. Member for Mitcham and Morden (Siobhain McDonagh), my right hon. Friend the Member for Putney (Justine Greening) and my hon. Friend the Member for Totnes (Dr Wollaston), among others. I sat in the Cabinet with my right hon. Friend the Member for Putney, and I always listened carefully to her many excellent contributions. In my last role, I learned also to listen carefully to the excellent contributions of my hon. Friend the Member for Totnes.

However, on this rare occasion, I found myself agreeing more with comments such as those of the hon. Member for Blyth Valley, who said that if we held a second referendum, his constituents would ask why we did not then hold a third and a fourth. They would do that for a simple reason. If we did hold another referendum and the result were reversed—if 48% of the country voted to leave and 52% voted to remain—there would be 48% who had voted twice in a row to leave the EU, and they would be incredibly angry. That is why my right hon. Friend the Member for Sevenoaks (Sir Michael Fallon) was right to say that a second referendum would not settle the issue.

Anna McMorris: What the Secretary of State is saying is not correct. It is not a question of rerunning the referendum that took place two years ago; it is a question of giving the decision back to the people, two years on, so that they can ask themselves, “Is this what we really want, now that the evidence is clear?”

Mr Hunt: I suggest to the hon. Lady that she should have conversations with the leave voters in her constituency, and ask them whether they agree with that view. I think that leave voters have a very simple message: they just want us to get on with it. We must ask ourselves whether it would truly settle the issue in their minds were we to go back and ask people the same question again, or a similar question.

Wera Hobhouse: Will the Secretary of State give way?

Mr Hunt: I will give way once more, and then, perhaps, make some progress.

Wera Hobhouse: Is the Secretary of State not neglecting the people who voted to remain in the European Union and who are not being listened to now? They are angry too.

Mr Hunt: I think it is a world first for me to praise the Liberal Democrats from the Dispatch Box, but they, at least, have been completely consistent from the start in saying that they want to reverse the result of the referendum. I am afraid that other Members have been hiding behind various devices, and saying that they do not want to reverse the result when they actually do. I think that, leave or remain, this is a moment when we have to remember that we are above all a democracy in this country, and it would be incredibly dangerous if we were not to listen to what people have asked us to do.

Sir Michael Fallon: Will my right hon. Friend give way?

Mr Hunt: I will give way one last time, and then I will make some progress.

Sir Michael Fallon: My right hon. Friend has already said that.

Is the point not that, either way, the question is unlikely to be resolved decisively in any referendum that might command, say, 60% or 65% of the electorate, which the 1975 referendum, which I think my right hon. Friend is too young to remember, actually did?

Mr Hunt: I thank my right hon. Friend for his flattering comment about my age. I agree with him. It would not resolve the issue, but I think there is a danger that if the result were reversed, it would make the very same people who said that the political class—the political elite—was not listening to them even more convinced that that was the case.

The shadow Foreign Secretary talked about foreign affairs and security, and I want to touch on that briefly. My starting point is very simple: however profound, significant and important Brexit might be, it does not change the simple fact that no European country has done more for the defence and security of Europe than Britain, and that partnership long predates our membership of the EU. In 1940 this country rejected any thought of abandoning Europe, even at the risk of invasion and national ruin, and joined forces with the United States

and other allies to launch the liberation of the continent in 1944. Then Britain and the US, with our European friends, strove to build a new world order based on rules and institutions rather than power and militarism, and every British Government regardless of party has acted in the spirit of that tradition—a Labour Government setting up NATO, Margaret Thatcher standing shoulder to shoulder with Ronald Reagan against the Soviet threat. The EU, too, through its establishment of a rules-based order in continental Europe and the generous and far-sighted opening up to post-Soviet accession countries, has played a central role.

I particularly commend the hon. Member for Newcastle-under-Lyme (Paul Farrelly) for reminding us of the historical perspective, which is, in short, a partnership of shared values stretching across political and national divides, from left to right, across the Atlantic, including EU and non-EU members, which has kept the UK and Europe safe. The political declaration aims to enhance that partnership, and the task of putting that into practice will begin on the day the deal is agreed.

As European countries commit to that partnership going forward, so my right hon. Friend the Prime Minister has shown by word and deed that Britain's commitment to the security and defence of Europe remains unconditional and immovable. Indeed, right now, in the middle of the Brexit debate, the British Army comprises the single biggest element of NATO's enhanced forward presence, safeguarding Poland and the Baltic states. That is why the declaration allows the closest relationship in foreign and security policy that the EU has ever had with a third country. Part III makes it clear that “where and when” our interests converge, Britain and the EU will be able to “combine efforts” to the

“greatest effect, including in times of crisis”.

Here I can reassure the hon. Member for Ealing, Southall (Mr Sharma), who worried about our country becoming isolated, that that is not going to happen. Where we agree with the EU, we can act together; where we disagree, we will be free to act independently or with others. But we will no longer be constrained by a lowest common denominator foreign policy.

As my right hon. Friend the Home Secretary described earlier, Britain will be given unprecedented scope to co-operate with the EU to protect our citizens from terrorism and organised crime as we regain parliamentary control of our immigration policy. We had a number of important contributions on that point, including from the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), the hon. Member for Edinburgh South (Ian Murray) and the right hon. Member for Hackney North and Stoke Newington, and I can reassure them that under the withdrawal agreement our law enforcement agencies will continue to use EU tools and databases throughout the transition period, including SIS II and ECRIS. Paragraph 87 of the declaration states that as the transition period concludes, the UK and the EU have agreed to continue to exchange information on wanted or missing persons and criminal records, and that our future relationship should include those capabilities.

Yvette Cooper *rose—*

Mr Hunt: I sense an intervention coming; why did I think that might happen?

Yvette Cooper: What will the timetable be for the negotiation of a security treaty and its full ratification, and will it be completed within the transition period?

Mr Hunt: Because negotiations involve two parties, I cannot say when they will conclude, but it is the clear intention of both sides that they should conclude before the end of the transition period at the end of 2020. In summary, the future security partnership envisaged in the declaration would enable British and EU law enforcement agencies to share essential data, including passenger name records, fingerprints, DNA and vehicle registrations.

The right hon. Lady mentioned the arrest warrants issued for the alleged Salisbury murderers, an issue of close interest to me as Foreign Secretary. I can reassure her that as part of the future security partnership we have agreed to swift and effective arrangements enabling the UK and member states to surrender suspected and convicted persons efficiently and expeditiously.

Many hon. Members, including the hon. Members for Motherwell and Wishaw (Marion Fellows), for Hornsey and Wood Green (Catherine West), for Streatham (Chuka Umunna) and for Lewisham West and Penge (Ellie Reeves), spoke passionately about the contribution made by Poles and other EU nationals to their constituencies. I entirely share those sentiments, as do my constituents in South West Surrey. My right hon. Friend the Home Secretary has made it clear how this country will treat the millions of EU citizens who live among us with decency and generosity in all circumstances. I hope and believe that our neighbours will act in the same spirit towards Britons who reside in the EU.

Drew Hendry: Does the Foreign Secretary believe that it is treating people with fairness, dignity and respect to charge them for maintaining their status here? Does he honestly believe that that is the right kind of signal to send out to the people he says are so valued?

Mr Hunt: We make charges to cover administrative costs, just as EU countries make charges for the administrative costs that our citizens incur when in their countries. What is really significant when it comes to generosity is the fact that we have made this offer unconditionally. We made it before any reciprocal offer was made by EU countries in return. That is a sign of how much we value the extraordinarily important contribution that these people make to our national life.

My hon. Friend the Member for East Surrey (Mr Gyimah), in a very dignified speech, raised the issue of Galileo. I regret that the EU has unwisely made it impossible for Britain to remain a full partner of the Galileo satellite communication system. Carl Bildt, the former Prime Minister of Sweden, has described the EU's behaviour on this as

“strategic folly of the first order”.

So we will develop a plan for a sovereign system of our own, because when the EU rejects co-operation, the United Kingdom is perfectly big and confident enough to develop our own alternatives. But if this House rejects the declaration and the withdrawal agreement and we leave the EU without a deal, our security co-operation with our closest neighbours will be put at risk. The reason is that, in a no-deal situation, such co-operation would depend not on any agreement but on good will, and that could well be missing. At a time

when threats are evolving and cross-border collaboration has never been more important, our law enforcement agencies would not have the guaranteed channels that they currently have for exchanging essential information with our EU neighbours.

Dr Wollaston: Does the Secretary of State agree, however, that another option would be to extend article 50, and that it is incorrect to present the House with a false choice in which we would automatically fall out on 29 March?

Mr Hunt: I had a conversation with my hon. Friend earlier this evening about how lively things are in her constituency. I think that if any of us asked our own constituents whether the right solution to the dilemmas we face would be to extend the agony by postponing the article 50 due date, they would be absolutely horrified. They want to get this over with. They want to get it resolved.

I mentioned the risks of a no-deal situation to our security, which were recognised by my right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb) and my hon. Friends the Members for Ludlow (Mr Dunne) and for Banbury (Victoria Prentis). They all alluded to that issue.

In conclusion, when it comes to defence and security, irrespective of our membership of the EU, the lesson of history is clear. When Britain and Europe stand together against common foes, our combined strength deters our adversaries and keeps the peace. If we did not do that, our common security would be placed at risk in a way that would be wholly unnecessary. So let us grasp this opportunity for a new and different partnership, post Brexit, based on the essential truth that British and European security are indivisible and, whether inside or outside the legal structures of the EU, our common interests are best served by working together to protect the values we all cherish.

Ordered, That the debate be now adjourned.—(*Jeremy Quin.*)

Debate to be resumed tomorrow (Order, 4 December).

Business without Debate

DELEGATED LEGISLATION

Mr Speaker: With the leave of the House, which is in a state of animation at the prospect of being able to depart, I propose taking motions 3 to 5 together.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

EXITING THE EUROPEAN UNION (CONSUMER PROTECTION)

That the draft Package Travel and Linked Travel Arrangements (Amendment) (EU Exit) Regulations 2018, which were laid before this House on 29 October, be approved.

EXITING THE EUROPEAN UNION (FINANCIAL SERVICES)

That the draft Central Securities Depositories (Amendment) (EU Exit) Regulations 2018, which were laid before this House on 31 October, be approved.

EXITING THE EUROPEAN UNION (FINANCIAL SERVICES AND MARKETS)

That the draft Trade Repositories (Amendment and Transitional Provision) (EU Exit) Regulations 2018, which were laid before this House on 6 November, be approved.—(*Jeremy Quin.*)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6) and Order, 26 November),

INDEPENDENT PARLIAMENTARY STANDARDS AUTHORITY

That an humble Address be presented to Her Majesty, praying that Her Majesty will appoint Richard Lloyd to the office of ordinary member of the Independent Parliamentary Standards Authority for a period of five years with effect from 1 December 2018.—(*Jeremy Quin.*)

The Speaker's opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 12 December (Standing Order No. 41A).

Vernon Coaker (Gedling) (Lab): On a point of order, Mr Speaker. I understand that Privy Counsellors are to have a briefing on the implications of the deal under the Civil Contingencies Act 2004. If the potential impact of no deal with respect to civil contingencies is regarded as important enough for Privy Counsellors to have a briefing about it, what will we do to ensure that Parliament hears the content of this privileged briefing for certain Members only?

Mr Speaker: I am bound to say that this is the first I have heard of the matter. I am a member of the Privy Council, although of course as Speaker, other than in a tie, I would not vote, so I am probably not a person of any great interest in terms of the delivery of said briefing. I can say only that to the best of my knowledge I have not been invited to such. This is not a matter for me, although the hon. Gentleman might wish it to be.

I would very much hope that all Members would be kept informed on the subject of the implications of upcoming votes. If those implications are thought to be important, it must logically follow that they are important

to all Members, and all constituents of all Members, rather than only to a select category of persons. [*Interruption.*] The Government Whip, the hon. Member for Finchley and Golders Green (Mike Freer), chunters from a sedentary position that there are several Privy Counsellors present; I have no reason to dispute that proposition, and looking around, it appears to be true, but it is probably also true that there are a lot of people here who are not members of the Privy Council. On a rough estimate, I would say there are more non-Privy Counsellors present than Privy Counsellors, but we can continue our game of rhetorical tiddlywinks elsewhere.

PETITION

Funding of the Avon and Somerset Police Force

9.2 pm

Kerry McCarthy (Bristol East) (Lab): The petition has been supported, online and on paper, by more than 1,000 of my constituents. It calls for more funding for Avon and Somerset police force. In the past four years, recorded crime in the Avon and Somerset police area has risen by 40%, with violent crime rising by a shocking 75%, but the number of charges being brought has fallen. The petition states:

The petition of constituents of Bristol East constituency,

Declares that Avon and Somerset Police have already had to make £65 million of cuts since 2010, with the loss of nearly 700 front line police officers; and further that The Police and Crime Commissioner and Chief Constable have now warned in their report "The Tipping Point" that the force cannot sustain any further cuts- as proposed by the Government—without extremely serious consequences.

The petitioners therefore request that the House of Commons urges the Government to give Avon and Somerset Police the resources they need to police our streets, prevent crime and protect the public.

And the petitioners remain etc.

[P002302]

South Western Railway Franchise

Motion made, and Question proposed, That this House do now adjourn.—(Jeremy Quin.)

9.3 pm

Sir Vince Cable (Twickenham) (LD): It is something of a relief to speak on a subject that is not Brexit, and is not even vaguely Brexit-related, though if there were a people's vote, South Western Railway would not survive in its franchise very long.

Let me relay a little history. The south western region, which is the Wessex part of the south of England and the south-western suburbs, which I represent, had a little over two decades of South West Trains, which was owned by the company Stagecoach. I do not think that they were regarded with enormous affection, but they provided a workmanlike service, and certainly nothing that could be described as disastrous. Since the change in the franchise, which was announced in August last year, there has been a rapid deterioration. That is the matter on which I wish to speak.

SWR, or South Western Railway, has joined Southern, Northern and Thameslink at the bottom of the league tables on almost every measure of performance. That is of concern to the people who use the eight stations in the area that I represent in Parliament. But it is not just me; many other MPs in south-west London are concerned. My right hon. Friend the Member for Kingston and Surbiton (Sir Edward Davey) has established an all-party group that is doing detailed work on the problem and will, I hope, produce a report to enliven this discussion. The concern goes much wider than my constituency.

Jim Shannon (Strangford) (DUP): It has been brought to my attention that the disabled access points on this line are not up to the standard expected by disabled charities and organisations. Does the right hon. Gentleman feel that the Minister should address the need for modern disabled access points that are technically updated and correct for those who are disabled?

Sir Vince Cable: That was not on my list of complaints, but I am sure we can add it.

The central concerns that people have are the following. First, there has been a marked deterioration in punctuality and reliability. The consumer group Transport Focus measures satisfaction with punctuality and reliability and it has sunk to 65%, which represents a 12% deterioration in the past year.

The second problem is the ability of the rail company to deal with major disruption. When there is somebody on the line or a points problem, we have been used to recovery within a reasonably short space of time. Now, the whole network is disabled for prolonged periods, due to the apparent inability of either Network Rail or South Western to deal with the problem.

The third problem is a strategy that I would call the concentration of misery. Whenever there is a serious disruption, the rail company has the choice of whether to spread it widely or concentrate it on one or two neglected branch lines. What is happening in practice is that some of the branch lines, including the so-called Shepperton line that runs through Fulwell and Hampton in my constituency, are particularly badly affected. The justification given to me by the company is that that affects fewer people, but the effect is that an already

poor service becomes impossible. People are not able to get to work or to school and large numbers of cancellations take place. I had a message yesterday from a constituent who boarded a train and it was then announced that it would not stop at any of the announced stops, but would go straight to Waterloo. That kind of experience is commonplace.

There is then the issue of industrial action. I am reluctant to ascribe blame and I am sure that the rail unions have their share of responsibility, but for almost a quarter of a century we had virtually no industrial action in this part of London. It is now frequent and we have had eight major strikes since the change of franchise. Clearly there is a complete breakdown of communication between the employees and the employers.

Then there is the issue of the new timetable that we were promised. It is probably a source of relief that the company has not tried to put it into practice. We are still offered the old timetable, which the company finds extremely difficult to operate.

Last but not least, there is the promise of a 3% fare increase. That has led to probably the most serious and general complaint about the service: that it simply is not value for money. The surveys recently carried out by Transport Focus suggest that only 36% of passengers judge the service to be value for money, and I am sure that is deteriorating by the day.

Ruth Cadbury (Brentford and Isleworth) (Lab): I thank the right hon. Gentleman, who is my constituency neighbour, for securing this important debate on a subject that also affects the thousands of people who use the six stations on South Western Railway's Hounslow loop line—not only my constituents but the thousands who work at GSK, Sky and so on. I agree with him about the disruption to people's working, daily and family lives, and I share the concern of the hon. Member for Strangford (Jim Shannon) about what the promise to remove the guarantee of a second person on the train means for people who are disabled. The situation needs looking at urgently.

Sir Vince Cable: I thank the hon. Lady for that additional information, which is germane and extremely useful.

There have been a couple of serious and authoritative reports by the Office of Rail and Road. Sir Michael Holden was invited to carry out a study, and he has actually run railways, so we think he can be trusted for technical judgment. The analysis that is now available suggests that the following are the main sources of disruption. The first is that the franchise itself was not properly conducted. The company overbid or, to put it another way, underbid for subsidy and is now financially stretched. It appears to be struggling to maintain payments to its financiers, and the consequence is that passenger welfare is being sacrificed and the promised investment is not materialising. There are serious questions for the Department and the Minister about how the franchise was allowed to take place and result in a serious deterioration of standards. The Government have plenty of experience of franchising, and why they were allowed to disrupt what was a perfectly serviceable arrangement with the previous franchisee is unclear.

Sir Edward Davey (Kingston and Surbiton) (LD): My right hon. Friend is right to say that the all-party parliamentary group that I set up is looking at this

matter in detail. We have a draft report called “Passengers must come first” which focuses, among many other things, on the fact that South Western Railway does not have the money to do what is right for passengers. It is looking after the investors first, and it is not putting money in to deliver on what it promised in the franchise. Unless the Government act, either by taking the franchise away from SWR or by imposing a new contract, passengers are going to keep suffering under shocking performance.

Sir Vince Cable: That is a helpful intervention that anticipates what I am now going to say. Many of the problems do originate with the franchise and the franchisee, but there is some shared responsibility with Network Rail, which of course is a nationalised industry. Network Rail’s failings have been exposed throughout the network, but they are particularly serious here, because the decision was made several years ago to switch the control centre from Waterloo to Basingstoke. As a result, many staff were shed, and a disconnect was established between the running of the trains and the running of the crews, so at least part of the disruption is attributable directly to Network Rail. I think the common consensus is that the nationalised company suffers seriously poor management and many failures, among which is the fact that Network Rail has not updated any of its contingency planning since 2011. It is important to accept that it is not just the franchisee that is responsible for the many failures.

An additional problem is the lack of integration between Network Rail and the franchisee. Under a previous dispensation, the two things were run together. It would probably have been better if the original rail privatisation had properly integrated the franchise and the network, but that was done informally in the south western area under the previous franchise, and it has now completely broken down. There appears to be no integration at all, minimal co-ordination and just an instinct for blaming each other.

The combination of those all factors has led to the serious situation that we have at present, and I would hope that the Government recognise that. To prevent the situation disintegrating to the point at which we have another Southern railway scandal, the Government might intervene now to prevent the situation slipping further. There are several actions they can take, and my right hon. Friend has just summarised them. In relation to the franchise, there are essentially two options, one of which is to take the franchise away and replace the existing company with another—preferably a public service company, but there is a variety of options—and the other is to impose on the franchise a set of performance-related measures so the company is paid only when it delivers on its undertakings.

There are various ways of dealing with this problem. Unlike the Labour party, I do not believe nationalising the franchisee would necessarily help, but we have to find a mechanism by which it can be properly held to account and rewarded for success, rather than rewarded for failure.

The second area of activity that is needed is within Network Rail itself. It is fortunate that Network Rail has just appointed Andrew Haines as its head. I dealt with him extensively when he ran South West Trains, and he is generally thought to be a good manager. Whether he can personally turn this around, I do not

know, but it would greatly help if there were proper integration of Network Rail and the franchise in this section of the system. I would be grateful if the Minister could indicate how he can help achieve all of that.

There are clearly questions for the Department to answer, notably on the franchise, how it has allowed this to happen and the options available to it to turn the situation around. Although Network Rail is a free-standing operation, though nationalised, it would be useful to have some indication from the Government on how they can push it in the direction of better management and better attention to the serious problems in this region.

Sir Edward Davey: I am grateful to my right hon. Friend for giving way a second time.

The point on Network Rail is crucial. Like my right hon. Friend, I have a lot of time for Andrew Haines given our mutual experience of him. However, Network Rail will not be able to get to grips with the challenges of an extraordinarily high level of emergency speed restrictions and temporary speed restrictions across the network. A decade or so ago, there were zero speed restrictions; now there are 70 or 80, which is because of the lack of essential investment. Unless the Department for Transport supports Network Rail with more cash to solve those restrictions, we will get nowhere near the level of timetable resilience that will prevent cancellations and delays, meaning that people’s trains actually run on time.

Sir Vince Cable: My right hon. Friend is absolutely right, and he leads me to my concluding point on the role of the Department itself.

The national rail review is looking at overall performance, and I hope it is able to look at the role of the Department and not just of the rail companies, but there is the additional and crucial point, as my right hon. Friend has just said, that a lot of this depends on available investment. Some of that, of course, has to come from the franchise company, but Network Rail ultimately depends on the willingness of the Treasury and the Department for Transport to make capital spending available in light of what is necessary.

9.18 pm

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): I congratulate the right hon. Member for Twickenham (Sir Vince Cable) on securing this debate. He covered a lot of ground and issues in his short speech, and he has brought insight and local knowledge. He is right, as are other hon. and right hon. Members, to speak up for the passengers they represent.

The South Western Railway franchise is enormous, handling more than 400,000 passengers a day who rely on its 1,700 services. Indeed, more than 110,000 passengers pass through Waterloo in the morning peak alone. It is fair to say that service levels have fallen short of expectations, as we all know. That was perhaps most keenly felt on Monday 19 November, when serious disruption was caused on the network by overrunning engineering works, which the right hon. Member for Kingston and Surbiton (Sir Edward Davey) was keen to highlight. Those overrunning works meant that Network Rail was not able to open a number of lines into Waterloo until after 9.30 am.

[Andrew Jones]

Colleagues have asked what action is being taken. Since then, Network Rail has taken action to bring more operational experience to its executive team, including with a change of managing director on that route. People are rightly frustrated and angry with the delays and cancellations, but I want to assure the House that bringing performance back to acceptable levels is our highest priority.

Sir Edward Davey: I just want to make sure that the Minister and the House understand that although it was a shocking performance on that Monday when the works were not completed on time, the cancellations and delays have been going on for more than 18 months. This has been a long, sustained period of shockingly poor management and shockingly dreadful services, which our constituents are suffering daily. I have 10 train stations in my constituency. Most of my constituents rely on these services, and they have to be put right. We need to hear from the Minister about the actions his Department will take to do that.

Andrew Jones: Obviously I am coming on to that, but I wanted to highlight when the problems were at their most acute. I will press on now to make sure that some answers are given in the time available.

A key point is that South Western Railway and Network Rail understand the causes and have put a plan in place to turn performance around. The right hon. Member for Twickenham highlighted the report that was commissioned from Sir Michael Holden and his background as a senior figure in the rail industry. Sir Michael's report highlighted that no one silver bullet will restore punctuality to previous levels. He cited the main cause for the decline as too little flexibility in the timetable, so that when things do go wrong, they go very wrong and it is difficult for the operator to get back on schedule. I think that is part of the problem that the right hon. Gentleman highlighted when he talked of a "concentration of misery". It is a very tough thing for the operators to deal with. I visited the train operating centre in south Manchester a few days ago, when I witnessed a nine-minute delay in the Castlefield corridor having a consequential impact of 1,200 lost minutes through delay across the network of the north. We are talking about a network that is stretched taut, and there is little flex.

Sir Michael highlighted other causes: the intensively used, ageing infrastructure, and the ongoing industrial action, which is diverting management attention. Taken together, they have led to an unacceptable level of performance on the South Western Railway network. However, he also points out the potential performance improvement opportunities that a consistent suburban fleet would offer. South Western Railway identified that before the start of the franchise when it ordered a fleet of 90 modern trains. Those trains offer not only performance benefits but a range of features to improve customer journeys. This is an £895 million fleet to cover the entire suburban network, and it is due to enter service from late 2019.

Sir Michael makes 28 recommendations in his report for South Western Railway, Network Rail and the Department to take forward, and I am pleased to say that all have been accepted and are currently being

progressed. A number of the recommendations are already complete, and all of his short-term recommendations will be complete by the end of this year.

The right hon. Gentleman highlighted the success of the railways in increasing passenger numbers, which have reached a record high of 1.7 billion. So we are dealing with an industry that is trying to cope with the challenges of growth. In order to deal with that, changes have been made to lengthen platforms on the suburban routes to accommodate 10-car trains. That work is part of the £800 million Wessex capacity enhancement programme, which has also seen major works completed at Waterloo to lengthen the platforms there. I am not sure whether he is aware that starting from Monday 10 December the services from Reading or Windsor & Eton Riverside that call at Twickenham station are scheduled to arrive at one of the four former Waterloo International platforms, which are being brought back into full use. I am sure he will welcome that. It should help relieve some of the issues affecting punctuality, especially in the peaks, because there are periods when trains are waiting outside stations for platforms to become available.

The changes to be introduced through the new franchise by December 2020 will mean an increase in peak capacity of about 30% at Waterloo, so we are talking about more space and less crowding for passengers. However, it is also fair to say that the challenge faced by Network Rail to maintain its assets in a reliable condition gets harder—that was a point made in a number of interventions. I agree entirely that the effect of that has been felt by passengers.

The right hon. Gentleman asked whether we are investing; well, we certainly are. We are seeing one of the biggest investments in our railway's history, with £48 billion to be spent by Network Rail in the next control period, which starts next year and will run until 2024. That funding will make a real difference to the passenger experience, because it will go far more towards maintaining and renewing the infrastructure—

Sir Edward Davey *rose*—

Andrew Jones: The right hon. Gentleman has had a very good run. Will he let me press on a little further?

In previous control periods, we have had a bias towards enhancements; this time it will be towards the maintenance and renewal of infrastructure and increasing reliability and punctuality. For South Western's passengers, the Network Rail Wessex route will see funding increased by 20% compared with the past five years. Work will be taking place over Christmas and the new year, when Network Rail will be investing more than £148 million to improve the network throughout the country for a more reliable railway for passengers. Network Rail's "team orange" will be out on the Wessex tracks replacing switches and crossings in the Waterloo area, strengthening bridges at Vauxhall and Guildford, and replacing track in the Westbury area. Are the Government acting? Yes, they are. Are the Government investing? Yes, they are.

The new franchise was highlighted—

Sir Edward Davey *rose*—

Andrew Jones: This will be the fourth intervention—come on!

Sir Edward Davey: I am extremely grateful to the Minister for giving way; he is being very generous. If he looks at the historical record of investment in the South Western Railway region—the Wessex region—he will see that it is shockingly low compared with the rest of the country. Although there is going to be a small increase, compared with the huge amounts being spent elsewhere the capital investment in the Wessex region is not good enough. Given the problems and the huge numbers of people in the area, will the Minister go away and consider the investment that is going to the region? It is simply not adequate.

Andrew Jones: Every single Member of this House comes to me and says that every other area is being advantaged ahead of their own—

Sir Edward Davey: Look at the facts.

Andrew Jones: I have obviously gone over the facts and we are looking at them, but the point is that we have a programme that is delivering new rolling stock and upgrading the maintenance budgets. It is the largest investment that any Government have made in our railways, so to suggest that the Government are not backing the railways is simply not true. I am just highlighting some of the new things that are coming in.

There were a few questions about the franchise. The winning bidder, First MTR, will be investing £1.2 billion over the course of the franchise. A significant part of that will go on the fleet of new trains that will provide services for the constituents of the right hon. Member for Twickenham and more widely across the suburban services. We expect there to be some significant improvements in passenger experience thanks to new and refurbished rolling stock and smart ticketing options, as well as improved wi-fi provision at stations and beyond.

The franchise performance was clearly of concern. With the new franchise, we have set challenging targets for performance, with a financial incentive that would reward the operator for exceeding those targets. As everybody has said and as we all know, performance is not at the levels that passengers rightly expect, and it is below the target levels in the franchise agreement. South Western Railway is now investing an additional £5 million across a range of initiatives to improve performance. Many of these initiatives are targeted at improving the fleet's reliability and are designed to reduce instances of services being formed of too few carriages or cancelled.

The right hon. Member for Kingston and Surbiton asked about several issues, including declining performance, but let me first address disabled access on the line, which the hon. Member for Strangford (Jim Shannon) asked about. We are dealing with a Victorian rail infrastructure, and disabled access on parts of it is simply not good enough. I entirely agree with the hon. Gentleman's point and hope he will understand that we are putting extra funding in between now and 2024. We have made nearly 2,000 stations throughout the country disabled-access friendly, but there is a long way to go and we need to keep up the pressure. The hon. Gentleman was clearly right.

Ruth Cadbury: I accept that a large part of the problem with disabled access is to do with the physical infrastructure, but until that is dealt with, disabled access is dependent on the second staff member in the train being able to put out the ramp for wheelchair users. If the franchisee goes back on guaranteeing that second person on the train, disabled people will not be assured that they can get on and off the trains.

Andrew Jones: The hon. Lady is clearly correct; there is a key role for staff on board trains and at stations in helping people on and off the trains, and that is entirely understood. I should perhaps point out that no staff are being removed from South Western Railway's trains. There will be more guards on trains in future, not fewer. South Western Railway has been very clear from the outset that no one will lose their job and that every service will continue to have a guard rostered. That is the offer that South Western Railway has made, and it should be seen as excellent news for customers and for South Western Railway itself, but the point about the role of staff in helping people with mobility issues is entirely understood and well made.

The declining performance that the right hon. Member for Kingston and Surbiton highlighted predates what we are discussing—it has declined over a considerable number of years. I have gone back and reviewed performance and investment, and the point I would like to make is that we have a plan and we are investing at a record level. All of this will add to the future drumbeat of improved services, and passengers will notice the difference.

The right hon. Member for Twickenham mentioned the Williams review and asked whether it would include the Department for Transport. Yes, it will. It is looking at the structure of the industry. This industry has been one of remarkable growth since the privatisation, with 1 billion extra passenger journeys a year. The system has served us well, delivering more people on to our networks, but the question is whether the structure is right to take it on into the future. If we are asking that question very broadly, the review has to and does include the Department that has a key role to play.

The introduction of the new timetable in May was clearly very problematic, and the industry has apologised for it, as it certainly should have done. Passengers were vastly inconvenienced by it; it was a failure of performance. Lessons have been learned from it, and there has been a review. The head of the Office of Rail and Road, Professor Glaister, has published a report and we will hear more on his recommendations for the future very shortly. The key thing is that lessons are being learned. We are investing in new rolling stock and having a proper hard look at how we can deliver the railway that people need. Colleagues from across the House have been very clear in their expectations of the rail industry and of the Department, and we are making sure that those expectations will be fulfilled.

Question put and agreed to.

9.32 pm

House adjourned.

Westminster Hall

Wednesday 5 December 2018

[GERAINT DAVIES *in the Chair*]

Free Schools and Academies in England

9.30 am

Greg Hands (Chelsea and Fulham) (Con): I beg to move,

That this House has considered the future of free schools and academies in England.

I am delighted to have secured the debate, and it is a pleasure to serve under your chairmanship, Mr Davies. I pay tribute to my right hon. Friend the Member for Surrey Heath (Michael Gove) for his perseverance, when he was Education Secretary, in bringing forward the Academies Act 2010, which revolutionised the way schools operate. I also pay tribute to the Minister for School Standards, my right hon. Friend the Member for Bognor Regis and Littlehampton (Nick Gibb)—a veritable rock of stability in Government—who has been making things happen almost throughout the process. Naysayers said that it would not work; they called it an experiment and accused us of creating a divide in the state school system. Eight years on, we see that they were wrong. The first free schools and new academies opened in 2011 and our schools are performing better than ever. Whereas only 68% of state-funded schools were good or outstanding in 2010, that jumped to 89% at the end of August 2017.

Nowhere is more exemplary of the benefits that free schools and academies bring to the system than the two boroughs in my constituency—the Royal Borough of Kensington and Chelsea, and Hammersmith and Fulham. Indeed, K and C and H and F—under the Conservatives until 2014—have been the vibrant nucleus of schools reform since 2010. In those two boroughs, which are the smallest in London, an astonishing five new secondary schools have opened since 2010, and every one of them is a free school or academy. Kensington Aldridge Academy, Chelsea Academy, Hammersmith Academy, Fulham Boys School and West London Free School are providing places for more than 3,700 students. I attended three of the openings—two of them with the Secretary of State at the time.

This year's GCSE results show that the schools are doing fantastically well: 85% of exams at West London Free School were awarded grades 9 to 4, which in old money is A* to C. Chelsea Academy's results were in the top 10% nationally, with 30% of its English and maths awards at grades equivalent to the old A* and A grades. At Kensington Aldridge Academy, at the foot of Grenfell Tower and deeply affected by the tragedy last year, students perform a third of a grade better at A-level than those with the same GCSE results in other schools. That is the highest progress score in the whole borough. Four of Britain's top 12 primary schools are in Kensington and Chelsea. It is a remarkable record.

Kensington and Chelsea has the best schools in the country, and that is even more remarkable given the fact that the most affluent 50% of the borough chooses to

opt out of the state system in its entirety. Despite that, the borough has four of the 12 best performing primary schools in the country, and some excellent secondary schools. Throughout both boroughs, including conversions to academy status, we have no fewer than 30 free schools and academies. I am delighted to say that every one of them—100%—has received a rating of good or outstanding. That is a testament to the success of those schools.

One of the great things about the free schools and academies programme is the autonomy they have in setting pay levels, conditions and hours, which allows them to keep the best talent in the classrooms. When teachers play an indispensable role in nurturing the young minds of children, they should feel a part of the decision-making process, because recognising teachers as experts in their fields and empowering them in that way is a vital part of retention. Fulham Boys School is an excellent example of that. I should declare that I am a co-patron of the school. Remarkably for an inner-London school, in the past four years only five teachers have left—every one of them to be promoted, or because for life reasons they were moving out of London. It is possible to find other state-funded schools that have had a turnover of 100% in the same period. Teachers see themselves spending their entire career at Fulham Boys School and they become long-term mentors to students—familiar, stable figures throughout a child's education.

Alex Cunningham (Stockton North) (Lab): I congratulate the right hon. Gentleman on securing the debate. Schools also have autonomy over exclusion policy. The Select Committee on Education looked at the escalating number of exclusions from academies in the borough of Stockton-on-Tees, but it has no power to influence what the schools do. Does the right hon. Gentleman agree that Ministers need to look more closely at exclusions and why they are happening, and at why some children are denied a full education?

Greg Hands: I think that it is sensible to keep those policies under review at all times. I am not familiar with the situation in Stockton-on-Tees, but I think that the hon. Gentleman makes a fair point, and I am sure that the Minister has noted it.

I want to quote a helpful contribution from the headmaster of the Fulham Boys School, a remarkable man called Alun Ebenezer—he is from your part of the world, Mr Davies, although he was in Cardiff, not Swansea. He wrote that he was happy in his position:

“And yet, eight months later, I decided to apply for a headship at a school that had no site, no pupils, no staff, no exam results, nothing in the trophy cabinet and was 150 miles from my homeland. Why?”

Because the opportunity to build a school from scratch, the vision set out for that school and the ideology of the free school movement was so alluring. It was an opportunity to make a difference, challenge society, transform young people's lives; to shake up the established order. I came to London to show what a free school could do when it properly embraces its freedom...I believe the first four years of FBS have done just that.”

That is the kind of can-do attitude that is seen in so many schools in my constituency.

Another example of schools doing as well as that is the group of Ark schools, of which there are five between the two boroughs. They have led the way in

[Greg Hands]

teacher training innovations. Their Now Teach venture, set up in 2016, was designed to encourage high-flyers to retrain as teachers. They get on board the lawyers, doctors and bankers of the world to inspire children and become role models in the classroom. Such innovation is possible only when schools are freed from red tape and the bureaucratic decision-making processes of councils.

John Howell (Henley) (Con): Will my right hon. Friend add parents to the list of people that schools should involve? It is crucial that they are involved in a big way in the running of schools. That solves many of the problems that teachers have with things such as discipline.

Greg Hands: My hon. Friend has hit the nail on the head. The role of parents is vital. Many free schools are parent-led initiatives. I first met people involved with Fulham Boys School in late 2010 or early 2011, along with the then Secretary of State for Education, to discuss how to proceed. Groups of parents in my constituency come to me all the time with all kinds of innovative ideas. I shall talk about some of the problems they face, particularly with finding sites, but my hon. Friend has made a powerful point.

Schools of the kind I am talking about are also doing extremely well nationally, with nearly double the proportion of primary schools rated outstanding, compared with all state-funded primary schools. Secondary free schools and academies are also ahead of state-run maintained schools in the proportion rated outstanding; 30% of free schools have been judged outstanding, compared with 21% of other schools. I see more and more demand. I have come across groups looking for particular specialisms, such as the group of Spanish-speaking Fulham residents who have come to talk to me about setting up a bilingual free school, and another from Fulham's French community. Other people are looking at subject specialisms. The idea has really driven innovation in my constituency.

However, some issues with the system still need ironing out. Despite all this excellent news, we must not be complacent. There should be no presumption of preferred suppliers of academy chains.

Alex Cunningham: I am grateful to the right hon. Gentleman for taking a second intervention. We can all celebrate the success of schools in local authorities as well as academies, and it is great that the Government built on the legacy left by the Blair Government, which invested tremendously in education over many years. Does he share my concern about support for failing academies? The regional schools commissioner in the north-east is struggling to find a partner for one of our schools in the Stockton borough. It was even suggested at one stage that a failing academy chain should take it over. Months later, it still does not have a partner, because when people look at the books they realise that the falling roll means there are insufficient resources to do what they need to achieve. Ministers need to intervene there quite heavily.

Greg Hands: Again, I am not familiar with the particular local circumstances of the hon. Gentleman's area. I would say that of course there will be examples of schools in difficulties, across all categories of school, but the statistics for this are absolutely clear: free schools

and academies are significantly more likely to be succeeding than other schools. That is what the evidence clearly shows. But I agree that any school facing difficulties will need careful attention from relevant local or national authorities.

Mike Kane (Wythenshawe and Sale East) (Lab): The right hon. Gentleman makes a passionate defence of the schools in his constituency, which is the first thing a constituency MP does, but there is no evidence anywhere to show that academisation means that schools are performing better.

Greg Hands: I disagree. I have already read out quite a bit of evidence from the statistics behind the academies outperforming the rest of the sector: 65% of those inspected saw their grades improve from inadequate to either good or outstanding, having been transformed into academies. Multi-academy trusts enable our best performing schools to help struggling schools improve all the time. The evidence speaks for itself in the statistics I read out earlier and in the Government's overall improvement in school standards.

Returning to my point about where we need to improve, one size does not fit all for education. Schools cannot simply be transposed from one part of the country to another or rolled out in a cookie-cutter approach simply because they have worked in one format. There has to be room for local organic growth. I will put on the record my frustration with the Education and Skills Funding Agency, which must do better at working with schools to anticipate and resolve problems in site delivery. The Fulham Boys School, which has been waiting to move to its new site for some time now, has been particularly affected. The ESFA should, in this regard, harness local knowledge and relationships rather than necessarily relying on centralised procurement processes.

Schools need certainty to plan for their futures. I thank the current Secretary of State for meeting me and the school last summer—I know we have another school coming up—and trying to drive through the move to the new site in Heckfield Place in my constituency. I will quote again from the school's headmaster, whose blog post title overdoes it the other way. It is entitled, "Why the free school movement will fail", which I think is far too pessimistic. The title does not really match the content. He writes:

"My view, shaped over the last 4 years, is that bureaucrats' delivery of Free school policy is directly frustrating government's aspirations for it... Secondly, Free schools like FBS are constantly being frustrated and hampered by slow moving bureaucracy, red tape and 'process'."

I will add into the mix here that one of the most extraordinary meetings I ever had in Government, when I was a Minister, was taking the Fulham Boys School in to meet some of the ESFA officials. One official—admittedly, he was an outside contractor—said to the Fulham Boys School, which is also a Church of England school, "You are a faith school, so you must have belief that your school will open." He could not offer specific reassurances on the site or when the contractors doing the site would be ready. He simply said to them that, as a faith school, they needed to believe. I do not know how religious you are, Mr Davies, but I would say that even the most evangelical of people would want to see something slightly more concrete than that on the table.

Unfortunately, progress has come to a grinding halt under Labour in Hammersmith and Fulham. The borough has failed to provide additional school places that are needed, particularly for the bulge in secondary school numbers that is coming up. Ironically, despite all these new schools, the borough now has the lowest figure for first-choice secondary school placements in England—it is absolutely rock bottom of that league table. Hammersmith and Fulham simply does not have enough places at quality schools that parents want their children to go to.

The council itself predicts that by 2027 there will be a deficit of 327 places for students between years 7 and 11, not including sixth form. That is 327 students without a place by the year 2027. Kensington and Chelsea also has a problem, as the figure there is projected to stand at 195 students by 2023-24. There is also something there that needs fixing. Creating additional secondary school places is a challenge in a constituency such as mine, especially finding sites in the two boroughs I represent, where land is incredibly expensive. We need to recognise some of the difficulty in doing that. It is easier said than done.

Nevertheless, the popularity of these schools at secondary level is evidenced by how over-subscribed they are. West London Free School receives nearly 10 applications for every year 7 place. At Lady Margaret School, which is a conversion to an academy, it is nearly seven applicants per place. These schools continually top parents' lists of first preferences, and all of them outperform others in their area. It is, of course, great news that the Department for Education expects around another 1,000 maintained schools to become academies over the next two years, and that 110 new schools opening by 2020 will be free schools. There was also news in September that 53 new free schools and one university technical college will be creating up to 40,000 new school places.

That is the picture locally: excellence, popularity of these schools, and continuing drive from parents to create more of them. We have a deficit of school places and parents are demanding these kinds of innovative schools, but they are concerned—I will put my cards on the table—at what they are hearing from the Labour party about its plans. I was amazed at the speech by the shadow Secretary of State for Education at the Labour party conference. I doubt that you personally had the misfortune to be there, Mr Davies, because I know you are a sensible man, but she said—

Geraint Davies (in the Chair): Order. Mr Hands, it is probably not a good idea to make assumptions about the Chair to which I cannot respond, but do continue.

Greg Hands: I apologise, Mr Davies. You are quite right, of course. The shadow Secretary of State for Education said:

“We'll start by immediately ending the Tories' academy and free schools programmes. They neither improve standards nor empower staff or parents.”

I put it to the Opposition spokesman today that I have outlined in 17 minutes a lot of the progress that has been made in my constituency and the popularity and success of these schools. Parents with children at the schools are alarmed at the Labour party's position and what it might mean, particularly if they have a Labour council that also believes in his policy. I invite

him to put on record that these parents and all the groups coming to see me now who want to set up new free schools have no reason to be afraid. There is an incredible diversity of parents and others looking to take advantage of this innovation, and it would be fantastic if we could hear from him that their fears are unfounded. I will sit down and give others an opportunity to contribute to the debate, but I look forward to hearing the responses from the Front Benchers in due course.

9.48 am

Justin Madders (Ellesmere Port and Neston) (Lab): It is a pleasure to serve under your chairmanship, Mr Davies. I thank the right hon. Member for Chelsea and Fulham (Greg Hands) for securing the debate and for giving us an insight into how schools are improving in his constituency. I think he will find that our experience in Ellesmere Port and Neston is a little bit more mixed. Of course, every area is slightly different, but one thing he said that I was very interested to hear was about staff turnover in a particular school. That is a real challenge in trying to drive up standards, and I would certainly like to hear more, perhaps after the debate, about what was done in that school to keep staff numbers so stable, because there is no doubt that the best schools are those that can recruit and retain the most impressive staff.

I must declare an interest: my wife is the cabinet member for children and young people at Cheshire West and Chester Council, and two of my children attend a local school in my constituency.

Cheshire West and Chester Council has an impressive record in education, with more than 90% of its schools rated good or outstanding and a plan for every school in the borough to reach that standard. If that council were a multi-academy trust, Ministers would be singing its praises and finding ways to bring struggling schools from across the area under its leadership. Instead, because it is a local authority, the push has been in the opposite direction, with pressure put on governing bodies to convert schools to academies. That is a perfect example of why Government policy is not always about rewarding what works best or bringing people together to improve. This policy is about an ideological drive towards academies and free schools, and I think that, contrary to what the right hon. Gentleman said, it is an experiment that is failing.

The flaws in the Government's drive towards academisation at all costs are clear to see in my constituency, following the serious decline of one academy over a number of years, to the extent that an entire cohort of young people have in effect been failed by the system. That is not to say that there was not some excellent teaching at the school or that we are not incredibly proud of the skills and talents of our young people, but when inspection after inspection raised serious concerns, something needed to be done. If it had been a local authority school, there is no doubt that that would have been enough for the Government to declare that the leadership of the school had failed and the school would need to be converted into an academy. Instead, after years of indecision, the remedy prescribed is more of the same.

A decision has been made to re-broker the schools within the trust to new sponsors, and although we are all hoping for the best from the new sponsors, parents

[Justin Madders]

are understandably anxious to ensure that the same situation does not arise. I know that the new sponsors are making real efforts to engage with parents. However, the process took far too long, and all the time the council was willing and able to step in and help, had it been asked. I would therefore like the Minister to explain, if he can, what the rationale is for preventing high-achieving local authorities such as Cheshire West and Chester from bringing academies back under their control. Is there a sound evidence base for the policy, and does it have the support of headteachers and teachers, or is it in reality an ideological decision?

My hon. Friend the Member for Stockton North (Alex Cunningham) referred to this, but when I consider that there are more than 100 failing academies, looking for new sponsors, that are responsible for 70,000 children, I have to conclude that ideology is hampering those children's opportunity to get a good education, because there does not appear to be a plan B. We have heard a lot about there being no plan Bs in other areas recently, and it appears that there is no plan B for failing academies either.

Even if my local school were an isolated case, that would be reason enough to revisit the Government's approach, but a *Schools Week* investigation found that at least 91 multi-academy trusts had closed or were in the process of being wound up since 2014. The Government hand out grants of between £70,000 and £150,000 for new academy sponsors to set up a trust, and cover running costs until the first school opens. If each of the 91 closed trusts received just the lowest possible grant, which of course may not have been the case—it may have been more—the Government will have paid at least £6.1 million to set them up. Then there are the debts that the Department has to write off when a trust collapses—£3 million in the case of University of Chester Academies Trust, a deficit in the region of £8 million at the Schools Company Trust, £500,000 in the case of Lilac Sky Schools Academy Trust and £300,000 owed by the Collective Spirit Community Trust.

In a time of real-terms cuts to local schools budgets, how can the Government justify spending at least £10 million, possibly a lot more, on failing multi-academy trusts? Then there is money coming out at the other end, with reports of an academy head receiving an £850,000 pay-off. That simply would not be allowed anywhere else in the public sector, so why is it allowed in this case?

It is simply not a level playing field at the moment. A local school tells me that it is desperate to expand, but does not have the opportunity to bid for capital funding to achieve that aim. How can it build on its success when it is unable to build? I am sure that if it reopened as a free school, there would be no problem in getting the cash, but why does it need to reinvent the wheel? Why are existing schools that have put the effort in, have made great improvements and are already an established part of the community discriminated against because they are not part of the latest fad from Government? How about a capital funding policy that rewards improvement and looks at where existing provision can be augmented?

Has all the money spent on academies been well spent? Let us take the words of David Laws:

“What we know is the most successful part of the academisation programme was the early part of it...Those early academies had absolutely everything thrown at them. They were academised school by school, with huge ministerial intervention. The new governors were almost hand-picked. They often brought in the best headteachers to replace failing management teams. They had new buildings. Sponsors had to put in extra cash.”

In an echo of the intervention from my hon. Friend the Member for Wythenshawe and Sale East (Mike Kane) on the Front Bench, David Laws went on to say:

“Our research shows that much of the programme since then has had little impact on standards.”

Another issue that arises from the programme of mass academisation that we have seen in recent years is that the local authority has become the admissions authority in name only. Of course, the net result of that is that some schools end up being over-subscribed, which exacerbates the chaos that we are already getting because an academy-led system means that we get an increasingly lopsided and unstrategic approach, with more and more children being taught out of area because of the way in which schools can set their own admissions policies now.

That has also, I think, led to a rise in the number of children being home-schooled. That figure has risen by more than 40% in the past three years, according to figures obtained by the BBC. That is not about a broken admissions system; it is about schools perhaps suggesting that a particular child could be home-schooled to avoid an exclusion or that the school environment might not be the best place for the child if they have special educational needs. Yes, some parents are just exercising parental choice in home-schooling their children, but surely the rise in the number of academies and the rise in the number of home-schooled children at least needs to be examined to see whether that is something more than a coincidence.

Who is monitoring and evaluating the explosion in home-schooling? Has there been a 40% increase in resources to facilitate such monitoring? Are we confident that the legislation and guidance in this area are as up to date as they need to be? Are we comfortable that so many children are now being educated in that way? Is it a great example of parental choice, or have parents been forced down that route because the school that their children were in, or the system, led them to that place? What efforts are being made to enable children being home-schooled to return to school? What scrutiny is taking place of schools or areas that have higher than average levels of home-schooling? Is any analysis done of variations?

Those are not easy questions to answer, but they should be asked. I fear that because we have a fragmented system, once a child starts to be home-educated, they become someone else's responsibility. That is the wrong approach. We owe it to all children to ensure that they get the very best education, no matter where they are.

I would like the current landscape in education to be altered so that there is accountability, transparency and a level playing field. At the moment, I suggest, we have none of those things.

9.58 am

John Howell (Henley) (Con): It is a pleasure to serve under your chairmanship, Mr Davies. I thank my right hon. Friend the Member for Chelsea and Fulham (Greg

Hands) for introducing this subject, because it is one that I have spent quite a considerable amount of my time specialising in within my constituency. I also thank my right hon. Friend the Minister, who has been incredibly courteous to me over the years, meeting with me and with schools of all sizes so that we can discuss problems. I place on record my sincere thanks to him.

One thing that I have been able to do in specialising in this area is to visit every school in my constituency. I think, from memory, that that is more than 100 schools, which is quite a lot. I have not done that all in one year; I have done it over a number of years, given that we have only Fridays and that the schools are on holiday for quite a lot of the year. But I have done it; I have visited all of them.

I would like to mention one school in particular that fits in with the subject of this debate, the Europa School in Culham in my constituency. Before I describe it, I re-emphasise the point that my right hon. Friend the Member for Chelsea and Fulham made about how free schools offer considerable flexibility to reflect a particular way in which parents want their children to be taught. In this case, being a free school offers a particular mindset for how to approach the area, which we should all bear in mind.

The Europa School is the successor to the European School. I am not going to get into a Brexit debate—in fact, I was at a naval dinner last night where, if anyone mentioned the term “Brexit”, they had to drink a large measure of neat rum.

Alex Cunningham: Brexit!

John Howell: While I would love that to be the case here, I suspect it will not occur.

The European School had a distinguished record. It was set up when lots of European parents were over to work at the Culham Centre for Fusion Energy at Oxford University and at the Harwell science centre. For several reasons, the European School’s funding dried up, so the Europa School was started as its successor, and has gradually taken over its workings.

The Europa School was set up as a free school, because that is what the parents wanted. They wanted the particular type of education that the European School offered to continue through the free school. That type of education was a way of approaching subjects in original languages. Children did not go and learn in French, Spanish, German or English. They were taught in all those languages, so they could end up having history in German or geography in Spanish, and so on throughout the complete list of subjects. That is a valuable way of teaching. The parents wanted that system to continue in the school, and it is being continued.

To encapsulate that teaching at the end of the process, the parents also wanted the children to take the European baccalaureate, which offers a comprehensive system for evaluating children at roughly the equivalent A-level period that they would have to face. We need to hold fast to that in what I say next.

We must not forget that the school was principally set up to deal with parents of European origin in the area. The approach to teaching languages has proved immensely successful—so successful that we are now in a situation where non-European parents are desperate for their

children to enter the school and be taught in that way. Because it is a free school, it can offer that way of teaching and it can say to the parents, “We can take your child in.” To be honest, I think it is a superb way of being taught languages.

The problem comes about because of the European baccalaureate. As I said, the school is desperate to continue teaching it, but there is some difficulty about the ownership of the copyright for it, and a distinction is being made as to whether that is in the gift of the European Commission or the Department. The school has had some interaction with the Department about the issue, which needs to be resolved. It is important because that way of teaching is very special, and people have become not only wedded to it, but so attracted to it that it attracts parents from a wide area. Earlier this year, I presented a petition from something like 2,500 or 3,000 parents and friends of the school in the House of Commons to try to encourage the Government to make sure that the European baccalaureate can continue to be taught there.

There is something special about free schools, particularly in what they can teach and the way in which they can teach it. The Europa School illustrates that above all, which is why I have spent the last few minutes telling hon. Members about it. It is a good example of how free schools work, how they can take the attitudes of parents and make them a reality, and how they can, in this case, through the European baccalaureate, continue to offer something of enormous benefit to children. I think the Minister agrees that there is no issue of quality about the European baccalaureate; it provides just the same quality that children would get if they were taking traditional A-levels. For that reason, I fully support the school.

10.6 am

Alex Cunningham (Stockton North) (Lab): It is a pleasure to serve under your chairmanship, Mr Davies. I congratulate the right hon. Member for Chelsea and Fulham (Greg Hands), the former Chief Secretary to the Treasury, on securing this important debate. His past role means that he must understand the numbers.

As I have said, we should celebrate the success of all our schools, regardless of where they come from. Even in those that are not doing so well, perhaps we have something to celebrate as they strive to deliver for our children. One school in my constituency that has not gone down the academy route is the Northfield School in Billingham. I was delighted to join it when it achieved the Artsmark a few weeks ago. The school band and choir were waiting for me as I arrived and it was a tremendous pleasure to be at that extremely successful school.

I also talked about the Labour Government’s legacy. I appreciate that the coalition Government and the two Conservative Governments since have built on the Blair legacy, which saw schools funding brought up to realistic levels by more than doubling it in Budgets during that time. That was when we saw the increase in the number of teaching assistants in schools and in resources, and a capital programme that I do not think has quite been equalled yet by the Government. That considerable programme has made a huge difference to the education of young people in our communities.

[Alex Cunningham]

There is success, but there are places where success does not yet exist. We have to put a great emphasis on everybody who is succeeding, but we need to put an even greater emphasis on those who are not. The first two academies in the Stockton-on-Tees borough were the North Shore Academy and the Thornaby Academy. Both schools have tended to bump along the bottom. That said, the North Shore Academy is now showing real progress, which I celebrate. It has relatively low numbers, however, so budgets are a major issue, particularly since the Government introduced their fair funding programme that saw funding move from schools in the north with considerable special needs to those elsewhere in the country.

I referred to the Thornaby Academy when I talked about support for failing academies and the bizarre proposal from the regional schools commissioner at one point that a failing academies chain should come in and work alongside it. It is still waiting for a partner to help improve it, but because of its falling numbers, its budgets are extremely limited, so it struggles considerably—so much, in fact, that the local authority is contemplating subsidising it and putting resources into it to ensure that it can survive a little longer. So what we need to know from the Minister is how we will get schools such as these achieving to the levels that we have been celebrating earlier today.

In an intervention, I talked a little about exclusions. There was even a television programme on exclusions last night. I only have second-hand information about it because, of course, I was one of the many people who were here very late last night. That programme looked at what happens in some schools where children are put into a room called the “ready to learn room”, so they are excluded and taken out of the classroom. I understand why children need to be removed from classrooms at times; it is because they are disruptive to others. However, those children also need support—real support—and putting them in a room and isolating them is not necessarily the right idea.

At least one school in the Stockton borough puts children into pods, so that they are sitting in a little box and facing a blank wall, when they are supposed to be getting on with work. Yet those children are the ones who are possibly—indeed probably—the most likely to be excluded. And when they are excluded permanently, they end up back in the arms of the local authority, even though local authorities have been stripped of resources and do not really have the ability to support young people in the way they would like to.

Within the Stockton borough—it is probably the same across the country—one of the greatest pressures on funding is the pressure on high-needs funding. Stockton experienced a £2.5 million overspend in that funding in the past financial year and it is projecting that it will have a similar overspend in 2018-19. That is because it has to support the youngsters who are excluded from academies, while also doing other work; I appreciate that. Nevertheless, it has to support those children.

The council's view is that there is just insufficient high-needs funding in the system. It continues to lobby for an increased funding deal and I am sure the Minister realises that that is what I am doing to him now: I am

actually lobbying him directly for more high-needs funding for children, not only in the Stockton borough but across the country.

Of course, in the absence of additional funding from central Government, the local authority is taking action to reduce costs in all sorts of areas, to live within the funding envelope that is available to it, but that is simply proving more and more difficult every single year.

The local schools forum agreed at its meeting on 27 November to submit a request to the Secretary of State to transfer £1.4 million of the schools block to the high-needs budget. I hope the Minister will consider that very carefully, in order to give these schools the leg-up that they need. It was not an easy decision for the forum to take, because schools are really concerned about the lack of funding in the whole system. Some areas, such as ours, have actually suffered because of some of the fair funding decisions and, of course, because of the number of pupils going into particular schools. I would very much welcome the Minister's view on that issue, but what is he going to do specifically about high-needs funding in the longer term?

Yes, let us celebrate success. I love celebrating success; I just love going into our schools. The atmosphere is tremendous and there is no doubt that generally children are very happy in school, and happy children learn much more quickly than those who are unhappy.

So we really need to think about where the support services are. We know about special educational needs and we know that certain children need particular support, and yet special needs budgets are being squeezed in these years and we really need to do more to support those budgets, so that those children can get the support they need, become happy children and learn.

I will continue to celebrate successes, but I just hope that the Minister will recognise that although we generally have a very successful schools system in this country, there are many, many children—hundreds of thousands of children—who are still being failed because we do not have the recipe right. We need to get that recipe right as soon as possible.

10.13 am

Mike Kane (Wythenshawe and Sale East) (Lab): As ever, Mr Davies, it is a pleasure to serve under your chairmanship.

I congratulate the right hon. Member for Chelsea and Fulham (Greg Hands) on securing this important debate. It is a debate without many Members; the House sat very late last night with the Brexit deliberations. I understand that the right hon. Gentleman went to Dr Challoner's Grammar School. Its motto is “Ad Astra Per Aspera”, which means, “We look to the stars through difficulties”. That might be good advice for the current Government, as they navigate or steer the ship through the Brexit waters. However, other Labour Members will agree that, as things currently stand, the Government are steering using celestial navigation on a cloudy night. Anyway, there are not too many Members here in Westminster Hall today, because so many were in the House last night.

The reality of the current school system is that it is broken, and that it has been fragmented beyond repair. The right hon. Gentleman talked about the Secretary of State for Environment, Food and Rural Affairs, the

right hon. Member for Surrey Heath (Michael Gove), who threw the system up, broke it and then saw how it would coalesce together. The right hon. Gentleman said that he wanted to see us go up in the PISA standings—the programme for international student assessment standings—in terms of standards. We know that has not happened; because of the reforms, that just has not worked at all. Also, the system is in parts unfair and unaccountable, as has been said, and in most places it is not being led by the needs of local communities.

I did a simple Google search on academies and schools today, just to see what would come up. Day in and day out, we see some of the problems that the system is faced with today. Amanda Spielman, the chief inspector of Ofsted, has said that it is a “halfway-house” and “inadequate”, and that it does not have enough capacity. There are not enough teachers and leadership in the system, and schools are being left in limbo for far too long, which is a point I will come on to in just a moment. In fact, one school has been left in limbo—without a sponsor—for seven years. That was the result of the first part of my Google search.

Greg Hands: May I take it from what the shadow Minister is saying that he endorses his boss’s proposal, which is immediately to end the Tories’ academy and free school programme? Can he confirm that today?

Mike Kane: I will come on to say what our programme is. We will see new schools and new academies, but we will bring them in where they are accountable to local people, where proper spatial planning is done, and where numbers are consistent with the school places being brought forward. At the moment there is no accountability; I will explain that later in my speech.

Greg Hands: In the hon. Gentleman’s policy, the future of those free schools and academies will be accountable to local people. How will that differ from existing county schools?

Mike Kane: Currently, we have a system that is unaccountable. The hon. Member for Henley (John Howell) had to raise issues of pedagogical knowledge and how a school teaches, directly with the Minister. We cannot run 22,000 schools in England and Wales from Whitehall; nobody expects that. So the system will be local and accountable when Labour comes to power. That is what parents want. We have seen parents being cut out of academies and coming off governing bodies across our land; we want parents driving the policies of our local schools with local elected authorities.

Secondly, if someone does a simple Google search, they will find that the Department for Education itself has recently named and shamed 88 academies and trusts for failing to publish their financial returns.

The third thing that came out of my Google search today is that currently the academies—I emphasise that this has just been reported today—have a £6.1 billion deficit within the system. What is going on with the accountability and financing of this programme?

Finally, I will say one more thing on this issue. The Conservatives have hugely lauded individual schools and some headteachers who have followed the programme in this instance. Now, however, one of the Tories’ lauded

headteachers in Birmingham—I will not name them here today—has been banned from teaching indefinitely because of poor standards in the school they run.

So, the system is broken and fragmented. When there are 124 failing schools left stranded outside the system, waiting to be transferred to another chain or sponsor, something is wrong; my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) talked about this issue very articulately. Indeed, there are authorities that are willing to participate but they have been cut out of the system, including authorities with some great expertise—not just Labour authorities, but Conservative-controlled authorities, too. That does not chime with what lots of Conservative councillors say should be the policy up and down the country.

The right hon. Member for Chelsea and Fulham talked about faith. What would happen if it was not for the Church of England, which is a broker to so many thousands of schools, especially in rural areas? It is a different situation for those of us who represent cities. We have no trouble in cities in finding academy sponsors, but in rural and suburban areas schools have trouble in that respect.

Alex Cunningham: As I have said, we have struggled to find a partner for one school in the borough. I extend to my hon. Friend my invitation to the Minister to come to Stockton, because that is an authority where academies and the local authority work very closely together, which can only be to pupils’ benefit.

Mike Kane: If my hon. Friend is inviting me to Stockton, I would be delighted to come to the north-east. The reality is that most academies worth their salt co-operate with their local or sub-regional authorities, because they want to co-operate. In the 1960s, 1970s and 1980s, parents chose not to send their children to some schools in London because of some of the horrendous things that were going on. It was not market competition that changed that; it was co-operation through the London Challenge. The Labour Government put money into failing schools, bringing the best pedagogy and the best teachers together through a co-operative system, and raising standards so that 50% of all children in London who are on the pupil premium now get at least five good GCSEs. That is what we did in London. If a line is drawn through the north of England from the Humber estuary to the Mersey estuary, through my constituency and those of my hon. Friends the Members for Ellesmere Port and Neston and for Stockton North (Alex Cunningham), it shows that number drops to about 34%. We know what works: it was being rolled out across the country in 2010, and then austerity put an end to it.

I was making a point about the Church of England. The right hon. Member for Chelsea and Fulham talked about whether we have faith—the substance of things hoped for over the evidence of things seen. That is certainly Government education policy as it currently stands. I am not of the view that academies are bad, that free schools are bad or that we need to sweep a broom through the entire system: Labour’s reform proposals will not mean a single school closing, and will not mean any schools that are currently in the pipeline being cancelled. However, for far too long, parents and local communities have been shut out of decisions affecting the schools in their area. The Minister needs to give

[Mike Kane]

power back to communities, so that our schools are run by the people who know them best—parents, teachers and those local communities.

Greg Hands: The hon. Gentleman has given himself an opportunity to clarify his policy proposals. It sounds like the schools will carry on, but they will no longer be free schools; they will be wholly under local authority control. Can he confirm that—yes or no?

Mike Kane: No, they will not be wholly under local authority control. Local and sub-regional authorities will have a say in our schools. They already have a say on spatial planning—that is, where places are needed. Local authorities work best where they co-operate with schools, and that will happen again. Local authorities, though, should be given the power to take on schools when no other sponsor can be found. What is the ideological obsession with not allowing that to happen? As I have said, there are currently 124 unbrokered schools, containing 700,000 children. Giving that power to local authorities would ensure that no school is left without the support of a sponsor to deliver school improvement services and provide it with a network of schools. How many schools are currently awaiting a sponsor, and of those, what is the longest time a school has had to wait to get a new sponsor in place?

As my hon. Friend the Member for Ellesmere Port and Neston said, as did I when I intervened on the right hon. Member for Chelsea and Fulham, the Education Policy Institute—whose executive chairman was formerly a Minister in the coalition Government—has confirmed yet again that there is

“little difference in the performance of schools in academy chains and local authorities.”

There is no evidence of that difference. The evidence that the right hon. Gentleman cited was that there are more pupils in our school system. That is what the Government have been getting away with when trying to explain that standards have gone up—standards in schools that have not been inspected by Ofsted for over a decade. We also know that Ofsted’s only data measures affluence and deprivation, rather than the quality of teaching and learning. What matters is that schools are able to connect with a group of schools that have high performance, which is what the London Challenge did. As there is no evidence that converting a school to an academy will improve outcomes for pupils, will the Minister commit to ending the policy of automatic conversions for schools that receive Ofsted ratings of “inadequate”? It does not happen the other way around.

It is not just sponsorship that is a challenge for our academies and schools. When 91% of schools are facing real-terms cuts to their budgets, we cannot allow to go unchallenged a system that permits the education of children to become a vehicle for private profit, and that allows the rewarding of huge executive salaries—an £850,000 payoff in one case, as my hon. Friend the Member for Ellesmere Port and Neston said—and has resulted in mounting scandals and evidence of financial mismanagement. As I stated at the beginning of my speech, one Google search produced that evidence. There has been scandal on top of scandal, and yet the response from those on the Government Benches has

been to do nothing. If the Minister is serious about financial transparency about spending in academies and free schools, will he agree to ban any related party transaction where a profit is being made, regardless of the kind of school involved in that agreement? Furthermore, when will the Minister take much-needed and called-for action and open an independent investigation into the regulation of academies?

Alongside concerns about academy chains siphoning off funding for the school system, there are also concerns about the actual number of academy schools that are in financial deficit. Currently, the Department for Education data looks at the financial status of overall academy trusts, rather than individual schools within those trusts. That means that if an individual school is in deficit but the trust to which it belongs is in surplus, the individual school is also deemed to be in surplus, in effect masking the real number of schools in deficit. Will the Minister provide clarity on the actual number of academy schools that are in financial deficit? If the Minister does not have that figure, will he outline what steps he is taking to ensure that the Department has a true understanding of the financial stability of all schools? Will he also outline what the implication of that lack of financial clarity in academy schools is for the implementation of the national funding formula?

We have academies without sponsors, academies siphoning off funding, and academies in financial deficit. Surely, there cannot be any further problems with our academy and free school system. Unfortunately, there are: we are in the unbelievable situation that in some areas of the country, this Government are allowing the over-supply of school places while in others there is an under-supply. The 1 million school places much lauded by the right hon. Member for Chelsea and Fulham are, I am afraid, more smoke and mirrors from this Government. Recent Local Government Association analysis of Government figures shows that by 2023-24, 71 English councils—52%—may not be able to meet the need for 134,000 secondary school places.

Greg Hands: Surely, by that token, the hon. Gentleman will condemn Hammersmith and Fulham Council because it is absolutely bottom of that table when it comes to the projected deficit of secondary school places.

Mike Kane: Councils should have good spatial planning about their school places. I do not have the evidence about that. The right hon. Gentleman comes from—which local authority?

Greg Hands: Kensington and Chelsea.

Mike Kane: We in the Opposition will have no lectures about how Kensington and Chelsea Council has comported itself over the past year or two. Two major incidents happened in this country last year: one was the Grenfell Tower fire, and the other was the Manchester Arena bomb at the Ariana Grande concert. Look at how those two authorities responded to those two major tragic incidents: one was condemned, one was praised.

Councils are facing an emergency in secondary school places, with the number of pupils growing at a faster rate than places are becoming available, yet those best placed to solve this crisis—the councils themselves—have been shut out of the system, with no powers to open schools, even though they are having to deal with the

fall-out. That has resulted in the perverse situation of academies and free schools opening in areas with little or no demand for places. I remember the school that opened in Bermondsey, costing £2 million, even though the council begged it not to build a school there. It attracted 60 pupils over two years before it shut. We could have sent those children to Eton for half the price.

The reality is that our current school system is broken. It has been fragmented beyond repair. In parts, it is unfair and unaccountable and not being led by the needs of local people. In the debate, we have exposed a system that allows schools to be left in limbo without support, that lacks financial transparency and accountability, and that does not respond to or reflect the needs of local communities in most places. While those on the Government Benches appear to have no plan in place to address the challenges, Labour has a clear vision with a national education service at its heart. It would create a future system where all schools have a vested interest in the local community and not private corporations.

10.30 am

The Minister for School Standards (Nick Gibb): It is a pleasure to serve under your chairmanship, Mr Davies. My career has come to a point where I am now serving under people who I entered Parliament with in 1997, such is the level of seniority that they have reached.

Geraint Davies (in the Chair): About time too.

Nick Gibb: Indeed. I congratulate my right hon. Friend the Member for Chelsea and Fulham (Greg Hands) on securing the debate and on his passion and commitment to ensuring that pupils in his constituency fulfil their potential through high-quality schools and education. Thirteen academies and free schools have opened in Chelsea and Fulham since 2010, and I congratulate the teachers, headteachers and all the staff who have dedicated their time to ensuring their success. That includes those who have been involved in establishing Fulham Boys School, of which my right hon. Friend is a patron.

My right hon. Friend talked about a number of free schools. He mentioned Kensington Aldridge Academy, where the excellent headteacher, David Benson, has pushed up academic standards and stewarded it and its pupils through the tragedy of Grenfell Tower. That included a year in temporary accommodation for some pupils and a successful return. My right hon. Friend also mentioned West London Free School, where the headteacher, Clare Wagner, is doing an excellent job with very high academic standards. Watching this debate is Mark Lehair, who established Bedford Free School and was one of the first pioneering headteachers. It has been a hugely successful programme and my right hon. Friend is right to point out its successes.

The hon. Member for Wythenshawe and Sale East (Mike Kane) needs to be a bit more rigorous in his research than simply clicking through Google. For example, school academies' accumulated surpluses amount to something like £4 billion. Excluding fixed assets and pension liabilities, the sector's net assets have increased by £0.2 billion, from £2.6 billion in 2016 to £2.8 billion in 2017. He also referred to accountability. The whole essence of the free schools and academies programme is based on evidence from the OECD that shows that high-

performing education systems around the world have two things in common: professional autonomy, combined with very strong accountability. The accountability system for our academies is stronger than it has ever been.

The hon. Member for Wythenshawe and Sale East also raised specific issues about related party transactions, and I want to address that. We have changed those arrangements so that from April next year those transactions will be transparent and receive more oversight. Academy trusts will be required to declare all related party transactions to the Education and Skills Funding Agency in advance and seek its approval for those that exceed £20,000 either individually or cumulatively. He has said in other debates in the Commons that there have been more than 100 closures of free schools. Again, I am afraid that his facts are wrong. As of 1 November this year, 13 free schools have closed since the beginning of the programme. In addition, seven new university technical colleges and 21 studio schools have closed. In total, that amounts to 41 free schools, UTCs and studio schools closing since the programme began, not the number he cites.

Mike Kane: Does the Minister not include the collapse of, say, the Wakefield City Academies Trust, which had 23 schools? That is another trust that collapsed.

Nick Gibb: Those schools have not closed; they have been re-brokered very successfully to others. The essence of the free schools and academies programme is that we do not allow schools to languish in special measures year after year, which in essence is what was happening when those schools were under local authority control. We take very swift action where schools underperform, and we will not change the law that requires schools to become academies once they go into special measures, because that is how we get improvement. I will come on to some of the examples of how that works in due course.

Every child in this country, regardless of where they live or their background, should have the opportunity to benefit from the very best education. Free schools and academies have shown that professional autonomy in the hands of able headteachers and teachers can deliver a world-class education. For example, Dixons Trinity Academy, a free school in Bradford, achieved extraordinary results in 2017. Its first set of GCSEs placed it among the top schools in England for the progress achieved by its pupils. Strikingly, the progress score for pupils from disadvantaged backgrounds was higher than that for the whole school, including more affluent peers. That school and many others show that socioeconomic background should not and need not be a barrier to academic success.

Leading multi-academy trusts, often led by inspirational headteachers, demonstrate that excellence need not be restricted to isolated schools. Thanks to a forensic approach to curriculum design and the implementation of evidence-based approaches to managing behaviour, the Inspiration Trust in Norfolk and the Harris Federation in London—two of the best performing multi-academy trusts—have conclusively demonstrated that all pupils can achieve whether they live in coastal Norfolk or inner-city London.

Alex Cunningham: It is good to hear the Minister continue to celebrate the success of our schools, but I still wonder about those that are not quite so successful

[Alex Cunningham]

and the support services they require. In the past week Ofsted has delivered a damning indictment of the education of those with special educational needs, describing the service as “disjointed and inconsistent”. *The Guardian* reported that the annual report of Amanda Spielman

“drew attention to the plight of pupils with SEND, warning that diagnoses were taking too long, were often inaccurate, and mental health needs were not supported sufficiently.”

Surely those are things that Ministers should be attending to, rather than just celebrating the successes.

Nick Gibb: We are attending to all those issues. As a Government, we take mental health issues extremely seriously. That is why earlier this year we published the Green Paper on young people’s mental health, which will transform the quality of mental health support at every level in our school system across the country. The hon. Gentleman is right to raise the issue of high needs funding, which we take very seriously. High needs funding has increased from £5 billion in 2013 to £6 billion this year, but we are aware of increasing cost pressures on the high needs budget, and we are aware of the causes. We have listened carefully to his lobbying today, and to that of other colleagues and schools that have raised those issues. We take those concerns extremely seriously.

The whole essence of the free schools and academies programme is to empower teachers and headteachers and to promote the importance of innovation and evidence. Power is wrestled away from the old authorities. Ideas are weighed and, if they are found wanting, can be discarded. There has been a resurgence—a renaissance—of intellectual thought and debate about pedagogy and the curriculum that used to be vested only within the secret garden of the universities. Now it is debated rigorously by thousands of teachers across the country.

Free schools have challenged the status quo and initiated wider improvement, injecting fresh approaches and drawing in talent and expertise from different groups. There are now 442 open free schools, which will provide more than 250,000 school places when at full capacity. We are working with groups to establish a further 265 free schools. In answer to Alun Ebenezer, the headteacher who runs an excellent school in my right hon. Friend’s constituency, the free school programme is thriving.

Thanks to powers granted by the Government and the expansion of the academies and free schools programmes, teachers and headteachers now enjoy far greater control over the destiny of their school. Decision making has been truly localised and professionalised. These extraordinary schools are changing what is thought to be possible and raising expectations across the country. They are an example to any school seeking to improve. Whether we look at Reach Academy in Feltham, Dixons Academy in Bradford or Harris Academy Battersea—all with high pupil progress scores—we see that there are some obvious similarities.

All of the schools that I have mentioned teach a stretching, knowledge-rich curriculum. Each has a strong approach to behaviour management so that teachers can teach uninterrupted, and they all serve disadvantaged communities, demonstrating that high academic and behavioural standards are not and must not be the preserve of wealthy pupils in independent schools. Indeed,

Harris Westminster, a free school that opened in 2014, which has close ties to Westminster School and draws pupils from across London, has reported that, with 40% of its pupils from a disadvantaged background, 18 pupils went to Oxbridge last year.

All around the country the Government have built the foundations of an education system through which teachers and headteachers control the levers over school improvement and parents exercise choice, shifting decision making from local education authorities and handing it to local communities and the teaching profession. With an intelligent accountability system to maintain high standards, innovative schools collaborate and compete with one another to improve teaching, the quality of their curricula and retention of staff.

Two thirds of academies are converter academies, and many have become system leaders within multi-academy trusts by helping other schools to improve. More than 550,000 pupils now study in sponsored academies that are rated good or outstanding. Those academies often replaced previously underperforming schools, so when the hon. Member for Wythenshawe and Sale East says that he wishes to disband or end the autonomy that comes with the academies and free schools programme, he is saying that he would not have enabled the 550,000 pupils who were languishing in underperforming schools to be given the opportunity to be taught in much higher performing schools, thus taking away opportunities as an enemy of promise and social mobility.

As at August 2018, 89% of converter academies were rated good or outstanding by Ofsted. Results in primary sponsored academies continue to improve. The percentage of pupils reaching the expected standard in reading, writing and maths in current sponsored academies was 42% in 2016, and in 2018 it was 57%. Academies and free schools are driving up standards all over the country. Queen’s Park Junior School in Bournemouth was placed in special measures in May 2011. In the same year only 50% of pupils achieved level 4 or above in reading, writing and maths, compared with the national average of 67%. In September 2011 Ambitions Academies Trust started working with the school, and in October 2012 Queen’s Park Academy became part of Ambitions Academies Trust as a sponsored academy. Queen’s Park Academy was judged outstanding in all areas by Ofsted in June 2014 and is now providing support for other schools in the trust. In 2017 the school’s writing and maths progress scores were both above average, at +2.3 and +1.4, and 78% of pupils achieved the expected standard in reading, writing and maths.

WISE Academies in the north-east of England has taken on nine sponsored academies since 2012. The trust is making the most of its autonomy—the autonomy that the hon. Member for Wythenshawe and Sale East wants to remove—and has reduced teacher workload through efficient lesson planning and by sharing resources. It is innovative in how it teaches, embedding maths mastery techniques from Singapore into its maths curriculum. As a result, every school that has been inspected since joining the trust has been judged to be either good or outstanding.

Free schools are among the highest performing state-funded schools in the country, with pupils at the end of key stage 4 having made more progress on average than

pupils in other types of state-funded schools. In 2018 four of the top provisional Progress 8 scores for state-funded schools in England were achieved by free schools.

Greg Hands: I thank my right hon. Friend for his excellent exposition of the success and brilliance of so many of our free schools. I do not expect him to make a policy pronouncement today, but will he take on board some of the comments I made in relation to ESFA and the complaints I have heard from various parent groups trying to set up free schools—some successful and some unsuccessful—particularly in an area such as mine where the crucial question is always about the ability to secure the site and, in their view, the bureaucratic approach taken to site selection and delivering financing?

Nick Gibb: Yes. My right hon. Friend anticipates the point I was coming to. As he knows, the Fulham Boys School is currently in temporary accommodation and the Department is working hard to ensure that a permanent site will be ready as soon as possible. All parties are working to deliver the site as early as can be achieved, but it remains, as he knows, a complex project. I am aware of people's concerns about the site. It is a difficult challenge to find a site, particularly in London, but we have more than 400 free schools being established. With any large projects we will find delays and problems, but they are achieved, which is why we have more than 400 successfully opened free schools.

As I was saying, in 2018 our top 10 provisional Progress 8 scores for state-funded schools in England were achieved by free schools, by people who persevered through all the problems of finding a site and getting a school opened. For example, William Perkin Church of England High School in Ealing, Dixons Trinity Academy in Bradford, Eden Girls' School in Coventry and Tauheedul Islam Boys' High School in Blackburn are in that top 10. The latter two were opened by Star Academies, which has grown through the free schools programme, from running a single school in the north-west to running 24 schools across the country, made up of nine academies and 15 free schools, and it has approval to open two additional free schools. Of the 10 that have had Ofsted inspections since opening or joining the trust, all have been rated outstanding. That is the kind of programme that the Labour party wants to stop happening in future, denying young people the opportunity of having an excellent education, but the approach works. The free schools and academies programme demonstrates, as I have cited, the benefits of strong trusts and strong collaboration.

Converting to an academy is a positive choice made by hundreds of schools every year, to give highly able teachers the power to make their own decisions; the breathing room to be creative and innovative; and the freedom to drive improvements, based on what they know works for their pupils. My hon. Friend the Member for Henley (John Howell) cited the example of the Europa School that converted from the independent European School into a free school. We were very pleased to authorise that new free school to teach the European baccalaureate rather than A-levels and GCSEs. Wary of the risk of being made to drink a shot of rum, I will say that the future of that qualification will depend on discussions with the European Schools system post-Brexit.

We want to go further to make sure that no one is left behind. We want to extend the free schools programme to areas of the country that have not previously benefited from it.

Alex Cunningham: I am grateful to the Minister for giving way on that point about extending the programme to other areas. My impression is that the vast majority of free schools tend to be opened in the more leafy areas where there is less deprivation. What evidence does he have—perhaps he could write to me—about the number of free schools opened in areas of high deprivation and how they are achieving great things?

Nick Gibb: Some 50% of free schools have been opened in areas of deprivation. There has been a determination to ensure that free schools are opened in areas of disadvantage that have been poorly served by the schools system in the past. I will be happy to respond to the hon. Gentleman's earlier invitation to visit schools in his constituency to see at first hand how they use the programme's autonomy and freedoms to raise standards.

Earlier this year we launched the 13th wave of free schools, targeting the areas of the country with the lowest standards and the lowest capacity to improve. Those are the places where opening a free school can have the greatest impact on improving outcomes. The application window for wave 13 closed on 5 November. We received 124 applications from both new providers and experienced multi-academy trusts. We are assessing the proposals and will announce successful applications in the spring. We will launch the 14th wave of free schools shortly, demonstrating again to Mr Ebenezer and others that the free school programme continues to thrive, albeit with one threat on the horizon: the Labour party is committed to ending the programme.

This summer we launched a special and alternative provision free schools wave. By the deadline in October we had received 65 bids from local authorities, setting out their case for why a new special or AP free school would benefit their area. In the new year we will launch a competition to select trusts in the areas with the strongest case for a new school. We are also continuing to accept proposals for maths schools from some of our best universities, having already seen excellent results reported by both existing maths schools, Exeter Mathematics School and King's College London Mathematics School. Those schools have exemplary A-level results in maths, physics and further maths.

I am grateful to my right hon. Friend the Member for Chelsea and Fulham for the support that he has given to the free schools programme. Some important points have been raised, and I welcome the opportunity to discuss a central part of our education policy and to share some examples of the excellent work in academies and free schools throughout the country. Since 2010 our education reform programme has brought new levels of autonomy and freedom for schools, with clearer and stronger accountability. There are many examples of academies, and the multi-academy trust model, bringing about rapid and effective improvement in previously underperforming schools.

Since 2010 we have been unflinching in our determination to drive up academic standards in all our schools, and to drive out underperformance in our school system.

[Nick Gibb]

Our ambition is for every local school to be a good school, to close the attainment gap between pupils from different backgrounds, and to ensure that every pupil, regardless of their background or where they live, can fulfil their potential.

Geraint Davies (in the Chair): I invite Greg Hands to wind up the debate briefly.

10.51 am

Greg Hands: Thank you, Mr Davies. I will try to fill the remaining eight and a half minutes.

Geraint Davies (in the Chair): You do not need to.

Greg Hands: That is helpful advice—it has been a little while since I have done one of these debates. However, as the time is available, I might say a few things.

This has been an excellent debate. I am delighted that the academies and free schools programmes are thriving and making such a difference to school standards across the country. As the Opposition spokesman pointed out, I had the pleasure and privilege of going to one of the best state schools in the country: Dr Challoner's Grammar School in Amersham. That stood me in good stead for everything that came after. I have always been a strong believer in high-quality state education, which is what the Government have delivered over the past eight and a half years, and will continue to deliver.

As I said, the very centre of this movement is my constituency, and the two boroughs that my constituency forms part of: Hammersmith and Fulham, and Kensington and Chelsea. In those boroughs, 13 new free schools and academies have opened. It is an incredible achievement to open five new secondary schools, and eight additional primary schools, in the two smallest boroughs in London.

Often such things are very difficult. I remember when West London Free School opened in 2011 or 2012—it must have been almost the first free school. I remember speaking to the then leader of the council, the excellent Stephen Greenhalgh, the then Secretary of State, my right hon. Friend the Member for Surrey Heath (Michael Gove), and the founder of the school. We talked about how we were going to make it possible, and it was quite hard, because people wishing to set up such a school face a number of obstacles. The sites can be very difficult. Most of those people are incredibly dedicated to seeing the schools delivered. I take a strong interest in how the Education and Skills Funding Agency works, and how such things might be improved. I welcome the Minister's commitment to look at a continuing review of how that is done.

We have a crisis in our schools coming up locally, despite all the achievements. I mentioned the shortage of places in Hammersmith and Fulham. The current Labour council has sat on its hands for the past four and a half years and done nothing about it. After all the achievement in the preceding four years of the Conservative

Government, combined with the Conservative council, in delivering all those new schools, nothing has been delivered in the past four years. The area will be short by 327 places. Reform has come to a shuddering halt.

My constituents will also be alarmed by what has been said by the Labour party. The Opposition spokesman today failed to repudiate what the shadow Secretary of State for Education said at the Labour party conference. She said:

"We'll start by immediately ending the Tories' academy and free schools programmes."

I think the Opposition spokesman said, if I understood him correctly, that that would not mean the closure of the schools. However, they would be taken immediately back into—or put under for the first time—local authority control. That would be the abolition of free schools and academies in the way in which they currently operate, ending their autonomy. That will ring alarm bells in my constituency among so many parents whose children are currently at those schools, and among all the parent groups that come to see me to talk about establishing new schools.

There is an incredible diversity in education in my constituency. We have had amazing bilingual Anglo-French schools set up—feeders into the incredible Lycée Français Charles de Gaulle. Some new parent groups want to set up bilingual Spanish schools. I expect that at some point all these groups will come to me and say, "We are alarmed, Mr Hands, by what we hear is the policy of the Labour party—threatening the future of these schools before they have even been established." I invite the Labour party to review and reconsider its policy, because it will be incredibly unpopular, and is incredibly unpopular in my part of London.

Some of the schools have an incredible record, and an incredibly diverse intake. Fulham Boys School, for example, is very proud of the fact that 40% of its children qualify for the pupil premium, while 15% come to it from a private school background. In a community such as mine, where there is not much in the middle, that school takes the full spectrum of pupils. At Ark Burlington Danes Academy in Shepherd's Bush, nearly half the pupils are eligible for free school meals. Often such intakes are from the more deprived parts of the two boroughs, in the north, and most of those schools do a fantastic and brilliant job.

It would be a great shame to see that future threatened by a future Government. However, of course, as we all know, there is not going to be a future Labour Government coming up. I can tell parents that they can at least rest assured on that front. Nevertheless, it is a cause of concern in my constituency, and I hope that the Labour shadow team will reconsider their ideological approach to ending the programme, and reconsider what is in the best interests of parents and pupils at those schools, and future schools to come.

Question put and agreed to.

Resolved,

That this House has considered the future of free schools and academies in England.

Southend Hospital

10.58 am

Sir David Amess (Southend West) (Con): I beg to move,

That this House has considered services at Southend hospital.

It is a pleasure to serve under your chairmanship, Mr Davies. I very much welcome my hon. Friend the Minister to his new post in the Department of Health and Social Care. I was on the Select Committee on Health for 10 years, which was probably too long, but during that time—I am bragging a bit—I initiated the debate on obesity, which some people now think they are discovering for the first time. We also dealt with the smoking ban, which I never thought would work, and with passive smoking, allergies and a whole raft of other issues.

I have to say that it is a long time since I heard anything original said about the health service. I have been all around the world and all over the country looking at facilities, and I am left with the conclusion, which I know the House shares, that our national health service is the best in the world. It is the only really nationalised health service that exists. The differences between the two political parties may be a bit blurred, but if it is down to funding, good luck with that issue—the money has to come from somewhere.

I am delighted that my hon. Friend the Member for Rochford and Southend East (James Duddridge) is here to support me. My right hon. Friend the Member for Rayleigh and Wickford (Mr Francois) and my hon. Friend the Member for Castle Point (Rebecca Harris) may not be here at the moment, but I feel that they are somehow here in spirit, because the four of us use the facilities at Southend Hospital.

I must take the opportunity to praise the staff at Southend Hospital, who I know only too well are overworked and underpaid. It is a difficult political issue to deal with, but they are so dedicated and they provide an absolutely excellent service. My hon. Friend the Member for Rochford and Southend East and I, and our families, have benefited from care at the hospital. We were so privileged to be at the Hospital Heroes awards ceremony in September, which celebrated the very best of Southend's healthcare staff and those who go the extra mile for their patients. I congratulate all the winners and nominees and thank them for their dedication, compassion and considerable expertise.

I also praise the volunteers among my Southend West constituents, who give up their time, unpaid, to support the hospital's work and help others. Those women and men are there day in, day out and week in, week out, giving a little extra help and support to people going into hospital, many of whom are somewhat concerned and stressed about what lies ahead. From befrienders to hospital gardeners to the library service, they should be commended for their invaluable contribution on behalf of patients across Southend.

Southend Hospital and healthcare services throughout Southend are at a crossroads. It could be argued that their future is uncertain. The Minister will be only too well aware of the mid and south Essex sustainability and transformation partnership plan for the reconfiguration of specialist services across hospitals in Essex. I must tell him that I will not support any changes to those

services unless they are led by clinicians, not by politicians. It is up to the clinicians to put their heads above the parapet and argue the case for change.

The plans have been referred to the Secretary of State for review. I will not go into the whys and wherefores of what happened, but we have a Conservative-controlled local authority in Southend and I think the Conservatives were particularly concerned about changes to the stroke service, which is under the excellent leadership of Dr Guyler. I am not sure why all the plans have had to be reviewed. If the Minister cannot answer now, perhaps he could write to me to confirm whether there is a possibility, however vague, that we might lose funding as a result of the delay or that the funding we were promised might arrive less quickly. *[Interruption.]* Does he wish to intervene?

The Minister for Health (Stephen Hammond): No, no—I was just listening very carefully to my hon. Friend's speech.

Sir David Amess: Right. Well, there seem to be rumours that, as a result of the plans being referred, there is a real danger that the extra money that we were promised might not materialise or that there could be repercussions for the services at Southend Hospital. I appreciate that the Minister might not be able to comment on that issue at the moment, but in this short debate I hope to set out some of my constituents' concerns, and my own, about how best to support the world-class services at Southend Hospital and ensure that everyone in all four constituencies receives the best possible care.

Southend has always been absolutely at the top of cancer services generally. I will not delay the House by listing all the organisations that have had a hand in delivering cancer services there, but Southend has always been very highly regarded. From its gynaecology training coming top in the UK and its trauma and orthopaedic team being named training hospital of the year, to its world-leading practice standards for cancer care, Southend Hospital has lots to celebrate about its services and patient care. The radiotherapy department deserves particular mention in the light of its recent CHKS accreditation for its pioneering radiation treatment, as well as its high ratings from the Care Quality Commission. The centre has led the way in utilising highly focused and concentrated radiation treatment on tumours that reduces harm to surrounding organs. It has treated more than 1,700 patients this year and is a great example of the importance of investment in driving world-leading research and developing innovative treatments.

This is where the sting comes in. NHS figures show that 36% of Southend cancer patients wait eight weeks for treatment after their initial GP referral. The Minister may have an answer to this, but more than a third seems somewhat high—more than twice the national NHS target. It is vital that more be done to speed up referrals and avoid such unacceptable delays in treatment, which can cause so much worry for patients. With world-class care on their doorstep, our constituents deserve nothing less than fast access to the treatments that they most need. I would welcome any comments from the Minister about speeding up the process.

Southend Hospital is currently trialling a mobile stroke ambulance unit—a pioneering and innovative treatment service that allows specialists to travel directly

[Sir David Amess]

to patients and treat them en route to the hospital. Data is still being analysed, but clinicians have reported great successes, with specialists being able to deliver life-saving thrombolysis treatment just 16 minutes after the patient alert. That is absolutely incredible. We all know that the sooner a stroke is treated, the more likely a good outcome. Treatment in the first few minutes can make all the difference, so getting patients to a specialist as quickly as possible is imperative. Not only have patient outcomes been improved, but the unit has shown great potential to alleviate pressure on A&E departments. Some 88% of patients in the trial were admitted directly to a specialist stroke unit, freeing up resources across the NHS.

The trial is due to end on 19 December, but so far there has been no confirmation that this pioneering service, which has been funded entirely by charitable donations, will continue. I believe that greater support is needed to ensure that the hospital can retain the mobile unit. More than 100,000 strokes occur each year in the UK, so it is essential for the NHS to use such innovative services to ensure that we can deliver the best care to patients in the shortest time. I know that my right hon. Friend the Member for Rayleigh and Wickford is particularly interested in stroke care and in how it is delivered at Southend Hospital. I encourage the Minister to review the successes of the trial at Southend and to look into how such life-saving services can be offered to patients across the United Kingdom.

The critical issue of time in stroke care is a great concern for Southend. I appreciate that the Minister will be unable to comment on the STP's proposed centralisation of stroke services in the constituency that I once represented—Basildon. However, maintaining the established stroke service infrastructure and keeping Southend as a centre of excellence is very important. Whatever the outcomes of reconfiguration, my constituents do not want to see the downgrading of the world-class stroke services in Southend, and patients put at risk.

There is a big issue about transport services, which I know is of great concern to my hon. Friends the Members for Rochford and Southend East and for Castle Point, and my right hon. Friend the Member for Rayleigh and Wickford. While Southend Hospital is leading the way in many areas of care, transfer to specialist services is obviously important. Patients are currently transported to acute services across Essex through the treat-and-transfer model. Although that is working in ensuring that patients get access to the specialist treatment they need, a big concern for our constituents is the impact that an expansion to the model could have. Inter-hospital transfers affect not only the patient, but their carers or families. The costs incurred and difficulties experienced by patients and visitors travelling across services need to be taken into careful consideration. It is essential that the local transport services, whether public transport or community transport organisations, can provide the right support to patients and their families.

Mr Mark Francois (Rayleigh and Wickford) (Con): I endorse everything that my hon. Friend has said about the mobile stroke unit. I encourage the Minister to look at the great success that it has been. As my hon. Friend knows, I have particularly focused on the transport

issues. The East of England Ambulance Service, which would be the logical service to provide that transfer, is under great pressure as it is. Does my hon. Friend accept that if the whole of the STP is to stand up and be coherent, we must have clearer answers about exactly how the transfer of critically ill patients from one hospital to another would work in practice?

Sir David Amess: As ever, my right hon. Friend is absolutely right; he is intuitive. We need greater clarity on this matter, and our constituents want reassurance and certainty.

I have outlined some of the successes of Southend Hospital, as well as the areas in which greater support and investment are needed. The hospital serves just under 340,000 people and, although challenged by the pressures on the system, has managed to lead the way in world-class care. Southend is becoming a hub of medical education and training, with both the gynaecology and trauma teams recognised as among the best in the country. Pioneering cancer and stroke care at the hospital is at the forefront of treatment innovation, but those excellent services cannot continue at such a standard without investment and support. I hope that the Minister will closely consider our constituents' concerns, and I look forward to hearing from him what more the Government can do to ensure that Southend Hospital retains its world-class services. I would also be grateful for an update in due course from the Secretary of State, perhaps by letter, on the STP referral when that decision has been made. I look forward to working with the Department proactively on that issue.

James Duddridge (Rochford and Southend East) (Con) *rose—*

Geraint Davies (in the Chair): Order. I assume, Sir David, that you are happy for James Duddridge to speak in the debate.

Sir David Amess *indicated assent.*

Geraint Davies (in the Chair): I call James Duddridge.

11.13 am

James Duddridge (Rochford and Southend East) (Con): Apologies for not giving notice in the normal way, Mr Davies; my hon. Friend the Member for Southend West (Sir David Amess) did give me permission to speak in his debate.

The short version of my speech is “Thank you”—not to my hon. Friend, or to yourself, Mr Davies, but to the people who work at Southend Hospital. It is impossible to thank all 4,500 personally. I would like to say that I went to Southend Hospital last night as an assiduous Member of Parliament, purely with the intention of thanking them; sadly, I went to see a family member in A&E, who is thankfully now out. Quite often, constituents see politicians as somewhat remote, but most of the time I have spent at Southend Hospital has been either as a patient myself—I spent three months in hospital only a few years back—or visiting one of my family members.

We are fortunate to have Southend Hospital so close by, but I am unfortunate enough to have to visit it in a non-professional capacity far too frequently. The people at Southend Hospital provided fantastic care for Jack Thompson, my father-in-law, in his final days. As a

Member of Parliament, I quite often find myself visiting constituents. There is such compassion and care during those final hours, as there is care and compassion in every ward, whether that is for the newborns in Neptune ward or for people with dementia in Wilson ward.

My hon. Friend mentioned the hospital's stars awards, which brought him, me and our right hon. Friend the Member for Rayleigh and Wickford (Mr Francois) together as local MPs. It is amazing to see the depth of those individuals' compassion and commitment to their roles. As an individual, I have seen that small things can mean the difference between an average person and a fantastic, exceptional person. It might be a cup of tea, or explaining for the third time something that is bleeding obvious, but which, to a parent who is so stressed by what is happening, is hard to take in. Or it might be nurses who put themselves in really troubling jobs—for example, dealing with parents of newborn babies who have passed away, and having to do that day in, day out. The difference that those people can make is absolutely amazing, and one person won a stars award for dealing with those types of situations. That takes an incredibly special person. I thank all those individuals.

I also thank Clare Panniker, who is leading the three hospitals tremendously well. The transformation programme is fascinating and fantastic, at a time when we have more money going into our three local hospitals, as well as more nurses and more doctors. However, there still needs to be more change.

In all candour, I was disappointed with the Southend local authority for referring the whole of the transformation programme, because, like my hon. Friend the Member for Southend West, I trust clinicians. We did have issues around the stroke unit, but they were being dealt with by Paul Guyler, the lead clinician. There were and still are issues on transport, but the idea that the whole transformation programme is wrong is incorrect. I know that my hon. Friend the Member for Chelmsford (Vicky Ford) is effervescing with rage at Southend council. I do not want to be overly dramatic, but she felt that lives had been lost in Chelmsford because we had not got on with the capital expenditure and the specialisation across the three hospitals that gives our families and our constituents better care. Let us push back on some of the issues, but let us also get on with it, and further improve what is a fantastic local hospital.

11.17 am

The Minister for Health (Stephen Hammond): It is a pleasure to serve under your chairmanship, Mr Davies, and to take part in this debate. I congratulate my hon. Friend the Member for Southend West (Sir David Amess) and pay tribute to my hon. Friend the Member for Rochford and Southend East (James Duddridge) and my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois) for their contributions. They have all raised points that I wanted to come to and I hope I can respond to them in my reply, because the subject is very important. As constituency MPs, whether a Minister or no, we all recognise the crucial importance of local healthcare systems and what they deliver for our constituents.

My hon. Friend the Member for Southend West is well known as a passionate advocate for his constituents, and has been for many years, but he was also right to

point to his distinguished service on the then Health Committee, a Committee that has always done so much to drive thought. He mentioned a number of issues and said he did not want to blow his own trumpet, but some of the issues that he raised are now mainstream issues, and that is hugely important.

My hon. Friend was right when he said in his opening remarks that he thought the NHS was the best health service in the world. I completely agree; that is right. He is also right, of course, as was my hon. Friend the Member for Rochford and Southend East, to say that it is the staff who drive the hospitals and the service for our constituents. As my hon. Friends did, I extend my thanks and those of everybody to those staff, and to everybody who works in the health service, whatever they do. They all contribute in a significant way. They also spoke of the role of volunteers, which was again right. I see the work that volunteers do in my local hospitals. People sometimes forget how that work contributes to the whole experience; it makes life easier for people at an extraordinarily stressful time. I also note with interest the comments made about the stars awards.

I had the chance to speak to Clare Panniker yesterday. She is clearly an impressive professional, driving change for the right reason, which is listening to clinicians and ensuring the best outcome for patients.

I wanted to make those remarks right at the start, and I will say a few words on the three issues that my hon. Friends have talked about—stroke, cancer, and transport and access. The national picture on stroke services is that there is a need to improve the quality of service provision and outcomes for all patients. It is well recognised that stroke is the fourth-biggest killer in the United Kingdom and a leading cause of disability. Although the 10-year national stroke strategy came to an end last year, a programme board was established in March 2018 to oversee the development of a new stroke plan. The fact that one has continued does not mean in any sense that the prioritisation has changed; indeed, that board is now chaired by NHS England's medical director, Steve Powis, and by the chief executive of the Stroke Association.

To add to what my hon. Friend the Member for Southend West said about specific local issues, we should also mention the importance of the national context. I absolutely understand some of the issues that he raised, and he is right to say that changes, and the rationale for changes, should be clinician-led rather than politician-led. As my hon. Friend the Member for Rochford and Southend East acknowledged, that is actually what is happening with the transformation programme, which is why I understand the frustration of my hon. Friends. They will understand that it is impossible for me to comment on that in detail today due to the referral, but I give the guarantee that when the process has ended and the decisions have been made, all my hon. Friends—not only the three who are present, but others who are concerned—will of course be given sight of that recommendation and the chance to comment on it.

My hon. Friend the Member for Southend West has explained that he has a particular interest in transport. For the sake of clarity, it is important that I set out what has been agreed by the clinical commissioning group and what some of the alternative paths are, in response to the point made by my right hon. Friend the Member

[Stephen Hammond]

for Rayleigh and Wickford. On the transfer of patients, we all know that the CCGs have approved a treat-and-transfer model, whereby a small number of patients will receive initial treatment at their local A&E before being transferred to another hospital. Decisions on patient transfer will be made solely as clinical decisions and discussed with patients prior to transfer. Modelling by the CCG and clinicians suggests that, on average, 15 patients a day might be transferred from their A&E to a different site for clinical reasons and due to the proposed changes. It is a vital part of a joined-up service, especially where specialisation increases—the need for this may or may not increase. Like my right hon. Friend the Member for Rayleigh and Wickford, I encourage hon. Members to continue to press this matter with the STP once it is resolved, because I think it is vital.

Mr Francois: The critical thing we need to know is who will provide the service. The obvious answer is the East of England Ambulance Service, but it faces serious resource and capacity challenges. It is difficult for us to support this plan wholeheartedly until we are given definitive answers. Who will provide the service, and how will it work in practice?

Mr Hammond: There are three answers to that: critical cases, non-critical cases and transport for patients' families and carers. Let me start with non-emergency transfers, which at the moment are provided through patient transfer services, as my right hon. Friend knows. They are available in Southend when medical conditions are such that patients require the skills or support of staff on or after the journey. He is absolutely right to say that critical cases, or those that do not fit into the first category, are provided by the East of England Ambulance Service. He will not be surprised to learn that, even in my short time as Minister, I have already been made aware of some of the issues with that service. Nor will he be surprised to hear that the Department is working with the relevant authorities to ensure that standards and resources are made available to bring the service up to the expected standard, and that ambulance response standards are met.

On patients' families and carers, I understand—my hon. Friends will know better than I do—that there is a joint CCG-local council transport working group. It has been exploring a number of options to make transport easier, including, I understand, the creation of a shuttle service between hospitals in Southend, Basildon and Broomfield. Key to that endeavour will be the volunteers who we spoke about earlier and the expansion of volunteering.

My hon. Friend the Member for Southend West spoke a little about cancer services, and he will understand that the proposed new model maintains Southend as the specialist cancer centre. He was right to make the point that it meets the two-week standard for GP referrals, and that more than 1,700 patients have been treated this year, but he is equally right to say that the length of waiting times is indeed high. I reassure him that we are

absolutely committed, as a Government, to increasing the levels of early diagnosis, and that a comprehensive plan is in place to drive down those waiting times. He is right to have that concern, which I share.

My hon. Friend the Member for Southend West talked about the new model of stroke provision. He will know that the idea is for people to be seen initially at their local A&E, where thrombolysis treatment will be provided should it be required, and then there will be a transfer to a specialist stroke unit at Basildon, should that be necessary. That will be a clinician-led decision and based on the confirmation of stroke. That hyper-acute stroke unit would give patients, in that critical first 72-hour period, the intensive nursing and therapy support they need to have the best chance of recovery and the best outcomes. Basildon has been selected for the specialist centre because its stroke services are co-located with the vascular, interventional radiology and cardiology teams; it therefore makes sense to have the service there.

My hon. Friend the Member for Southend West raised the issue of the mobile stroke unit, and he is right to say that the trial is ongoing and not yet complete. I join him in thinking that this is really quite an exciting project. I look forward to seeing the results of the trial and the evaluation. We know that the project is separate from the STP, and therefore any decision to locate a permanent mobile stroke unit at Southend will be made at the local level, but I think the national implications of this trial will be exciting.

My hon. Friend the Member for Southend West said that he wanted to hear about future funding and whether there would be any delay. Any funding of course depends on local plans and on clinical support. I was going to read out a quote from Dr Paul Guyler just to reinforce the point that everything that is being done in this area is being led by clinicians, but as my hon. Friend has already made the point that Dr Guyler supports these things—his support is one of the drivers for the change—I will not delay us by reading that aloud. When a decision is made on a clinical basis, the Department and its arm's length bodies are committed to ensuring that there is the investment available to deliver what is necessary and to make a real difference, but clearly that would depend on the plans and the outcome of the reconfiguration. My hon. Friend knows that I cannot say much about that now; none the less, I give him the commitment that I will speak to officials about this after the debate. If there is more to add at this stage, I will write to him and to my hon. Friends.

In the 30 seconds I have left, I want to say that this has been a short but fascinating debate. It shows that my hon. Friends recognise the contribution of professionals and what Southend Hospital does for their constituents. I appreciate that the potential changes to the local health services inspire impassioned debate—it is right that this is led by clinicians, and that the Government give it proper consideration.

Motion lapsed (Standing Order No. 10(6)).

11.30 am

Sitting suspended.

Shisha Lounges

[MRS ANNE MAIN *in the Chair*]

2.30 pm

Shabana Mahmood (Birmingham, Ladywood) (Lab): I beg to move,

That this House has considered reforming the regulation of shisha lounges.

It is a pleasure to serve under your chairmanship, Mrs Main. I am delighted to have secured this debate. In a week in which Ministers have been held in contempt of Parliament for the first time ever, and we have had ongoing and various crises related to the handling of Brexit, talking about the regulation of shisha premises might seem a little niche. I have found myself educating many colleagues about what shisha is and about the problems relating to shisha premises in the affected communities.

Central to this debate is how we as citizens navigate community life together, balancing the social and entertainment needs of some against the needs of residents, and whether we can take effective action when things go wrong. Residents affected by issues relating to shisha lounges, such as those in my constituency and other areas including Westminster, Brent, Ealing, Preston, Manchester and many of our other core cities, can attest to the fact that, when things go wrong, they face the misery of noise nuisance, crime, antisocial behaviour and everything that goes with that. For them, this is definitely not a niche issue. It affects communities profoundly.

I should explain what shisha is and what form these premises take. Shisha, which is also known as a water pipe, hubble-bubble smoking or a hookah, is a way of smoking tobacco through a bowl and a pipe or a tube. The tobacco is often mixed with other flavours such as mint, coconut or pineapple—I have seen every variety going. The tobacco is burned, and then the vapour or smoke passes through a water basin before inhalation. It is a social activity; people do it in groups. It is not dissimilar to going out for a night at the cinema or any other kind of entertainment activity. People go out for a night of shisha smoking.

I am not exactly sure where shisha smoking originated, but it is common in parts of the middle east, Africa and Asia. In recent years it has become much more popular in the UK. I have been aware of shisha places in Birmingham for some years, but there has been a proliferation of establishments there over the past five years. It is a growing trend in our major cities. I have never smoked shisha or any kind of cigarette, and I cannot personally see the attraction of it, but many of my constituents, friends and acquaintances enjoy it as a night out and regularly go to a shisha lounge, bar or café.

These establishments are much more varied than might be assumed. One of the stereotypical assumptions about what shisha premises look like is that they are typically some sort of middle eastern café with a middle eastern food menu and décor that is indicative of some sort of middle eastern origin—almost tent-like. Certainly, some establishments fit that stereotype, but there are also many huge venues—swish, swanky establishments that are often spread out over a number of floors in buildings that may previously have been warehouses. They look and feel like any other major nightclub or similar attraction in a major city.

In my constituency and across Birmingham I have seen that the clientele of those establishments is much more cosmopolitan than might be assumed. It might be thought that this activity is primarily enjoyed by people from black and minority ethnic communities, but it is much wider. That is partly because some of those establishments do not sell alcohol—some do, but some do not—and make a virtue of offering an alcohol-free space for people who wish to enjoy it. That fills a gap in the market for young Muslims, in particular, who want to go out and have a good time just like anybody else, but want to be in an alcohol-free space. There has also been an increase in the number of 16 to 24-year-olds across all communities and social classes who do not drink alcohol. Entrepreneurial businessmen and women are trying to fill the demand in the market by opening up these types of venues, which do not serve alcohol but provide a night-time entertainment offer for different sections of the community.

Many shisha establishments serve food—food is a key part of their offer. Many double up as dessert places—another type of venue that has proliferated—where people can get milkshakes that contain three days’-worth of their recommended calorie intake and smoke shisha at the same time. Some are modest cafés and others are much more like nightclubs. Across Birmingham the number of establishments of various different forms has grown over the past few years.

As a Member of Parliament, a resident and a citizen of my city, I was aware that these venues were growing in popularity, but I had not come across the issues that affect local people when one opens up until I did a coffee morning in my constituency in the summer of 2016. I expected it to be a normal coffee morning, when the issues we would expect were raised, but every resident who came wanted to talk about the problems they were facing as a result of a shisha lounge opening directly opposite their small housing estate. It related to a shisha lounge called Arabian Nites, which has featured much in Birmingham news over the past few months.

The stories that my residents shared with me were horrendous. They said that a nightclub had opened directly opposite their houses, and they were powerless to do anything to stop the issues they faced as a result. Some residents had been attacked, and some had woken up to find patrons of the establishment urinating in their front gardens—in one case, as they were getting ready to take their children to school in the morning. The noise nuisance was so bad that they could never open their windows at night—not even in the peak heat of summer—and even with their windows shut the noise disturbance was pretty high. Parking became a total nightmare, and there was partying till the early hours.

People told me that their community had been ruined. One of the saddest things is that in that area there are lots of council housing tenants who have lived there for decades and are the absolute backbone of the local community. They have been there through thick and thin and have seen lots of changes to their community, but they love their community and the place where they live.

Afzal Khan (Manchester, Gorton) (Lab): I congratulate my hon. Friend on securing the debate. Does she agree that public awareness campaigns, such as one that

[Afzal Khan]

Manchester City Council launched recently, are crucial to raise awareness of the damaging health impacts of smoking shisha? In addition, we need effective licensing and enforcement to crack down on businesses that flout regulations on the sale of shisha. Just a week ago, Manchester Council seized 95 shisha pipes from one property—

Mrs Anne Main (in the Chair): Order. There is plenty of opportunity to make speeches, but interventions must be short. May I ask you to bring that remark to a close?

Afzal Khan: I will. Thank you, Mrs Main. It is more than 10 years since the smoking ban came into effect, yet businesses continue to flout the law—

Mrs Anne Main (in the Chair): Order.

Shabana Mahmood: I am grateful to my hon. Friend the Member for Manchester, Gorton (Afzal Khan) for his intervention. I know that a lot of work has been done in Manchester. I will come on to some of the public health issues. He is right to raise public health concerns. There are, of course, public health duties on local authorities, and the public health risks relating to shisha are not well understood and publicised. He is absolutely right that much more awareness is needed. I congratulate Manchester for the good work it has done in this area.

The common life of those residents and the community they created, which they love and have thrived in for all these years, was being ruined. Some of those stalwart residents—the absolute backbone of the community—told me that they wanted to leave and were desperate to move out. In fact, they most wanted my help with council housing transfers. I thought that was one of the saddest things, because those people are the lifeblood of the area. If they move out, we will lose something much more profound in the community. It was all because they simply could not tolerate the daily misery they were facing because of the shisha venue.

As people became more vocal with their complaints—I took up the issues and worked with the council and the police, who were doing their best to manage the fallout from the venue opening near my residents, and there was more media coverage in the *Birmingham Post* and the *Birmingham Mail*—residents became worried about reprisals from patrons of the venue. Suddenly, it became much more of a hot topic. Things then took a more serious and frightening turn, because gun violence and other serious crime was taking place. People were up in arms but also terrified. I was shocked that almost overnight a community could be ruined by a shisha place opening.

As the local Member of Parliament, I initially treated this as a policing matter. It is interesting that other parliamentarians and council leaders have tended to raise it with Home Office Ministers as a policing issue. I, too, talked to the police. We thought about having more policing patrols and possible interventions, but eventually I had to conclude that the law itself makes things complicated in this area. My thought was, “Just take away the shisha licence,” because that is the business

model on which the premises are based—take it away and they will not have a business and will soon move on—but of course there is no licence for shisha.

In the case of Arabian Nites, it took a couple of serious incidents involving gun discharges—one discharge ricocheted and hit a passer-by—before the police could apply for a closure order under antisocial behaviour rules. Such closure orders are temporary and the one for Arabian Nites was for only three months. The venue has not reopened, but it is free to do so once it has met the new conditions.

Dr Roberta Blackman-Woods (City of Durham) (Lab): My hon. Friend is making a powerful speech. Does she agree that under the Licensing Act 2003 it should not be so difficult to get premises closed down for antisocial behaviour and other breaches of the legislation?

Shabana Mahmood: My hon. Friend, the shadow Minister, is absolutely right: the process is too difficult and onerous. I have a copy of the documentation put together at huge cost in time and resource by the police in support of the application for a closure order. It is more than 100 pages long—I was trying to print it before coming to the Chamber so that I could show it to everyone, but my printer broke—given the amount of work and number of witness statements required of police officers.

In the first case against Arabian Nites, the police did not get the closure order and had to apply a second time. Meanwhile, my residents who live with that place directly opposite their homes are terrified of gun violence, of stepping outside late at night and even of taking their kids to the school around the corner. The regime is too onerous, and to rely simply on existing police powers is not good enough. I have nothing but praise, by the way, for the way in which the police have tried to engage with the issue. They have done their best with the avenues open to them.

In Birmingham, a total of three such establishments have been subject to closure orders. All three happen to be in my constituency: Arabian Nites, which I have mentioned; Cloud Nine, which was closed after the suspected sale of laughing gas to children as young as nine, and following breaches of fire safety and venue capacity limits; and the Emperors Lounge, which was closed after a murder was linked to the premises, but which has since reopened after a three-month closure order.

As the law stands, shisha smoking is subject to the ban on smoking in public places, alongside all other smoking in the UK—it is subject to the same rules. Shisha is a tobacco product, so it is subject to the same rules that apply to regular tobacco, in particular the ban on sales to those under 18. When it comes to licensing legislation, however, the Licensing Act covers only the sale of alcohol and certain forms of regulated entertainment. Shisha bars or lounges do not require a licence under regulation unless they sell alcohol or have other regulated entertainment under the 2003 Act.

Some establishments sell alcohol. Arabian Nites was selling alcohol, which was one of the bases on which the police and the council were eventually able to take action, but Cloud Nine and the Emperors Lounge did not have licences for the sale of alcohol, instead falling within the other regulated activities under the Licensing

Act. No single agency or piece of statutory legislation regulates shisha activities. If serious incidents occur—shootings or serious violence such as I have had in my constituency—the police may apply for the powers available to them under antisocial behaviour rules, such as a three-month closure order, as we have seen in Birmingham. However, that process takes a lot of time and effort.

Furthermore, many premises will fight their corner with what is available to them through the legal system. It is fair to say, too, that many will do whatever they can to frustrate the legal process, keeping the thing running for as long as possible in order to beat everyone down and evade the enforcement action being sought.

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Jake Berry): I would be interested to hear the hon. Lady develop what are some good, well made points about the Licensing Act. Obviously she will be fully cognisant of the fact that many shisha lounges are smaller businesses. These are businesses on which people, their families and their mortgages all rely, so the bar on closing them is often set relatively high. The police have an obligation to show that the business should be closed. How does she think that should be balanced with the argument that she is making?

Shabana Mahmood: I will develop that point. I absolutely acknowledge that shisha lounges are often small businesses, but a lot of the troubled premises are not the average small business. They are big venues and very lucrative—I have learnt a lot more about shisha than I ever anticipated when I first became a Member of Parliament—and the biggest establishments can afford to have personal appearances by celebrities. It is not unusual to find boxers or Instagram stars visiting such places, putting in a personal appearance in the same way as they might for a new nightclub or members' club opening in any city across the country. There is a distinction to be drawn between the much smaller operations, which are more similar to a café with the added ability to offer shisha smoking to its patrons, and the big ones that are much more like nightclubs.

The legal tests in existing legislation are onerous, and there is a balance to be struck in ensuring that people can have a viable business and not be shut down on spurious grounds or unfairly. Police and council officers are cognisant of their legal responsibilities and do not want to drive away good businesses, but I believe them when they tell me, in my conversations with them, that some of the most troubled establishments employ high-powered lawyers and do everything they can to frustrate the process. That happens right at the beginning of the process, at the planning stage—they set up as a café or restaurant, and add other things as they go along, developing the shisha business. There are many ways around the system, as well as many gaps, which some individuals are keen to exploit, because this is a lucrative business.

In London, Westminster City Council in particular—I am pretty sure it is Westminster, so I hope I have got that right—has led work looking at tobacco duty, which is often not paid on imported shisha, so there are tax implications as well. I do not want to make out that these are all bad businesses—they are not—but where people flout rules and regulations, they do so in a

considered and planned way. They know what they are doing, so it is right to weight the law and to make the thresholds in the legal process that have to be crossed more favourable to residents, because when it goes wrong, as it did for the people of Highgate in my constituency, it is horrendous. It ruins lives and breaks communities, and that is too high a price for local residents to pay for the sake of the business needs of some of the shisha establishments.

In Birmingham, we have 37 premises, many of them concentrated in my constituency, but with some in other parts of the city. That is only the ones that we know about—37 premises known to Birmingham City Council. With no specific licence requirement for shisha, many places open without any recourse to any of the authorities whatever. As I said, the numbers have grown rapidly. The highest concentrations of shisha premises are found in the London boroughs of Westminster, Ealing and Brent, while Birmingham has the highest concentration outside of London.

The statutory provisions around fire risk, indoor smoking, the sale of tobacco to minors and the non-payment of tobacco duty, which I mentioned, are regularly frustrated. The sanctions available under tobacco-related laws are not acting as a deterrent. That is certainly our experience in Birmingham.

The fire risks are considerable. In Birmingham alone, we have had six major fires over the last five years. That is not surprising when one drills down into the situation, because within those premises there is a high number of ignition sources, combustible material and often low staff awareness of fire safety, and some of the venues are situated in hard to get to places, or are big and spread out over a number of floors, which poses a risk in and of itself. A business sector that is relatively small in number suffering six big fires in a five-year period is indicative of a much wider problem. Other local authorities are also greatly concerned about the fire risks.

Something that I thought about when drilling down into the issue—the Minister might raise this himself—was whether it was simply a case of the different agencies not working effectively together. Could it be that although the law, annoyingly, is not all neatly in one place and the powers are spread across different Acts of Parliament, it can be used creatively and effectively to bring the problem under control? After two years of dealing with these issues, I can say that it is not a case of the agencies not coming together. I have seen nothing but good practice at Birmingham City Council, and I pay tribute to Janet Bradley, who has taken the lead on shisha issues, and all of her team there. They have worked with all the other teams across the council, they have worked with partner agencies and they have worked very closely with the police, to whom I also pay tribute for all their work, particularly on getting closure orders.

That is the case not just in Birmingham. Westminster City Council, too, has published a strategy, held a symposium, and got everybody with any interest, whether public health, fire safety, or policing—the whole picture—into a room together to create a strategy for them to deal with the problem as far as the law currently allows. Brent Council either won an award or was shortlisted for one for its work in preparing its strategy. In the Commons debate pack produced by the Library, there was an article that I had not seen before, in which Brent Council's leader, who wrote to the Home Secretary

[*Shabana Mahmood*]

about the problem in 2017, called some of the shisha establishments in Brent “lawless” places that attracted drug-dealing and sex-trafficking. It is not for want of trying by different local authorities run by different political parties, where people have tried to grasp the issue and find a way to cut through and get enforcement action quickly and effectively, but no matter how much good work is done, in truth it takes a disproportionate amount of time to take action with the available powers and resources.

The time has come to enhance the legislative framework surrounding shisha premises and, I believe, institute a licensing regime specifically for shisha premises. That would allow local authorities to license shisha premises to operate in their area and make it illegal for a shisha premises to operate unless it was licensed. It is important to go after the shisha aspect of the entertainment offer of those premises, because that is the basis on which the business model operates. Those venues are not interested in being your average café or restaurant. The shisha is key. It is lucrative. It is absolutely essential to the business model. That activity, rather than anything else that might be included and covered by licensing regulations, needs to be licensed now.

The first aim of the licensing regime would be to reduce the detrimental impact on communities; that must be at the heart of any such regime’s objectives. It must ensure that premises do not cause a public nuisance, along with all the other crime and disorder issues that I have highlighted. There is also space for the raising of hygiene standards and for safeguarding policies to restrict the admission of under-18s. That is not something that I have focused on particularly in my work in Birmingham, but I often see college-age students—under-18s—going to those venues, and it is pointless to have age limits in law if they are openly flouted in that way. A licensing regime would give us the opportunity to put those policies in place.

We need to have sanctions for non-compliance that cannot be frustrated by the company changing name, which often happens. Even when we do have absolute clarity on the ownership and management of the business there are problems. For example, when the police obtained closure orders for the three venues in my constituency, it was normal, when they or council officers turned up, for people who clearly worked in those establishments to say that they did not work there and did not know who the owner was. Many of the venues do not even have a postal address because, like some other problem night-time economy venues, they evade postal contact. That sounds like a small issue, but it frustrates council officers’ or police officers’ ability to contact those responsible when trying to fulfil their legal duties, and from day one, that stops them taking effective action.

Following discussions with officers at Birmingham City Council and others, I conclude that there are three ways in which we could pursue a licensing regime for shisha premises. The best and most workable solution would be to make an amendment to the Local Government (Miscellaneous Provisions) Act 1982, which would simply state that we are going to control shisha premises. That amendment should provide for an adoptive licensing regime that gives flexibility to local authorities, so that they can set local controls to deal with the issues that they face in their areas. That is important because

problems take different forms according to the locality in which the shisha lounge is located. On Edgware Road, for example, problems in connection with shisha premises are of the same order but play out slightly differently from those in Highgate, in my constituency. An adoptive regime that gives flexibility to local authorities is the best way forward, taking a similar approach to that which has been taken on sex entertainment venues. That gives local authorities powers to set local controls and, in doing so, puts local people back in the game and gives them a say on what happens in their local area. I believe that is the change that best lends itself to a licensing regime for shisha premises.

Many of the standard terms that apply in other licensing regimes would be easily transferable to a shisha regime, which would comprise all of the standard enforcement actions that flow from licensing regimes. The key ultimate power would be the ability to revoke a business’s licence and thereby put it out of business, rather than providing an opportunity for it to come back in some other shape or form.

If we do not go down the road of an amendment to the 1982 Act, there are two other ways in which I and others consider that a change might be made. Another way of trying to control shisha premises is to strengthen the current provisions of the Health Act 2006 and the Smoke-free (Premises and Enforcement) Regulations 2006. Current regulations stipulate how enclosed a space has to be in order to comply with the legislation. Obviously, there must be proper ventilation and so on. Some premises earning good money can install a retractable roof. When somebody goes to conduct a check, the roof is off so it looks like there is adequate ventilation, as required under the regulations. The roof, of course, goes straight back on as soon as the officer has left the building, because offering shisha outdoors, in the cold weather or in the rain, will massively affect the business model. It is not tenable to assume that the 2006 regulations are being regularly complied with in some of those establishments. We could try to find a way around that but, in the end, I concluded that trying to draft something that closes all the loopholes in the legislation and covers the ways some problematic shisha premises operate would not achieve the desired effect.

I also considered whether it would be possible to reach an agreement on an interpretation of the local government declaration on tobacco, for local authorities with public health duties. An interpretation could be added that councils cannot allow any kind of licence for businesses with a model that gains money from people smoking. The public health duty is to try to reduce the risk of harm from smoking. I am not an official draftswoman, but I did not think that would work. I played around with two other possibilities before deciding that the 1982 Act is the way forward.

Following advice from Janet Bradley and the officer team at Birmingham City Council, and having consulted other local authorities that face this issue, I concluded that the cleanest and most effective way of dealing with the problem is to adopt a licensing regime under the 1982 Act. I would be delighted if the Minister stood up and said, “Yes, you’re absolutely right. We will get on this straightaway.” If that does not happen, I would like him and his officials to have an open mind about the licensing regime and at least to commit to exploring what changes under the 1982 Act might look like. There is a wealth of experience across local government and

from other parliamentarians in this House—some colleagues are waiting to speak in the Brexit debate in the main Chamber and could not be here—that the Minister could draw on, which hopefully will convince him that there is a problem that needs a solution, and that this is the best solution on offer.

Following the point made by my hon. Friend the Member for Manchester, Gorton about public health, shisha smoking is as harmful as normal tobacco smoking, if not more so. People still think that the smoke is much less harmful because it goes through the water filtration system before being inhaled. The World Health Organisation and other organisations that have researched this are clear: in one hour on a shisha pipe, a person can take in as much tobacco as if they had smoked 100 cigarettes. The health implications of large numbers of our population smoking shisha on a regular basis cannot be underestimated.

Local authorities have a public health duty. Places such as Manchester, Westminster and Birmingham are trying to do what they can to raise awareness of the public health implications of shisha, but piecemeal work by good people in good local authorities is not the way forward. The work should be led at ministerial level, at least to convene a roundtable to get the right people in the room, to think about how we might do more together through central Government and to raise awareness of the harm of shisha smoking.

We are storing up future public health problems for ourselves. I would be grateful if the Minister shared his thoughts on that. My absolute ask, as I have said throughout my speech, is for a licensing regime for shisha. The residents in my community have suffered greatly because of the gaps in the current system. It has taken us too long to get temporary action. That is not good enough. My residents deserve better. A licensing regime is the best way to deal with the problem once and for all.

3.4 pm

Alison Thewliss (Glasgow Central) (SNP): We seem to have a surfeit of time, so if you want to call other anyone else to speak, Mrs Main, that is fine.

I thank the hon. Member for Birmingham, Ladywood (Shabana Mahmood) for securing this debate on an issue of great importance to her constituents that has wider implications for us all, regardless of the part of the UK we represent. I should say that my voice is going, but not because I have been researching for this debate—it disappeared overnight but I will do my best to say what I can before it gives way.

There are a number of shisha bars in Glasgow. We counted them up in the office and think there are eight, six of which are in my constituency. We even picked up word that there is a shisha-on-wheels delivery service. I am not quite sure where that would fit in current legislation in Scotland or in the UK. It is clear that this is a grey area and that more needs to be done. Where there are smoke and mirrors, literally, there is potential for criminal enterprise and issues with building regulations, enforcement and the source of the tobacco, which may enter the country illicitly. A friend, Qasim Hanif, raised a concern that the tobacco is poor quality and does not comply with regulations, which causes health issues additional to those the hon. Member for Birmingham, Ladywood set out.

Glasgow adopted the Scottish Government's smoking ban in 2006, and it has been spectacularly well complied with ever since. More than 10 years on, it is unthinkable that people used to smoke cigarettes in bars, restaurants, buses, theatres and cinemas. We have moved on so dramatically from that. The outlier of the regulation has been shisha bars. In December 2012 a shisha bar in my constituency was the first to be prosecuted for flouting the smoking ban. Even now, I hear worrying reports of underground shisha bars without the appropriate ventilation or fire safety measures. The hon. Lady mentioned that the fire risk is quite significant.

A local councillor in my area, Stephen Dornan, recently objected to a shisha bar in Tradeston due to the antisocial behaviour associated with the premises, although the majority of those in my constituency are in industrial areas rather than residential areas. If that changed and they became more commonplace in residential areas in the city, we may well see more of the antisocial behaviour that the hon. Lady outlined. In a broadly industrial area there might not be the same number of complaints as in a community area, as she described.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for Birmingham, Ladywood (Shabana Mahmood) on securing this debate. I apologise for not being here earlier; I had a meeting with the Fisheries Minister and could not get back in time. The social issues are important, but so are the health issues that the hon. Lady referred to. Shisha is becoming increasingly popular in all sections of the community. Although I do not have a shisha lounge in my constituency, there are some indications that they are popular among young people. Smokers usually range between 18 and 55 years old, but shisha lounge users are in their 20s. Does the hon. Member for Glasgow Central (Alison Thewliss) agree that it is imperative to have a regulation in place to ensure that the younger generation, who think it is a herbal supplement and perfectly healthy, are in a safe and regulated environment?

Alison Thewliss: I agree with the hon. Gentleman. I am glad to see him here because we missed him very much in the Adjournment debate last night. I was going to send out a search party to see where he had disappeared to.

Shisha bars are gaining popularity among young people who do not drink alcohol, either by choice or because of their religion. There is clearly some demand for that type of space where no alcohol is served, because the options in many towns and cities are pretty limited. If people want to go out, they are obliged to be in a place where alcohol is being sold and drunk, but that is not necessarily appropriate for everyone. There is a balance to be struck between the social good, where people can come together in an environment where there is no alcohol, and the harm from smoking shishas that the hon. Gentleman points out.

The perception that smoking shisha is cleaner and better than smoking cigarettes is a very dangerous myth, particularly for young people. The hon. Member for Birmingham, Ladywood pointed out that one session on a shisha can be as bad for your health as smoking 100 cigarettes. That is quite stark. That information needs to be out there and well known. If the Government did more to promote the public health message, that

[*Alison Thewliss*]

might be useful for many of our communities. The tobacco is usually fruit flavoured and slightly different from cigarettes, which can offer a false sense of security that it is not as bad for you, but smoking it doubles the risk of lung cancer and respiratory illness. It also contains all the factors that we know are harmful about tobacco and it is addictive. Because of the way that shisha is consumed, people take other chemicals into their lungs from the heating and burning process. It can be more harmful than smoking.

In Scotland, business owners need to be licensed to sell tobacco, including shisha tobacco. That does not apply in the rest of the UK, so businesses selling tobacco must be on the Scottish tobacco retailers register. Those found to be flouting the rules by selling tobacco without a licence can face a £20,000 fine. Such legislation is useful. Glasgow City Council has also done some work on this issue and reported on the enforcement of smoke-free legislation and initiatives. It had a specific shisha initiative to look at the issue within the city because it appreciated that the problem was growing and had perhaps simply grown organically.

The council visited different premises and had discussions with owners and environmental health officers, who conducted some of the enforcement initiatives with Police Scotland. They visited premises where persistent non-compliance had been noted, but the premises changed hands quite quickly afterwards. Such action makes enforcement difficult. As the hon. Lady pointed out, it can also mean greater cost to the police and local authorities. Because the regime is not quite there, the costs fall to environmental health and the police to take enforcement action. As we know, local authorities face great restrictions on their ability to do additional work.

We need to look more widely. Some of the engagement did lead to some better practice and improved things. Ventilation was considered. That engagement led to better reconstruction of premises and how they facilitate premises design that does not flout the legislation and supports the smoke-free legislation in Scotland, so there has been some positive engagement with enforcement action and we should take the positives from that.

More could be done to tackle the cultural attitudes towards smoking shisha. Although cigarette packets display warnings and graphic images, no similar branding regulations apply to selling shisha products. In fact, the opposite applies. The bars are glamorous and the surroundings luxurious. They are promoted in the same way as pubs—“Come and watch the football and smoke some shisha.” We need to think about how that is becoming more glamorised and tackle it with proper enforcement action and public health information. I urge the Minister to work with the Scottish Government on this matter, because good practice could be shared in a relatively small area of policy. We should see what more we could do together to get the public health message out there and make sure that people know what they are getting into when they smoke shisha.

3.12 pm

Dr Roberta Blackman-Woods (City of Durham) (Lab): It is a pleasure to serve under your chairmanship, Mrs Main. I thank my hon. Friend the Member for

Birmingham, Ladywood (Shabana Mahmood) for securing the debate. She has done the House a real service because a lot of us, even though we know something about licensing, were unaware of the issue. I hope that when we hear from the Minister we will be able to chart a way forward. From the briefing that my hon. Friend kindly sent to us all, I was struck by how big the issue is, and is becoming more so, particularly in our urban areas. The figures she provided on the growth of shisha premises were stark: from three in Birmingham in 2007 to 28 in 2018, with more planned. The issue is obviously growing and needs to be addressed.

From listening to my hon. Friend's speech and looking at the issue, I thought there were perhaps two separate issues that we need to address. The first is the appropriateness and effectiveness of the Licensing Act 2003, and then there is getting licensing legislation that is specific to shisha lounges. I want to look at the first issue for a moment, because I managed to read the 100 pages of documentation online about the Arabian Nites shisha lounge. I saw for myself how difficult it was for authorities in Birmingham, including the police, to get it shut down, even when there were major firearms offences, and that was really worrying. Presumably the lounge had a licence to sell alcohol and for late-night music that was covered under the 2003 Act, but lots of probably criminal activities went on. We might associate some of the antisocial behaviour recorded at the club with a nightclub that had got out of control. There were fire safety concerns, smoking indoors, antisocial behaviour, noise, litter, non-payment of tobacco duty and underage sales, as well as other non-compliant activities.

Interestingly, the Minister raised a point about not putting local businesses out of business. Of course, none of us would want to do that if they are properly managed, are compliant with legislation, are not causing a public nuisance and are not a hazard to public safety. The one voice that we have not heard enough of in this debate, except for what my hon. Friend said, is the voice of the local community, who find the Licensing Act very hard to challenge. The police had to go through a difficult court case. It took days and days to gather evidence to get the premises that had breached so many laws closed down. It is not clear yet whether the premises cannot simply open again under another owner, which I know has happened in several areas. So the first issue that I wish to put on the Minister's agenda—I will come back to it in a minute or two—is the appropriateness and effectiveness of the Licensing Act.

The second issue, and the major substance of my hon. Friend's concerns, is that there is no specific licensing scheme that applies to shisha lounges, especially the ones—most of them—that do not serve alcohol. Where licensing seems to fit, as she rightly pointed out, is through what I think could be an addition to the Local Government (Miscellaneous Provisions) Act 1982 by simply adding a new schedule to the Act that would cover shisha lounges. The purpose of the Act is to enable local authorities to regulate certain types of activity in their areas. The schedules currently cover sex establishments, street traders, refreshment premises, tattoo parlours, ear piercers and so on. I had a look at Birmingham City Council's website and Durham Council's website to see exactly what the system entails. Generally speaking, it is straightforward and the website is clear about what people have to do. I looked at tattooing and Durham's website clearly states:

“Applicants will need to ensure that their procedures, equipment and facilities comply with local bylaws—are safe, hygienic, prevent the spread of disease, and comply with the duty of care required by the Health and Safety at Work etc Act 1974.”

Also, they are inspected to ensure that they are fire-safety compliant. So we have a useful piece of legislation and it would not take the Minister or his team a great deal of effort to introduce an amendment to the Act and simply add a new schedule. What is interesting and relevant about schedules is the fact that they are specific to the type of activity being regulated. I hope the Minister will think about that.

It seems to me that, specifically with regard to shisha lounges, hygiene standards could be raised and safeguarding work could be done. There are sanctions for non-compliance and there is clarity on ownership and management. That can be a real problem not only with shisha lounges, but with nightclubs and activities that fall under the 2003 Act. Clear sanctions can be highlighted for a breach of tobacco control regulations and public health legislation, and I hope that the Minister will consider that.

I have a couple of additional points to raise, in relation to the planning regime. We need to think about how planning could be used for better regulation, particularly with respect to the number of shisha establishments in an area—because they do not get planning permission as shisha establishments. Generally, they get it as a restaurant or café, and the shisha activity is an add-on. That creates an issue for the planning system, and we may need to consider a use class that will specifically address shisha lounges. There is also an issue with regard to arguing that there is a cumulative impact from establishments in an area. Usually, cumulative impact applies to premises that fall under the Licensing Act 2003 rather than those covered by the 1982 Act. Building regulations are also relevant—in particular, the enforcement of regulations on fire safety and controlling the numbers attending premises. Because of cuts, many local authorities find it difficult to employ enforcement officers.

Obviously we need to address the issues to do with shisha lounges. My hon. Friend the Member for Birmingham, Ladywood is right: an amendment to the 1982 Act would do it. However, we need an overall review of the Licensing Act 2003, to test whether it is still fit for purpose. The experience of many Members of Parliament is that residents find it too difficult under the 2003 Act to get premises closed, to stop proliferation of premises, and to stop premises’ opening times getting later—or earlier in the morning. I am not quite sure which way round to put that. There is a good opportunity for the Minister to put his stamp on some new and, hopefully, effective legislation.

3.22 pm

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Jake Berry): It is a great pleasure to serve under your chairmanship, Mrs Main. I congratulate the hon. Member for Birmingham, Ladywood (Shabana Mahmood), whose constructive approach to the debate has engaged those on both the Opposition and the Government Front Benches. Her speech showed her passion for supporting her constituents and ensured that, rather than having a political argument—the issue is probably above politics—we have engaged in a constructive discussion about what

we can and should do, and how people can work together to achieve something. I intend to follow the same constructive approach in my response to the debate.

I am a bit of a libertarian, so I am not necessarily always in favour of introducing new licences or imposing new requirements on business. The hon. Lady said that some of her constituents like going to shisha bars. Funnily enough, I was talking to a reporter on my local paper, the *Lancashire Telegraph*, which covers Blackburn—just over the border from my constituency—where there are some shisha bars. Most of them are well run and managed, and I know that the hon. Lady will confirm that in relation to her constituency. Many are smaller businesses, and often family businesses. They provide people with a living.

Today’s debate is important, because the prevalence of shisha bars is something new for Britain and our society, and my Department of course is responsible for communities. It is exciting that there are new ways for people to relax that do not necessarily involve alcohol. When such changes happen in Blackburn, Manchester, London, Birmingham and elsewhere, we must look at the law and see whether it covers the current situation. I suppose the question we should ask is: what response to a new activity would be proportionate?

The law currently governs many of the spaces in question, but I accept the hon. Lady’s point about the complexity of the law and the need for multi-agency working. Many of the relevant provisions will be in planning legislation, including on such matters as the construction of ventilation and outdoor seating areas. There is a requirement to license outdoor seating areas. Environmental health will have a role and, of course, some of the more serious crimes that the hon. Lady mentioned must be dealt with by the police. We cannot expect—I know she is not asking for this—local authorities to control the most serious associated gun and gang violence through licensing law. Whatever we do—even if we bring forward a new licensing regime—we must not lose multi-agency working.

There are, of course, already severe sanctions for breaching the existing regulations and laws, including one of up to £2,500 for breaching the smoking ban, as has been mentioned. Antisocial behaviour closure notices provide the opportunity to close businesses, as we heard with respect to Arabian Nites—although the process the hon. Lady described was quite difficult. On that specific case, it is worth noting that obviously a licensing regime will not be a silver bullet. The venue was licensed and therefore was subject to existing licensing laws—particularly for alcohol. The hon. Member for City of Durham (Dr Blackman-Woods), speaking for the Opposition, said that it would require days of work by enforcement bodies, including the police, to reach the point where the licence would be removed. I suggest that under a new licensing regime where places were licensed for shisha rather than alcohol—or where there was joint licensing—it would still require days of work to prove that licences had been breached. Often the people running the businesses, as the hon. Member for Birmingham, Ladywood pointed out, rely on them for their living.

Jim Shannon: Would it be possible to regulate the businesses under council entertainment licences? Residents living close by who had concerns about antisocial behaviour

[*Jim Shannon*]

or anything else could, through the application process, have input into whether a licence was granted. That would perhaps give control to the community.

Jake Berry: I am extremely grateful for that intervention, which draws me on to my next point. When we acknowledge that something new may have problems attached to it, we should next ask ourselves whether a national or local response would be better. I want to consider what can be done through existing local authority powers, whether through entertainment licences or by engaging in collaborative working. As has been identified, at the moment shisha bars tend to be in concentrated areas across England, but perhaps a national response is not the best one. I shall certainly ask my officials to look at the best practice that has been adopted in Manchester and Westminster. Whatever the outcome of the debate, we can probably all learn from that. Where local authorities have identified shisha bars as an issue for their area, or even a benefit, it would be worth their talking to each other and working together. I am sure there is best practice to be shared.

Shabana Mahmood: From the work that I have done, and from engaging with Birmingham City Council, I know that council officers who deal with shisha issues in local authorities where it is a problem are already in contact with one another. They know each other well and get together regularly to share best practice, so it happens already. I appreciate what the Minister has said so far. I guess what I was explaining from my experience, which I hope has been noted a bit more than the Minister's speech has signalled, is that the current rules have too many gaps. Unless there is alcohol, nothing can be done. It is too difficult to get action where there is a licence for alcohol, but if there is no alcohol licence it still takes too long. Of the three shisha bars in my constituency that were closed, two did not have licences for alcohol. I hope that he will reflect on that.

Jake Berry: I am not sure I accept that if a premises does not sell alcohol nothing can be done, and I referred earlier to a plethora of powers that are available to the multi-agencies, particularly local authorities. I accept that this is a new issue, and I applaud the collaborative work being undertaken by local authorities, because it is worth them exploring what they can do. The real challenge, however, is enforcement. The hon. Member for City of Durham mentioned the inability of council officers to go around with clipboards enforcing the rules, and the hon. Member for Birmingham, Ladywood identified the issue of protractible roofs, which are rolled open in mid-summer when environmental health officers visit, but closed as soon as they have left. There are certainly challenges regarding the enforcement of existing powers, which is something we should address.

Dr Blackman-Woods: I mentioned the need for enforcement after breaches of the Licensing Act 2003 and the 1982 Act, but no one should think that I believe enforcement to be the answer—I do not. I think that there is a gap in the legislation, and Opposition Members understand clearly how to address it.

Jake Berry: Again—hon. Members are being helpful to me today—that brings me to my next point. We have been considering whether a local or national response is

best, and if at the end of that evidence trail a national response is appropriate, my mind is not closed to that. As I said, however, there is no silver bullet, and some issues that have arisen are serious criminal offences that would not be covered by any licence—illegally held firearms are not subject to a licensing regime, so we must be careful to have a good look at that issue.

That brings me to my offer to the hon. Member for Birmingham, Ladywood, because her idea about a roundtable is extremely good. I happily invite her to come and meet me and officials, together with council officers who have real expertise in this area, and we as a Department should start that dialogue about how we can help and what would be an appropriate national response, if indeed one is required. The bar for closing someone's business should be quite high, as should the bar for a national response when many powers already rest with local authorities. I have not closed my mind to the fact that there should perhaps be a national response, but a lot of work must take place before we get there. I hope that is helpful.

The hon. Lady spoke about shisha bars being an add-on to many cafés and restaurants, and that is something we have identified. In my high street, the local coffee shop is also a bookshop—I am rather keen on books, so I go there quite a lot. In the evening it is also a yoga studio, but I am not quite as keen on yoga and cannot admit to having done it. The multi-use of retail premises was one thing identified by our future high street forum, and particularly the work of Sir John Timpson, who advises the Government on future high street policy. We are lucky that he is doing that as he is one of Britain's most experienced and longest serving retailers.

As an acknowledgment of the challenges posed by a relatively static use class order system that dates from the 1980s, on the same day as the most recent Budget we launched a consultation on the future of that system on the high street, although not more widely for industrial units. That consultation remains open, and I recommend that the hon. Lady, her council and the hon. Member for City of Durham take part. Again, we have approached this in a very open way, and in the first potential major refresh of use class orders since the mid-1980s, it is important to ensure that the static system becomes more mobile and reflects changes such as the arrival of shisha bars on our high street.

Finally, the prevalence and growth of shisha bars is the sort of thing we try to encourage for our future high street forum, as long as they are legal, well run and do not impede unnecessarily on local residents. The future of the high street must be about a mix of leisure and retail, and all recent reports—including by Sir John Timpson on the Government's future high street forum, and the Grimsey review—identify that if high streets are not just to survive but to thrive, they must incorporate the night-time economy.

We must get the regulation right and be satisfied that existing laws are enforced well, and if we decide that new regulation is required, we should consider that. A thriving night-time economy is key to the future of our high streets. Indeed, that point is not just for today, because in the most recent Budget my right hon. Friend the Chancellor identified a £600 million-plus fund for the future high street. We have the future high street forum,

and I will conclude my remarks by again thanking Sir John Timpson for his extraordinary work on high streets, which will benefit the entire United Kingdom.

3.35 pm

Shabana Mahmood: I thank all hon. Members who have contributed to the debate, as well as the Minister for not closing his mind to the idea of a national-level response and a new licensing regime for shisha bars. I take on board what he says about requiring a high threshold to be passed before somebody's business can be closed. Members of my family, and my friends and constituents who go to well-run shisha places and have a nice time out, will not thank me for getting their lovely venue, which they enjoy, shut down. I am not a killjoy and I am not trying to get rid of good businesses and establishments; my concern is focused on where things go wrong, and at the moment I cannot accept that we have what is needed to head off such problems before they start affecting residents in the way that many in my community have been affected. I take on board what the Minister said about thresholds that must be crossed, and we must ensure that we have fully considered all the measures currently available. I hope that on further reflection, and given that he does not have a closed mind on the matter, I will be able to persuade him and his colleagues that a licensing regime is necessary.

Normal nightclubs can become troubled premises because they attract the attention of gangs or protection rackets—we know those things happen. I take on board the Minister's point that there is no silver bullet, but there is a whole world of activity before we get to the serious end of the spectrum that a licensing regime could take into account. I will certainly take up the Minister's offer of a roundtable, particularly by engaging with council officials from across the country who have a wealth of knowledge on these matters.

Jake Berry: I am sorry to intervene on the hon. Lady, but it is important that that roundtable includes representatives from the Scottish Government, because they need a separate legislative response for the solutions suggested.

Mrs Anne Main (in the Chair): I thank the Minister for that clarity and hope that the hon. Lady is concluding her remarks.

Shabana Mahmood: I am, Mrs Main. I am not an expert on how these matters play out in devolved Administrations, but they obviously need a voice because they face different regimes. I will take up the Minister's offer, and I hope we will get to have greater knowledge about shisha establishments, the impact they can have and how best they can be regulated.

Question put and agreed to.

Resolved,

That this House has considered reforming the regulation of shisha lounges.

3.38 pm

Sitting suspended.

Affordable Credit for People on Low Incomes

[SIR DAVID CRAUSBY *in the Chair*]

4 pm

Frank Field (Birkenhead) (Ind): I beg to move,

That this House has considered the provision of affordable credit for people on low incomes.

It is a pleasure to serve under your chairmanship, Sir David, although I hope it will be not just a pleasant time, but a very productive one. We are anxious to leave plenty of time for the Minister to reply because we want, and hope, to make progress with the debate. I address him as an hon. Friend, because in this debate I am drawing information from Feeding Britain, a charity that he, I and other MPs from different parties set up. This debate on the provision of affordable credit for people on low incomes draws on the experiences of groups around the country that are part of the Feeding Britain network. I thank those involved in the network, whose information I draw upon, but particularly the parents and grandparents who have provided information for this debate.

As I gave him much of the information beforehand, the Minister knows that there is far too much to cite in this debate from people in the Feeding Britain network who want to have their say. I will instead focus on an everyday story of Provident. I do not know whether it worries about Salisbury, but Provident is putting out these leaflets in the Wirral, personally addressed, and on the front are pictures of a little girl and the words, "The look on her face", "Decorating grandad" and "Visiting loved ones", all playing on the feeling of exclusion that many poor people feel all the time, but especially at Christmas.

Behind those leaflets there is a carefully targeted business plan, because certainly Provident stepped up its activities with the beginnings of the roll-out of universal credit. Officers of Provident were knocking on doors with application forms in one hand and fistfuls of money in the other, asking whether people wanted to sign up or needed a loan, knowing that while we still have difficulties with universal credit today, we certainly had mega-difficulties when it was first rolled out in Birkenhead.

Stephanie Peacock (Barnsley East) (Lab): I congratulate the right hon. Gentleman on securing this important debate. Particularly with people facing problems such as universal credit, does he share my concern that a growing number of people—I think it has gone up by 300,000 in the last year—rely on credit to pay for everyday essentials? That is hugely unsustainable, and we need to look at mixed alternatives.

Frank Field: Indeed; we will try to draw the Minister on that. Part of the leaflet concerns short-term loans, saying that the APR is 535.3%; I hope Members of Parliament know what APR—annual percentage rate—is. I will not press the question, but the Minister has one degree from Oxford and one from Cambridge, so I wonder, if we were looking at a £300 loan and had to pay it back within three months, what the loan would cost and what the rate of interest would be. I am not going to pause; I will give the answers. It is one of those very easy quiz games, but a horror quiz game, because if

[Frank Field]

the repayment is over three months, Provident wants £429 back at an annual interest rate equivalent to 1,557.7%. That is just one example. Constituents borrowing £350 and paying it back over 12 months have to pay back £655.20.

Jim Shannon (Strangford) (DUP): I commend the right hon. Gentleman for all the hard work he does and the high regard in which he is held in this House when it comes to poverty issues for people across the whole of the United Kingdom of Great Britain and Northern Ireland, not just in Birkenhead. I thank him for that. Does he agree that there must be a viable alternative to the payday loans he is referring to? Could the credit union, which is growing in my constituency and has been extremely helpful to people on low incomes, be the safe and regulated alternative, bearing in mind that it encourages responsible lending and responsible saving hand in hand?

Frank Field: I totally agree with that. I suggest that there is no silver bullet. Clearly, credit unions have a part to play, but they are not as thriving in Birkenhead as they are in others parts of the country. Therefore, we need a whole strategy of policies, so that the geographical chance of life neither protects people nor leaves them vulnerable and unprotected. If someone has a really good, strong credit union and they are a member of it, that is good news, but if there is no credit union, or if their pattern of behaviour does not easily fit into what the credit union requires, it is difficult for them. I want to draw the Minister on that later in the debate.

The leaflets that are now going out in our constituencies claim that there are no late payment fees. I am pleased to be able to say that, unlike other companies that lend people money when they are extremely vulnerable, there is no evidence at all that the people coming for repayment come with baseball bats to enforce that repayment. But of course, Provident has another strategy, so it does not have to do that. To use another example, one of the volunteers in the Feeding Britain network tells us that one of her friends who got close to paying off her debt with Provident was immediately offered another loan. If someone has problems repaying, they are offered other loans, so the loans mount up and become very substantial, and if they are towards the end, Provident tries to make it part of their working-class economy that they should have loans, by suggesting that they should take another loan.

I thought that, before I come to what I would like to see as part of the Government's strategy, I would talk about the hard sell. One mother went on to the website to see what the loans prospects were. Having merely gone on to the website, she said that she was being called up eight times a day until she took out a loan. There is quite a hard sell here. As well as picking on areas that are vulnerable because universal credit is being rolled out and picking on the vulnerable areas across the country in periods such as Christmas and the summer holidays, there is a real danger that merely inquiring about a loan means that people then get the hard sell.

What about the strivers? For example, we had two people in work and two children who borrowed £100 from Birkenhead, and they were anxious about paying bills

and feeding those children. They ended up having to pay back a few pennies less than £500. We have also seen the Scarlet Pimpernel effect in Birkenhead. If someone googles loans, Google throws up, in the first instance, those loan companies that are likely to cost them the most to borrow from. Will the Minister look at whether there is a case for saying that Google should display what we could all agree are the best companies to deal with, not those with the highest charges?

James Cartlidge (South Suffolk) (Con): Will the right hon. Gentleman give way?

Frank Field: I will happily give way to an ex-member of the Select Committee on Work and Pensions.

James Cartlidge: I very much enjoyed serving, up to the time of the general election, on the Select Committee chaired by the right hon. Gentleman. He has great passion in this area and has just made a really interesting point. What would concern me about online advertising is this. Probably these companies are simply purchasing through the Google Ads algorithm; I imagine that there is very little way for them to have the sort of control described, but it is an extremely good point that the companies charging the most interest will have the biggest budgets to pay for Google ads and so on, which almost inevitably means that they will come near the top. We should look at that; it is a very good point.

Frank Field: That is a really good point, and the Minister is nodding, so I know that we are going to get action on it. I am immensely grateful for that intervention.

Let me take another website—Doorstep Loans in Birkenhead. It aims specifically at single parents. It says, "We understand your position. We can help you through a loan." It says to those who are unemployed, "We understand your position and the particular problems you have. What about a loan from us to help there?" It says to those with a bad credit score, "What about a loan to you?", knowing that they cannot get one from elsewhere. Those with disabilities are also lined up for special treatment.

Let me switch to Leicester, which has also given us some information. One pensioner took out a loan to help to buy Christmas presents. She is now repaying £100 a month for that loan. That is hardly a good prospect for her—it is a very large part of her pension. Derbyshire, too, shows a really worrying trend. Provident went to one of those houses that are known to have young people in supported accommodation, who are very vulnerable, and managed to sign up every person in the house for a minimum of a £100 loan.

Putting fires out is part of the Minister's job, but so is thinking creatively about the future, as he has always done on Feeding Birkenhead, so may I put before him the idea of a citizens' bank? It would not be a silver bullet; it would be part of many other things. If we had asked poor people to help to design universal credit, none of them would have said, "I work to a five-week month or a four-week month for payments." They would have said, "This benefit needs to be designed for me, which means daily payment or weekly payment." I very much hope that we could take things a stage further and include poor people in designing the bank, so that it would be a bank that they wanted. I hope that we can pick up the hon. Gentleman's idea, which was in

the Budget, about interest-free loans. I hope that we could sign up the Department for Work and Pensions so that users of the bank would make agreements for loans that they paid back in a manageable way—paid back, with their agreement, from benefit—so that there would be a minimum element of bad debt.

As we all know, Wonga said that it had to charge 5,000% because of the bad loans that it had. It had many bad loans precisely because it was charging 5,000%. I think that if we could eliminate from the system people who cannot pay and the few who will not pay, we would have a very different, and viable, model. My plea to the Minister today is this. Might people who are interested be able to come and talk to him further on the idea that I have described? Might we also not exempt the banks from their responsibilities? Many of my constituents have problems because of the way that the banks behave. The situation is pretty bad: the banks give large sums of money—thank God—to their foundations, and those foundations give out money to projects to undo some of the damage that the banks themselves cause. I therefore hope that this is the opening of another chapter on how we get decent banking systems that fit the moral economy of life for working-class people, rather than roughing them up.

Several hon. Members *rose*—

Sir David Crausby (in the Chair): Order. It is not normal, in a half-hour debate, for hon. Members to speak unless they have sought the permission of the mover of the motion and the Minister. Is the Minister happy for other Members to speak at this point?

The Economic Secretary to the Treasury (John Glen): Yes, as long as I have a bit of time.

Sir David Crausby (in the Chair): In that case, I call Faisal Rashid.

4.14 pm

Faisal Rashid (Warrington South) (Lab): Thank you, Sir David. I also thank my right hon. Friend the Member for Birkenhead (Frank Field) for securing this debate to highlight some of the appalling and exploitative lending practices that target many of the most vulnerable people in our society.

Despite the welcome demise of big payday lenders such as Wonga, people without enough to get by remain over-exposed to manipulative lending practices. A leading debt charity found that an estimated 1.4 million people used high-cost credit for everyday household costs in 2017; the figure was up from 1.1 million in 2016. High-cost credit keeps many trapped in a vicious cycle of indebtedness just to make ends meet. It is a scandal that those who are least able to afford it are left with no choice other than to accept the highest lending rates.

With in-work poverty on the rise, the Government must do more to reform the broken credit model and tackle the persistent debt spiral into which many working families have fallen. As I have witnessed in my constituency of Warrington South, credit unions constitute a commendable community initiative that seeks to prevent other people from falling into the trap of high-cost borrowing; but without substantial Government support, such alternatives struggle to address the problem fully.

Often, low-income households are unaware of or unable to access affordable credit provision in their local area or nationally.

The Government must commit to a comprehensive long-term programme to expand the provision of community lending to ensure that those struggling to make ends meet can access alternatives to high-cost credit. At present, the Government appear simply to be making matters worse. I have been contacted by several constituents who have had to take out loans as a consequence of the Government's disastrous implementation of universal credit—a flagship Government social security policy. Provision of access to affordable credit is a potential lifeline to many.

I hope that the Government will begin to take a proactive approach to solving this critical issue. It involves not just payday lenders like Wonga, but banks and building societies. There is a huge difference between interest rates for someone borrowing £1,000 and someone borrowing £20,000. The interest rates are so different: they range from 20% to 6%. We need to do something about that and ensure that provision is appropriate and affordable for people in need.

Sir David Crausby (in the Chair): I think that the Minister wants about 10 minutes to respond to the debate. Is that right?

John Glen *indicated assent*.

Sir David Crausby (in the Chair): I call Stella Creasy.

4.17 pm

Stella Creasy (Walthamstow) (Lab/Co-op): Thank you for letting me speak, Sir David. Do not worry: I promise I will be quick. I rise simply, and possibly at my own risk, to disagree with my right hon. Friend the Member for Birkenhead (Frank Field)—I admire him immensely for his work on poverty and perhaps, given the time of year, he can be the ghost of Christmas yet to come for the Minister—because there is a silver bullet in this circumstance. All of us deal with people in our communities who are struggling because there is too much month at the end of the money and are borrowing to put food on the table, to keep a roof over their head and to put petrol in their car to get to work. They need us to recognise the lessons of payday lending—the lessons of those interest rates. It is not about the decimal point; it is about hooking people into debt.

I know the Minister knows this in his heart. I know he recognises that payday lending is not the only spectre hanging over Christmas for people this year. Indeed, in our country now, people are better protected when taking out a payday loan than when they are using many of the other forms of credit. My right hon. Friend talked about Provident. Provident takes many incarnations in this country. Vanquis credit cards are pushed in my local community; Vanquis is also owned by Provident. Credit cards in this country are the new form of unaffordable debt for so many. The rates of interest, especially on the credit cards targeting people on a low income or with a bad credit history, lead them into higher levels of debt than they would get into with a payday loan. Guarantor loans rip apart communities and families as people get into debt and then have to tell someone else, who has guaranteed the loan, that they have got into debt. The companies are chasing two people at the same time for the same loan.

[Stella Creasy]

All those examples, all those scenarios, are things that we could stop if we learned the lessons of payday lending. Wonga may not exist now, but the industry carries on in this country. It has gone from 400 to 150 companies, but the point is that it is not pushing people into debt in the way that it was two or three years ago—when it caused the concern that my right hon. Friend and my hon. Friend the Member for Warrington South (Faisal Rashid) now express for other forms of credit in this country.

I know that the Financial Conduct Authority has ruled out bringing in a cap for all forms of credit, but I again ask the Minister: how much more evidence do we need about these companies and the way they are evolving before we learn the lessons of payday lending?

In the *Financial Times* this week, the owners of Amigo Loans boasted about how the lack of regulation and the changes in regulation have benefited their industry. By not capping all forms of credit, in essence, we are pushing people into other forms of high-cost credit and towards other legal loan sharks. How much longer do our communities have to suffer? The truth is that they are suffering. I am a Labour and Co-op MP, so I would love to see more credit unions, but they cannot compete with such companies and their rapacious behaviour, or with the way they have evolved to evade legislation.

We need comprehensive legislation. Please, let us not have another year of the Minister and me arguing, yet again, about the benefits of that silver bullet. There is no single better thing that we could do than cap the cost of all forms of credit in this country to give an even playing field, to make sure that the banks treat people fairly, to make sure that all forms of new credit treat people fairly, and to give our communities hope for 2019 when their wages do not match up.

4.20 pm

The Economic Secretary to the Treasury (John Glen):

It is a pleasure to serve under your chairmanship, Sir David. I thank the right hon. Member for Birkenhead (Frank Field) for raising this important issue, which, as he knows, I have been passionate about since our days of setting up Feeding Britain. We went to South Shields and Salisbury to look at the experience of people using food banks. We even travelled to Paris together to try to get some inspiration for how to get the right model—

Frank Field: Before the riots.

John Glen: Absolutely. I really want to make progress on the issue during my time as Economic Secretary, and in my response I will draw attention to some of the measures that have been taken.

I also had the pleasure of working with the right hon. Gentleman on the Select Committee. The assiduous way that he has pursued the challenges that people on low incomes face is legendary across the House. The whole House admires his efforts.

I want to get to the heart of the matter. The right hon. Gentleman has raised a number of issues about the conduct of Provident, as have five other hon. Members. We also had a conversation earlier this week. I recognise that he sees a citizens bank as playing two roles—first, ensuring that the poorest members of

society can access core banking services, and secondly, providing credit to those people to help them to smooth their income, spread costs over time and cope with unexpected financial shocks. I will address each of those in turn.

I will set out how the progress that the Government have made on ensuring access to core financial services such as bank accounts has been achieved. The nine largest personal current account providers in the UK are legally required to offer a basic bank account to customers who are unbanked. Those accounts must be fee-free and must not have an overdraft facility.

The right hon. Gentleman drew attention to the key issue of the need to access affordable credit. The Government's vision is for a well-functioning and sustainable consumer credit market that can responsibly meet the needs of all consumers. I think there is some agreement on that vision on both sides of the House.

I recognise that we face a playing field that is not level. My hon. Friend the Member for South Suffolk (James Cartlidge) and other hon. Members raised the point about advertising budgets, which is why one of the Budget announcements seeks to tackle the barriers faced by key partners such as housing associations to referring people to sources of affordable credit. The default setting is to find a better option than some of those that can be found on Google.

James Cartlidge: Has the Minister considered speaking to Google and other companies about that? It is a good point that it is very difficult to police the robot algorithm that sets up their adverts. I do not see how he can do that unless he speaks to the companies themselves.

John Glen: I am happy to take on that suggestion. I will look into what we can do as part of the challenge we also set in the Budget to introduce technical solutions to try to level that playing field and to make community development financial institutions such as Scotcash, which I visited in Glasgow in September, more accessible earlier in that process.

On Financial Conduct Authority regulation, I will try to address the points raised by the hon. Member for Walthamstow (Stella Creasy), who has raised the matter in the House previously. There was a review in May, although she does not agree with all its conclusions. Since the review, I have had more conversations about Amigo Loans and other issues, such as what can be done to monitor and to provide the evidence. In the interests of responding to the right hon. Member for Birkenhead, I will not carry on, but I do not want to be flippant about the serious concerns of the hon. Member for Walthamstow.

The FCA governs the rules about the provision of credit and is responsible for the regulation of consumer credit. It is a robust regulator, which I always encourage to be even more robust. It has the tools to take swift, effective action against improper practices. My regular dialogue with the chief executive, Andrew Bailey, and the director of strategy and competition, Christopher Woolard, covers that topic, and I know that high-cost credit is a priority for them.

The right hon. Gentleman specifically highlighted a number of worrying examples of high-cost credit lenders in Birkenhead. I listened with concern and serious dismay to the impact of those practices on vulnerable

consumers. I hope the action that the FCA is undertaking in relation to lenders, as part of its broader review of the high-cost credit market, will have some impact.

The right hon. Gentleman mentioned Provident. The FCA is consulting on new rules and guidance specifically for home-collected credit firms. I will draw its chief executive's attention to this debate. The rules will include requirements for firms to clearly explain the costs of a new loan compared with the cost of refinancing an existing one, and guidance stating that firms cannot visit customers to offer new loans without an explicit request from the customer.

The provision of affordable credit is a multifaceted problem and there is no single solution to overcome it. It is not sufficient to simply tighten regulation for high-cost lenders. Therefore the Government are desperately keen, and have taken steps, to ensure that low-income consumers can access safe, affordable and sustainable credit. In our civil society strategy, we announced that £55 million of funding from dormant assets would be directed towards addressing the problem of access to affordable credit and alternatives.

In the autumn Budget at the end of October, the Chancellor announced a package of measures to support affordable lending, including a prize-linked savings scheme to encourage the growth of the credit union sector. Although the sector is variable in quality, as has been discussed, there are opportunities to expand it. Another measure is an affordable credit challenge fund to encourage the UK's vibrant FinTech sector to solve the challenges that I just discussed with my hon. Friend the Member for South Suffolk. A further measure is a change in the regulatory boundary to allow registered social landlords to offer their tenants better community lenders. A final measure is a feasibility study into a no-interest loan scheme, and a pilot of that scheme.

The right hon. Member for Birkenhead is absolutely right that banks have a responsibility to assist and facilitate better solutions in this area. Earlier this year, we took through the House the single financial guidance body, which will be a huge partner in working—I hope—with the banks, which often have worthwhile initiatives that are piecemeal and not joined-up. My vision, which is very similar to his, is of the banks coming together to recognise that, across the country, there are pockets of poverty and deprivation that need a new solution, which involves pooling their expertise and endeavour and working closely with the single financial guidance body to deliver a better set of options and outcomes for the constituents for whom he has been fighting so earnestly for 40 years.

I thank the right hon. Gentleman for securing the debate. He and other hon. Members have raised some significant issues that I take to my heart and back to my office. I hope I have offered him some reassurance by setting out the comprehensive and concerted actions that the Government have taken with the FCA to address the challenges in this area. I am clear that the Government are on a journey to actively and comprehensively support vulnerable borrowers. I want to continue to work with him, and other hon. Members from both sides of the House, using the knowledge and expertise that exists, to come up with even better solutions to deal with a real problem in some communities in this country.

Question put and agreed to.

Gender Pay Gap

4.30 pm

Stella Creasy (Walthamstow) (Lab/Co-op): I beg to move,

That this House has considered the gender pay gap.

It is a pleasure to serve under your chairmanship, Sir David. I feel very greedy for having just intervened in the last debate and now having my own debate, but both debates are on matters that are close to my heart, because both make a big difference to our local communities.

I mean no disrespect to the Minister present—the Minister for Women—but I see this subject as a matter for the Treasury first and foremost, because I think that closing the gender pay gap is one of the most positive economic policies that we could have in this country, given the benefits that it would bring to our country as a whole. We have spent the past eight years, since I was first elected to this House, arguing about austerity—I know that there are different views on it, but Labour Members are pretty clear that it has not been a good economic policy. There are probably different views across this Chamber as to whether Brexit is a good economic policy—many of us are certainly concerned about the impact on our economy—but I hope there is agreement across the House that closing the gender pay gap would have a positive impact on our economy.

For me, it is interesting and telling that we do not see this matter first and foremost as one of economics. That is one of the challenges we have to address, because we know that closing the UK's gender pay gap would add £150 billion to our GDP in the next couple of years and that an extra 840,000 women would be added to the UK workforce. Those figures reflect what the gender pay gap really is: untapped talent in our society. Given that we have gone through the horrors of austerity and we appear to be going through the horrors of Brexit, never more have we needed positive economic policies that tap into that talent, to help us try to redress the balance. To the person who tweeted me earlier this afternoon, saying that in debating the gender pay gap I may as well be debating “unicorns”, I say that today the “unicorns” are in the main Chamber, in relation to Brexit. This debate is very much a reality.

The gender pay gap is a reality that we have always known existed; we have always had data to show a general gender pay gap in this country. We know from the annual survey by the Office for National Statistics that the average gap is about 13%. However, what has changed in this debate in the last year has been the data about particular companies, busting open the argument in people's workplaces and revealing to them the variations between different sectors. It has shown that 78% of companies in this country that have more than 250 employees are paying the men they employ more than the women—that is on average, so it is not just about individual men and women. That is a systematic undervaluing by those companies and organisations of the women who work for them, and of the possibilities that they could bring to their company or organisation.

Hannah Bardell (Livingston) (SNP): I am delighted that the hon. Lady has secured this debate and it is a pleasure to join her in it. I was on the Delegated Legislation Committee that considered the Equality

[Hannah Bardell]

Act 2010 (Gender Pay Gap Information) Regulations 2017 and put them through. I was surprised, as I am sure she was, that the bar was set at 250 employees. I know that is a good start, but does she agree that some of the biggest challenges are in the small and medium-sized companies that have fewer than 250 staff, and that it would be fantastic to hear at least an expression of willingness from the Government Benches to extend that legislation as soon as possible?

Stella Creasy: I completely agree with the hon. Lady. At the moment, only about 60% of the British workforce are covered by that legislation, so when we talk about understanding the gender pay gap in this country, we still have 40% of the gap to understand. I will come on to that issue later because, like her, I am impatient and, also like her, I have a passion for that piece of legislation.

We should honour all of the parliamentarians involved in this, including my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman), whose determination to get the Equality Act 2010 through set us on course to where we are today. Sometimes her contribution to this process is forgotten, perhaps by Members who are new to the House. Anyone who has ever dealt with her on these issues knows full well how passionate she is about them and everyone should recognise that.

The variation within sectors is also pretty telling for us, in terms of the kinds of experiences that women in our country—our constituents—might face.

Danielle Rowley (Midlothian) (Lab): On that point about looking at different sectors, I used to work in the third sector—the charity sector—which people often refer to as “the women’s sector.” However, when we look at the top and at the management, we see that it is not reflective of the sector at all. Does my hon. Friend agree that that is a big issue?

Stella Creasy: Completely. One of the things that is so powerful about this data is that no sector—public, private or third—is immune from critique, because frankly none of them is valuing women in the way they could. That is reflected in how they pay them, how they promote them and how they work with them.

I am very struck by some of the brands that make a point of selling to women. After all, the one place where women have the majority of power in our society is in their purchasing power, as we account for 70% of purchases in this country. Yet those brands that make a virtue about selling to women are often the ones that, when we look at their pay gap, are some of the worst in this regard. I would not necessarily have put Sports Direct up there as champions of feminism, but its gap is 6%. Contrast that with Sweaty Betty, which has a 62% variation; with Monsoon, which has a 36% variation; or with Boux Avenue, which sells lingerie and has a 75% variation. Even when we are buying those companies’ products, they are not necessarily using the money to pay their women employees equally.

Many people have rightly challenged the data about the gender pay gap. After all, there were only four measures, so I agree that the data is a blunt tool. There are certainly things about the data that I would like to know more about. However, my argument today is that

just because the data is not perfect does not mean it is not powerful. I absolutely agree that we need to understand much more than just gender when it comes to inequality in the workplace, the undervaluing of talent and what that means for our economy. It certainly means that we need to understand whether we can get better data on how black and ethnic minority employees are treated in the workplace. We know that the full-time pay gap for black African women is 19%, and that for Pakistani and Bangladeshi women it is 26%. That is in contrast to the general gender pay gap of 18%. Black male graduates earned a whopping £7,000 less per year than their white counterparts in the past 10 years. One of the things we know is that although black men have been more likely to invest in higher education than their white counterparts, they are less likely to have benefited from it in their pay packets. That is an interesting challenge for us.

This data also does not tell us about part-time work, which is absolutely crucial for women because, at 73%, the majority of part-time workers in our country are women. We know that there is a gender pay gap within the data for part-time work, but it is not as clearcut as the one within the data for full-time work, which is the data that we have for these individual companies. The data also does not tell us about age. For many people, understanding the difference of the gender pay gap, and therefore understanding what is driving it, is crucial when it comes to age. People presume that the gender pay gap is something that happens later in life. Actually, we are already seeing a gender pay gap building up with graduates, within 18 months of them entering the workforce. Again, that tells us that the gender pay gap is not necessarily what people think it is.

Also, in relation to the point made by my hon. Friend the Member for Midlothian (Danielle Rowley), the public sector cannot lecture the private sector in this regard. When we look at the NHS, we see that 77% of its employees are women but it still has a substantial gender pay gap. That should tell us—as the people in charge of public services—something about our ability to value women and their worth in the workplace. Indeed, the private sector pay gap has decreased, from 20% to 16%, while the public sector pay gap has widened to 13.9% in the past five years.

The data also does not tell us what difference getting qualifications makes. Again, when we go on to consider what might be causing the gender pay gap, people make presumptions about the impact of training and qualifications. Actually, when we look at the data, we see that it is not necessarily the case that women who have been educated to a higher level, such as degree level, are being paid more. Indeed, despite more women being educated to a higher level, there has been little or no change in the gender pay gap between groups of workers qualified to a degree level since the early 1990s. We also see a gender pay gap when it comes to apprenticeships. For level 2 and level 3 apprenticeships, women earned an average of £6.85 an hour, compared with the average for men, which was £7.10 an hour.

One of the things that is so powerful about this data is that, because it is so localised to particular companies, it helps people understand what is happening directly to them in a way that a general statistic does not. I have met the Minister to talk about one of the challenges in this regard: when the data was published in April this year, what impact did it actually have on the ground? I

ask that because it is one thing for us here in this House to analyse the data and maybe call to account those firms that sell to women without paying women properly, but it is another thing to talk to our constituents about their experiences of what the data shows about their workplace.

Therefore, when the data was published, a cross-party group of MPs put together an anonymous survey called #PayMeToo to try to understand the experiences of women at the coalface. As the Minister knows, the responses were pretty shocking. People often say, "Data is a great disinfectant. Publish the numbers and that will drive change." The data from the #PayMeToo survey shows that we might be publishing the data, but we are certainly not telling women to talk about it, and those women trying to talk about it in their workplaces face a hostile environment—I hesitate to use that phrase, but it is very clear from the responses we got.

Women were being told that that was just the way it is; that they work in sectors where there are not any women, so why would they expect women to be paid the same as men? They were being told by HR departments that they should bury the data; that they should not be difficult; that they needed to raise a grievance if they wanted to talk about those issues. They were being told that they could get a pay rise, but it would not be equal to that of their male colleagues, because it was about trying to manage the impact of the fuss that was being created. They were recognising that their companies were using what they called "very creative reporting" to try to minimise the gender pay gap, and so pretend that the issue was not happening. They were being told, "Don't worry. Next year we will employ some more lower-paid men, and that will sort the problem."

One of the things that I hope the Minister will commit to is following up that data and gathering it herself next year, when the second lot of data comes out. It should not be up to MPs to try to grab these qualitative pieces of research, when what consistently comes back to us speaks of the hostility that women face regarding the impact of this data; of just how sensitive it is for people to talk about what they earn in this country; and of the presumptions and cultures behind the gender pay gap, which we have to deal with.

Let us try to deal with some of those presumptions. At the moment, it is true that we have only half the story with the data, and many commentators both online and offline, including in *The Spectator*—I am sure Toby Young is watching—will try to fill in the rest of the blanks for us. They tell us that it is about women and their lifestyle choices—bluntly, that women have kids, therefore they want to work flexibly and to take time out, so of course they are going to be paid less.

Jess Phillips (Birmingham, Yardley) (Lab): My husband has kids.

Stella Creasy: As my hon. Friend says, her husband has kids. She pre-empted what I am going to say: this is not about women, but about parenting. One of the challenges for us is to support both parents to be equally culpable for the child that they have created, including looking after that child, because that is one of the things that would help women in the workplace. There is an impact on women's earnings when they become parents, but there is not as much of a gap for fathers. For mothers the pay gap is 30%; for fathers it is

around 10%. We also recognise from figures provided by the Office for National Statistics that having children can only account for a third of the variation in gender pay. One of the things we have to nail in this debate, if we are to close the gender pay gap and get that economic benefit, is the idea that this is all about having kids. A big chunk of the variation cannot be explained by childcare or caring commitments.

The second thing people say is, "This is about women putting themselves forward. Women do not ask for pay rises; women do not seek promotion; women do not want to be in charge." Thankfully, we also have research showing that is simply not the case—that, as much as we might admire her in many other ways, Sheryl Sandberg is wrong. This is not about leaning in; this is about systematic discrimination against women in the workplace. An Australian study. Clearly shows that men and women ask for pay rises, just as much as each other, but that men are four times more likely to get one. That is the same for men and women of similar attainment or qualifications, and for men and women of certain ages. Let us stop blaming women for the gender pay gap, because it is not their fault; it is the fault of the environment they are working in.

That environment is what we need to tackle, and that is not just about getting a few more well-paid women at the top—although, if we are honest, we have seen over the past eight years that that is not going brilliantly either. Britain's public companies will need to appoint women to 40% of their board positions over the next two years if they are to meet the voluntary target that the Government have set, and 100 companies in the FTSE 350 have either no women or just one woman on their board. However, if I am honest, it is not women at the top who I am really concerned about, because the vast majority of the gender pay gap is about low pay and women. It is about the value that we attribute to certain sectors, and the fact that those sectors are dominated by women. The silent majority in this country that we need to speak up for is not the women who we are going to see on the back page of the *Financial Times*. This is not about getting a few more women in top positions, although some companies have worked out that that would skew their figures; this is about the millions of women working in jobs that are systematically undervalued and underpaid.

We see a lower pay gap within low-paid industries, but we still see a pay gap. Over one in five female workers are low paid, earning less than two thirds of a typical hourly wage or just £8.55 an hour, compared with just 14% of men. That silent majority needs us to recognise that challenging the gender pay gap, and getting the better productivity and the economic benefits of doing so, comes about through how we think about those industries. It comes about through how we think about progression and flexible working within them, and not taking no for an answer; not thinking that this is somehow just about women being more confident or more articulate, or even a bit of anti-bias training, welcome though it would be.

Danielle Rowley: My hon. Friend is making a fantastic and powerful speech. Some 80% of administrative and secretarial staff tend to be women, and when a construction company in my constituency of Midlothian went bust, the men who were the engineers and had the manual jobs found further employment quite quickly. However,

[Danielle Rowley]

the women who were in the admin roles did not, and found themselves unemployed. Does she agree that is another issue that is creating gender inequality in the workplace, on top of the gender pay gap?

Stella Creasy: Absolutely. One of the things I want to come on to is the rise in self-employment, and in particular how that affects a lot of women who have lost their jobs in industries where self-employment is now the norm. A lot of our equal pay legislation and gender pay work is out of date because of the way in which people are now working, and I would love to hear the Minister's thoughts on whether we need an equal pay Act for the 21st century that can take account of what a comparator is for somebody who is self-employed. Certainly, for a lot of those women, that will be a live issue.

Equal pay is still a problem. The Equal Pay Act 1970 is older than I am, but we know that women are still facing basic problems in being paid the same as men to do the same jobs. We know that the 84% drop in the number of cases is more to do with the cuts in legal aid than with an end to the problem, as the legal cases involving the BBC and Asda prove all too well. However, the gender pay gap is not illegal; it is just immoral and, frankly, inefficient. That is the issue that we have to get right, because it is an issue that our competitors are getting right.

That is the third thing that I want to say to the Minister. We can argue about the data—I press her to improve the quality of the data we get with the second lot in 2019, because there is more we can do—but data is not enough. Indeed, the data and the reaction to it shows that people are quite comfortable with the idea that we should have a gender pay gap, in a way that they would not be comfortable with poor productivity in their firms. We have to change that culture, and when our competitors are doing that we have a real problem.

Hannah Bardell: On the matter of culture, does the hon. Lady agree that the erroneous and inappropriate misuse of non-disclosure agreements is making a massive contribution to poor culture, with women particularly being silenced, resulting in the suppression and oppression of women and their voices in the workplace?

Stella Creasy: I absolutely agree. Indeed, that hostility to women's voices being heard at all is one of the things that has come out of the #PayMeToo data. The fact that someone is powerful and has the money to silence someone else does not mean that that person's voice should not be heard. I will support any of the measures on non-disclosure agreements that I know the Select Committee on Women and Equalities is looking at, not just about sexual harassment but about harassment in the workplace, because it is clear from the data we are getting that women do not feel able to come forward and do not feel protected. Indeed, when we see the BBC—a major public employer—trying to silence women, what message does that send to women who want to talk about equal pay?

We can learn lessons from our competitors. We can learn from Iceland, which has brought in some very serious fines to make sure that there is enforcement of

equal pay. It is no good having legislation if there are no real teeth to enforce it. In Germany, employees can now get the details of six of their colleagues' pay so that they can do a direct comparison, which has had a big impact on changing conversations about the worth of women in the workplace.

However, I am also here to say to the Minister that time is up for asking nicely, because we have been asking nicely for some time for these issues around pay and progression to be dealt with, and the pace of change is glacial. When our competitors in Germany, Belgium, France, and elsewhere across the EU—even in California, for Christ's sake, which is hardly a bastion of socialist public policy—are introducing quotas and recognising that pushing those quotas helps push the pipeline, the question for us is, "Why do we want to be left behind as a nation?" Left behind we will be, because even if we can struggle to get a few more women on boards to meet that target for 2020, we are not doing anything about that pipeline. We are not doing anything fundamental to ensure that the talent that exists on the shop floor that is currently underpaid is being picked up and fast-tracked. That would help change the country.

That matters because of the economic impact of failing to pick up that talent. It matters when we hear companies saying that when it comes to promoting women, "Most women don't want the hassle or pressure of sitting on a board." Of course, we know that women do not deal well with pressure, obviously. They say, "All the good women have already been snapped up. That's why you can't find them," or, "We already have one woman, so that's enough, surely." Of course, all women can be represented by one woman on a board. They say, "Shareholders just aren't interested in this issue." Frankly, if shareholders are not interested, they are not watching the world or their bottom line.

A global analysis of more than 2,000 companies showed that companies with women in at least 30% of leadership positions had profits that were on average 15% higher. If shareholders are not pushing for and demanding change, clearly they do not want to make any money, but that is what is happening now. We can keep asking nicely and trying to improve the data, but even if we improve the data there is that comfort with having a gender pay gap that means our economy is going to be held back, and that needs to change.

We should be asking about part-time work and whether we need to lower the threshold, at least from 250 to 100 employees. We should hold to account those companies that try to avoid putting in their partnership data, and we should get the data on black and ethnic minority employment and disability within our workplace. But we should also make a commitment that we will act, and acting means doing what our competitors are doing. It means setting some clear targets and having consequences for those firms that fail to act.

We know that next April we might see data that is a little bit better. After all, they will have had a year to try to figure out how to game the system, but gaming the system does not get the economic benefit. Let us stop apologising for wanting to close the gender pay gap and start demanding that we do, because this country cannot afford not to. What will the Minister do to ensure that the data we get next year is better, clearer and more diverse? What does she think is the appropriate timescale to keep asking nicely? Will she commit to when we

might bring in quotas if we do not see change? She will find friends and champions across the House if she does. I also know that if she does not, Britain will not get the productive workers it needs. Blaming women for the problem will not help our economy. Helping ensure that every firm, every public sector organisation and every charitable organisation makes the best use of its staff will give this country the brighter future that the Prime Minister claims she wants. We want more than one woman at the top; we want many. That is what Britain deserves.

Sir David Crausby (in the Chair): I want to get to the Front Benchers by 5 o'clock. There is only one Member standing, but there is not much time in a one-hour debate.

4.53 pm

Helen Whately (Faversham and Mid Kent) (Con): Thank you, Sir David. I congratulate the hon. Member for Walthamstow (Stella Creasy) on securing this debate and on her speech, which she delivered with characteristic passion and peppered with huge quantities of data. I start by reflecting that the gender pay gap is at an historic low of 8.9%. We should acknowledge that, but also that it persists—we do not want it to persist; we want it to close and to end up without a gender pay gap—and that practically, most women's incomes are still hit by having children.

When I was a new mum, I was lucky; I had a supportive employer that allowed me to work flexibly. It was working hard to encourage women to stay at work, having children, and to move up the organisation. I benefited from that, but I recognise that a huge number of women do not have that. In fact, only 11% of jobs that pay more than £20,000 are advertised with flexible working as an option, while the demand is estimated to be closer to 90%. That means that many women are not able to continue working in the job they were working in, and have to make choices that are not the ones they want to make. We know that by the time a couple's first child is aged 20, mothers are earning on average nearly a third less than fathers.

Jess Phillips: Does the hon. Lady agree that one way we could stop some of these problems with the gap between men and women would be to pay men more to stay off work? If we gave men 90% of their pay for the first six weeks of their baby's life, as we do with women, it might encourage a different atmosphere. Does she agree?

Helen Whately: I will say a bit more about maternity and paternity pay later, but we absolutely must ensure that it is equally possible for men to take time off work when they become new dads, and that there is a more equal sharing of childcare responsibilities between mums and dads. One reason why that is not happening is that there are financial barriers to doing so.

I acknowledge the work that the Government are doing to tackle the gender pay gap. For instance, last year it was made mandatory for companies with 250 or more employees to report their gender pay gap. There was some speculation at the time as to the difference that would make, and that companies would not bother to comply. I imagine the Minister will confirm this, but my understanding is that there was 100% compliance

and that companies did report it, even if it often did not reflect very well on them. That reporting is making a difference. I checked on what my previous employer was doing, because its reporting did not make it look that great. It did a whole report about the actions it was going to try to take to close the gender pay gap on the back of that reporting. If companies across the country are all doing that, that will make a difference. Now that we have had large companies do that, I am keen to see smaller companies do the same.

The headline point is that it makes good economic sense to close the gender pay gap. It makes sense for companies. We know that companies with greater gender equality do better. They perform better for their shareholders, it is good for their reputation and it helps them attract better candidates. When companies are struggling to recruit for the skills they want, clearly they need to ensure that they attract good women as well as good men. Greater gender equality also makes economic sense for the whole country. If we fail to make the most of the capabilities of women, we are failing to make the most of half the country's workforce.

It is not just about women, however. Making things better for women has knock-on benefits for men, too. I know lots of dads who wish they had been able to spend more time with their children in the early years. Shared parental leave was introduced by the Conservative-led Government in 2014 to enable dads to do exactly that, but as Members have alluded to, there are barriers to men's taking up paternity leave. There is more to be done to ensure much more equal taking up of maternity and paternity leave, to help dads play that greater role in their children's early years and mums to keep their careers going.

I welcome the fact that the Government are looking at placing the onus on companies to assess whether a job could be done flexibly, and to make that clear when advertising it, rather than just relying on people—particularly women, but men too—coming forward asking for their job to be flexible. Anecdotally, I have heard that it is men who come across particular barriers when asking for a job to be flexible. We need to address that, too. I would also like to see greater transparency from large companies in publishing their parental leave and pay policies, so that they are absolutely clear to potential job candidates. There is a whole question around maternity discrimination, which we know is illegal, but is still pervasive. Too many women are forced out of work, whether that is having to take maternity leave early because they are pregnant, being made redundant while on maternity leave, or one way or another finding that they are unable to return to the workplace after having children.

Just to sum up, bearing in mind the time, I urge the Government to keep on pushing to close the gender pay gap. I urge them to keep pushing employers, business, the public sector and Parliament itself to do better.

Sir David Crausby (in the Chair): In a one-hour debate, the mover of the motion gets the opportunity at the end to briefly wind up. I would appreciate it if the Front Benchers would give the hon. Lady that opportunity.

4.59 pm

Hannah Bardell (Livingston) (SNP): It is a pleasure to serve under your chairmanship, Sir David. I pay tribute to the hon. Member for Walthamstow (Stella

[Hannah Bardell]

Creasy), who delivered a characteristically eloquent and detailed speech. I hope that some of the statistics in it get picked up by the media, because they are so stark and so incredible. As she said, the Equal Pay Act 1970 preceded her entry into the world. Clearly legislation can be introduced, or repealed, as in the case of section 28, but that does not necessarily change culture.

It is the duty of any Government and their politicians to ensure that we introduce not only legislation that creates equality, but policies and cultures, and sometimes that requires affirmative action. I am somebody who is avowedly pro quotas. It would be interesting to hear from the Minister about Sarah Childs's report on Parliament. Some of this must start from within. We must hold a mirror up to ourselves and ask whether we are doing enough as politicians, and within our legislatures, to ensure that there is gender equality, and equality across the board.

We are in the 100th year of women's suffrage, but incredibly, when I was elected in 2015—I know that others in the Chamber were elected that year—there were more men in that Parliament than there had ever been female parliamentarians elected. We should never tire of reminding ourselves of that statistic. We have come a long way. We now have a rainbow Parliament of different cultures, with many people from black and minority ethnic communities, LGBT politicians, and politicians with disabilities, but we still have a very long way to go.

I want to pick up on some of the statistics that the hon. Member for Walthamstow mentioned. Some 60% of the British workforce work part time, but she eloquently made the point that women in lower-paid jobs in particular face inequalities. I met representatives of Asda recently, and discussed their equal pay challenge. In fairness to them, they said that they were trying really hard to address it, but the fundamental point was the difference between people who work behind the scenes in warehouses and those who work on the checkouts. Although one job involves more manual labour, the other involves much more emotional labour. That is the crux of the issue: do we really value manual labour over emotional or interpersonal skills and soft skills?

That is something that we sadly lack, across business and across politics. Think about the G20 photo in which Christine Lagarde and our Prime Minister were the only women. We have a global problem with patriarchal structures. It is not about attacking men and saying, "You're rubbish, you're not good enough, and you're to blame for all the problems," but there is a reality to be faced. If we have so little gender diversity, and so little diversity in the leadership of countries across the world, and collectively in an organisation such as the G20—if only two of those 20 people are women—then we have serious problems.

That brings me to the financial sector. The Independent Evaluation Office, an arm of the International Monetary Fund, published a really interesting report about the run-up to the financial crisis. The report said that two key failures led to the almost complete failure of the regulatory system: No. 1 was groupthink and No. 2 was a reluctance to speak truth to power. The reality was that in the run-up to the financial crisis we had largely men around the table, largely from similar

backgrounds, who were unwilling to challenge each other and challenge the groupthink that ensued; and that eventually brought our financial system to its knees.

It is scarcely necessary to open any financial paper any day of the week to see that, Brexit aside, we are heading for another financial crisis. I agree with the hon. Member for Walthamstow that we should not always couch the argument in financial terms, but we must tailor our message to those who are listening. I was heartened that when the data was released, Martin Gilbert, the chief executive of Standard Life Aberdeen, said:

"I'm welcoming new gender pay gap regulations despite the uncomfortable reading."

We need to take men with us. We need men to come on the journey.

The hon. Member for Faversham and Mid Kent (Helen Whately) spoke about paternity and maternity leave, and I agree with so much of what she said. I hope that we can work cross-party on this issue, because men need to have the opportunity to take the time that they would like to take with their partners, to be with their children. They are parents as well. So often we hear men referred to as "baby-sitters". They are not baby-sitting their own children; they have an equal responsibility.

Very often, having a missing parent of either gender, in terms of that parent being in the workplace, brings about huge challenges and issues for children. I am from a single-parent family. My mother worked full time, and she did a pretty decent job. I know she found it challenging. Whatever make-up a family is, in our modern society we must ensure that our structures encourage those families, and that every workplace, whether in the public or private sector, encourages families to flourish and staff to take the time that they need with their children.

In Scotland, we passed legislation in January 2018 to ensure that we have 50:50 gender representation by 2020 on our public boards. Our gender pay gap is smaller in Scotland; it is only 6.6%, as opposed to the UK gender pay gap of 9.1%. Our First Minister, Nicola Sturgeon, has done an incredible job, but in Holyrood we still have significant challenges. Interestingly, the gender representation of the press lobby in Holyrood is much worse than that of the UK lobby. That is also an issue. They are the people who report on our politics and help to shape the political arguments. I look up at the press Lobby every week at Prime Minister's Question Time, and there is a serious lack of diversity, particular regarding gender. We must do everything that we can to close that gap.

The World Economic Forum predicts that it could take 217 years to close the gender pay gap. That is an incredible amount of time. We should not have to wait any longer. We must act, and what I always say to folk when I talk about quotas is that, as much as people may have problems with them, they are a temporary measure to redress the balance. They are not something that any of us want to see over the long term, but whether in politics or in business, they are absolutely the kind of policy that the UK Government and devolved Governments must introduce so that we can have fair representation.

I finish by quoting Talat Yaqoob, the director of Equate Scotland, who said:

“What we can be hopeful of is that the demand for fair representation is growing. Lobby groups, academics and women in parliament will, rightly, be vocal about the need for progress. But the evidence of women’s under-representation, the reasons for that under-representation and the positive impact more women in parliament have, is all well documented. The time now, is...for action. By the next election, we can and must have processes in place for fair representation.”

None of us knows when the next election may come, so now is the time to act. I hope that the Minister will be on board, and on side with us. I am sure that we will be able to work together on these issues to close the gender pay gap, and to ensure that our businesses, our Parliaments, our shop floors and our warehouses are representative of our society.

5.8 pm

Dawn Butler (Brent Central) (Lab): It is a pleasure to serve under your chairmanship this afternoon, Sir David. I congratulate my hon. Friend the Member for Walthamstow (Stella Creasy) on securing the debate. It is always great to collaborate with her on the work that she does on women and equalities to try to move the agenda forward.

We have heard some really great speeches today. I think we are almost in agreement that something needs to be done; I suppose it is about how it will be done, and when it will be done. Labour introduced the Equal Pay Act in 1970, but nearly 50 years later we are still discussing unequal pay, and women are still earning less than men. I loved the fact that on 10 November a lot of women put “out of office” messages on their email to show that they work for nothing from that day onwards. I thought about doing that myself, but the consequences would probably have been rather different.

We are still talking about the pay gap. The UK has slipped from 14th to 15th in the ranking of 33 OECD countries based on the five indicators of female economic empowerment. We really need to do better. There is a lot that we can and should do, so there is no excuse for not addressing the problem. After all, 51% of people in the country are women and the other 49% would not be here if it were not for women. It is time we made those adjustments rather quickly.

Women have borne the brunt of Government cuts—87%—and everywhere we turn, women are struggling and suffering. My hon. Friend cited some really stark statistics that show that things are continually getting worse. Sometimes there are marginal gains, but they are really far too slow to work. The gap is at its lowest for women aged 18 to 21; I would call that good news, but the gap opens up significantly—to around 26%—for women in their 50s. What could that possibly be down to? Obviously it is a combination of sex and age, and we know that if we add race into the equation, the gap widens.

We need to take into consideration what is at the heart of the gender pay gap: discrimination. A lot of injustices globally are caused by the undervaluing and devaluing of women and the roles they play. The hon. Member for Livingston (Hannah Bardell) mentioned the issue of manual versus mental labour, which really drives home the point about the jobs women do, the roles we play and the way we are talked about. Our

body, our hair, our looks, how we speak, how we walk—all those are additional barriers that men often do not face.

We really need to think intersectionally and look after other women who do not look white or middle-class or have kids. If we are really going to move the agenda at the pace it needs, we have to think about all women, in the round, so that we are not still having this discussion in 50 years’ time. Tackling these issues should be the Government’s main priority. I have sat opposite the Minister many times, and I know that she will say that the Government have done this report and that audit—but audits and reports are just not enough, because they are not getting the job done. We need solid action.

Hon. Members may ask, “What would Labour do?” We will ensure better provision of parental leave and more affordable childcare. We will encourage women and girls to go into male-dominated sectors so that they can achieve high salaries. We will also look at mental versus manual labour—I quite like that concept, so I might nick it from the hon. Member for Livingston.

Hannah Bardell: The hon. Lady is very welcome to nick it; we can share it and make it a cross-party tag line. Does she share my concern about comments from chief executives—particularly in the aviation industry, which has one of the worst pay gaps? Ryanair said that its gender pay gap of more than 70% was just because more men are pilots. We must call that out, but we must also encourage the industry to do more and work with organisations such as the Civil Aviation Authority to make sure that we have more female pilots and better support for women to get into such roles.

Dawn Butler: I absolutely agree. It is easy to reverse those roles; it is a proven fact that women are very calm under pressure, which is one of the traits that pilots need. There is an organisation in the airline industry—I cannot remember which—in which the woman who is chief exec is making great strides in encouraging women to become pilots. Why not? And why not equalise things the other way by having more male cabin crew? I totally agree that silly excuses are made. Men continue to dominate the most senior and best-paid roles. I know that that will take time to change, because they may have been in the job for a while and discrimination has been ongoing for years, but there is no excuse—we must tackle equality.

The Equality and Human Rights Commission estimates that 54,000 mothers a year are forced to leave their jobs early because they are pregnant. It is outrageous that that figure exists. To address such deep-rooted inequalities, we must ensure that we mandate that employers put action plans in place. It is great that employers now have to tell us their gender pay gaps as a result of regulations made under the Equality Act 2010, but they need to do more—just telling us that there is a gender pay gap without doing anything to address it is not enough.

The Government could do more. They could say—as a Labour Government would—that if an organisation pays its employees well and has an agenda to close the gender pay gap, they will ensure that it has access to Government contracts. If not, it should not get a Government contract, because it does not deserve one.

There is so much to be said, but I know that time is short and I am sure that hon. Members from all quarters

[Dawn Butler]

of the House will secure more debates on the subject. It has been said that it has been very difficult to win the hearts and minds argument on the gender pay gap because companies are often not interested—they just ask what the bottom line is. However, my hon. Friend the Member for Walthamstow cited a figure of £150 billion that closing the gender pay gap could generate for our GDP. That figure fluctuates, but without a doubt, paying women well will ensure that we add billions to the economy.

5.16 pm

The Minister for Women (Victoria Atkins): It is a pleasure to serve under your chairmanship, Sir David. I congratulate the hon. Member for Walthamstow (Stella Creasy) on securing the debate. We all know how committed she is to this important issue and to gender equality generally. It is a pleasure to discuss it with her in this forum, as it is to meet her behind the scenes to try to get things done.

I also thank other hon. Members for their contributions; I am delighted that so many strong women contributed. I was particularly delighted that the hon. Lady seemed to describe my right hon. Friend the Member for Wokingham (John Redwood) as a unicorn—she said there were discussions about unicorns in the main Chamber and he was on his feet at the time. I will treasure that comment and keep it close to my heart.

This year has been one of milestones: data from the Office for National Statistics shows that the gender pay gap has fallen to a record low; more than 10,000 employers have published data for the first time under the new reporting regulations; and the pay gap became one of the biggest news stories of the year. Those are all indications that the issue has climbed up the agenda, which we know is being translated into conversations in industry and business. People are finally talking about this injustice.

I recently met some senior businesspeople who run some of the most powerful businesses in the country—indeed, the world—to discuss modern slavery. One of them told me, “I was at a meeting in New York recently and, in a room full of investors and businesspeople, we talked about the gender pay gap regulations in the UK.” It is not just us in this country who are having this conversation about the regulations and the injustices they have revealed; other countries and businesses around the world have noticed too. We are under no illusions that this is just the first step, but it is still a huge step forward. Employers across the country are now aware of the challenge that they face, and we are committed to supporting them and tackling the issue together.

I want to start by discussing the women who are perhaps most affected by gender pay gaps—those who are the lowest paid—which is an issue raised by the hon. Member for Walthamstow. The emphasis has tended to be on well-paid women and on directorships, because we want to get the symbolism right and put the message out there that women can run businesses and so on.

Kirstene Hair (Angus) (Con): I commend the Government’s record on trying to narrow the gender pay gap. It was a pleasure for me to address female electricians in this place on Monday. One of the top

issues that came up in discussions with them was the engrained workplace cultures that really curb female progression. Can the Minister update us on what she is doing to solve that?

Victoria Atkins: I was at the same event, and a female electrician corrected me by saying that only 1% of electrical engineers are female. As in our earlier discussion about pilots, there is no reason why more electricians and electrical engineers should not be women.

Let me turn to the work we are doing to help the lowest paid. The Minister for Women and Equalities, my right hon. Friend the Member for Portsmouth North (Penny Mordaunt), recently announced that the work of the Government Equalities Office will be broadened to include an explicit focus on low-paid, low-skilled women, who have often been left out of the conversation, despite possibly requiring the most support, given the multiple barriers they face. The message that she wants to give, and which I echo, is that this is not a question of forgetting about directorships or the highest-paid women; this is about multitasking and ensuring that we reflect the whole economy and women’s contributions to it. We know, for example, that the lowest-paid women tend to feature in four industries: retail, childcare, caring and cleaning. We are looking at those sectors to ensure that the figures for the gender pay gap translate into real-life policies that have the greatest impact for the lowest-paid women.

The shadow Minister mentioned some figures quoted by the OECD. She will have to forgive me—obviously I am doing this on my feet—but just to put them in context, we understand that the OECD figures use a different methodology and go much wider than our gender pay gap measures. We are working with colleagues across Whitehall to increase women’s economic empowerment. In terms of Government recruitment, those factors are very much taken into account when we look at contracts. I hope that reassures her.

I turn now to the drivers of the gender pay gap. This is clearly just one of the steps we are taking to tackle the gap; other steps include introducing shared parental leave and pay, and running a £1.5 million campaign to promote the scheme. Hon. Members have made the point about fathers wanting to play a much greater part in raising their children, particularly in the early years. I think there is a lot more that the scheme can and should do. We want to raise awareness of it, so that employers understand the regulations and can ensure that their male employees can contribute to family life in as powerful a way as their female employees do.

Hannah Bardell: I thank the Minister for her extremely positive contribution, which I know will be followed with actions. I have spoken to a number of male constituents who have asked their employer about paternity leave and received quite negative responses. Education and engagement with businesses across the UK is important in enabling men to take paternity leave without facing stigma and discrimination as a result.

Victoria Atkins: The hon. Lady raises a very important point. This is about changing conversations and attitudes in the wider society as much as it is about what we do in this place, which of course is important. Frankly, it is about ensuring that society modernises the way it treats

men and women in the workplace. We know that some employers are better than others. I hope that employers who are not doing such a great job will recognise the business reality: given the choice, good people will not want to work for bad employers. This is very much part of us all contributing to the conversation to ensure that employers know how they should treat their workforce.

There is more to supporting people in the workforce. In addition to shared parental leave, we are extending the right to request flexible working. We are creating a £5 million fund to support returners and spending about £6 billion on childcare support by 2019-20. We know that closing the gap will require a collaborative effort from Government and businesses, but I am convinced that, to truly solve this, employers must be the driving force. Every single employer who was supposed to have reported has done so, which means that 10,500 businesses are having conversations—sometimes for the first time—about how they treat women in their workforce.

I absolutely accept what the shadow Minister and others said about the need for action plans. As she knows, we take a slightly different approach to this. I want businesses to come up with their own action plans—indeed, we understand that about 40% of eligible employers have done so. I want to bring businesses with us, but if in due course that does not happen, that option remains open. At this stage, we want the transparency created by reporting figures to be met and addressed further by businesses doing that for themselves through their action plans.

Dawn Butler: Will the Minister consider fining companies that refuse to make action plans or change their way of working, as is the case in Iceland?

Victoria Atkins: That is an interesting idea. As I said, I want to work with businesses on this. The figures suggest that they are getting the message, but we are all impatient for action and for pay gaps to be closed, so that is a very interesting thought.

I am drawing towards the end of my speech. I am conscious of the time and want to give the hon. Member for Walthamstow a minute, so if I may, I will canter through some of the other points raised. Hon. Members have rightly raised the issue of extending the regulations. We have had only one year of reporting, and I urge them to allow us a little more time to assess the impact of the regulations. We need to consider any changes fully, given the impact on the comparability of the data

year on year. We want a foundation of data before considering whether or how to change the current requirements. I am conscious of the wish to lower the threshold at which employers have to report. Again, let us have a couple of years of reporting at the higher level and with big companies, which have human resources departments that can deal with this, with the hope that it trickles down—which I know it is—to smaller employers as well.

In order to give the hon. Lady time to respond, I will end by saying that we know that pay gaps are not restricted to gender. That is why the Prime Minister announced a consultation on ethnicity pay reporting in October, setting out a number of questions that need to be resolved to allow meaningful action to take place. We are mindful of those aspects of fairness in the workplace.

I am grateful to the hon. Member for Walthamstow for this fantastic chance to reflect on a truly momentous year on this agenda, and I am extremely grateful to her for her continued interest in this issue.

5.29 pm

Stella Creasy: I do not have long. I had asked the Minister whether she would consider the Government Equalities Office doing its own survey of the direct experiences of women of the impact of the data. I again make that plea to her. It is absolutely no use us talking about that here without the data. We did that through the #PayMeToo campaign, which I hope the Government Equalities Office will look at. We know that 9% of organisations submitted data with impossible outcomes; there was 1% with bonus payments of essentially more than 100%, which does not make any sense. There are questions about the data.

The Minister talks about 40% of companies having action plans, which means that 60% do not. We could have several years of trying to refine the data, but fundamentally, women in this country are being underpaid, and our economy is suffering as a result. Please, Minister, do not think that this is just about trying to explain to Ryanair that you do not, frankly, need a penis to fly a plane; this is about what drives change. If it is not quotas, it is not asking nicely—that is what the data tells us. I really hope that she will recognise the change.

5.30 pm

Motion lapsed, and sitting adjourned without Question put (Standing Order No.10(14)).

Written Statements

Wednesday 5 December 2018

ATTORNEY GENERAL

Exiting the EU: Publication of Legal Advice

The Attorney General (Mr Geoffrey Cox): Following the motion passed yesterday in the House of Commons, I am today placing in the Libraries of both Houses a copy, in full, of the final advice that I provided to Cabinet on 14 November on the legal effect of the withdrawal agreement.

The action responds to the Humble Address motion of the House of Commons passed on 13 November.

The release of this advice does not set a precedent for any future release of Law Officers' advice. It remains a fundamental constitutional convention that neither the fact, nor the content, of Law Officers' advice is disclosed outside Government without the Law Officers' consent. That convention provides the fullest guarantee that the business of Governments is conducted at all times in the light of thorough and candid legal advice, which may also enter into matters of acute sensitivity to the public interest. The Leader of the House of Commons has asked the Committee of Privileges to inquire into the serious constitutional implications of Humble Address motions in such circumstances and I very much hope that it moves to do so as swiftly as possible.

The constitutional tensions created between the expression of the will of the House of Commons by these means on the one hand, and the public interest in the Law Officers' convention on the other, are not themselves conducive to the proper conduct of public affairs. It is necessary that the public has confidence in the ability of Government and Parliament to work together at a time of national decision-making of the most profound significance. The standing of the House of Commons is also of prime importance. For these reasons, having tested the will of the House twice, the Government will respect their decision and, in these exceptional circumstances and to resolve for the present those constitutional tensions, they have decided, with my consent, to publish this advice.

It is the Government's purpose and intention that the House will be enabled to address clearly the policy and political decisions now before it, bearing the national interest in mind.

[HCWS1142]

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Industrial Strategy

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): As part of the industrial strategy, the Government committed to making the most of the UK's strengths, so that we are at the forefront of new technologies and emerging industries in the years ahead. The life sciences sector is one of the most important pillars of the UK economy, contributing over £70 billion a year and 240,000 jobs across the country.

In 2017, a wide coalition of industry and charity partners, led by the Government's life sciences champion Professor Sir John Bell, published an ambitious life sciences industrial strategy to set a clear direction for the future economic growth of the sector. The Government's response came within only 12 weeks of the strategy's publication with the very first life sciences sector deal. The deal announced nearly £500 million of Government support and over £1 billion of new inward industry investment, bringing together industry partners from across the sector, charities, a range of Government agencies and the NHS to deliver its bold vision at pace.

One year on, the second life sciences sector deal is going even further, announcing additional measures to secure a global lead in the areas of greatest opportunity for the UK. Taken together with the first sector deal, these programmes are building on existing strengths and putting in place the foundations for future growth needed to develop the ecosystem that allows life sciences to continue to thrive in the UK. The second life sciences sector deal sets out:

In early detection of disease and genomics:

Major investments in the last year from Government and sector partners delivering on our commitment to build on our world-leading assets at UK Biobank, further backed by a new, world-first commitment to sequence one million whole genomes in the UK within the next five years, with an ambition to sequence five million in the same timeframe.

A new commitment, backed by up to £79 million of Government funding, to develop a first-of-its-kind, world-leading longitudinal cohort of healthy participants that will enable scientific research into the hidden signs of disease and the development of diagnostic tools to detect and diagnose diseases earlier.

In digital technologies and data analytics we are:

Laying down the building blocks to realise the full potential of NHS data, while maintaining public trust and maximising the benefits for NHS patients.

Setting out further detail on digital innovation hubs which will provide expert clinical research data services with world-leading data analysis and sharing capabilities—a core part of a wider programme to improve health data infrastructure and support digitally-enabled clinical research.

Detailing progress on five centres of excellence in digital pathology and radiology with AI including the announcement of a further £50 million investment in the programme as a first step towards making this a truly national asset to support early and improved diagnosis across the UK and deliver more efficient NHS services.

In advanced therapies:

Significant support has been allocated from the £146 million leading-edge healthcare package (part of the industrial strategy challenge fund) announced in the sector deal last year to build an impressive end-to-end national infrastructure.

Investors have recognised the strength in UK-grown advanced therapy biotechs and UK companies are scaling up their cell and gene therapy manufacturing facilities.

Wider policy measures are supporting the package, including:

Speeding up and streamlining the UK clinical environment.

Developing a regulatory framework that keeps pace with innovative technologies.

Helping the sector access the skills it needs.

The deal also sets out how we are delivering on our commitment to increase R and D spend in the UK to 2.4% of GDP by 2027. We are improving the uptake of innovation in the NHS, implementing the accelerated access review. This year the NHS will set out through its forthcoming long-term plan and the recently announced

medicines pricing agreement, how it will be a crucial national partner and beneficiary of innovations flowing from industry.

Industry partners have responded to commitments from Government with a further wave of their own commitments to the UK, generating well over £1 billion in new investment. These include:

A £1 billion investment by UCB, a world-leading pharmaceutical company, in a new discovery research hub in the UK, including a purpose-built R and D facility, early manufacturing and commercial operations which will support around 650 high-value jobs, many in R and D and early manufacturing, enabling further collaborations with UK universities, biotech and medical research charities.

Over £200 million of further investments from a wide range of companies, including GW Pharmaceuticals, Roche, Celgene Ltd, IQVIA Ltd and Oxford Biomedica Plc.

The strength of the partnership between the Government, the NHS and the life sciences sector is making the UK a global standard bearer for discovery research and advanced manufacturing. We are committed to continuing the hard work of implementation over the coming years because the prize—a globally leading UK life sciences environment—will deliver huge benefits to the people of this country through a stronger economy and a stronger NHS.

Sector deals, where industries are invited to come forward with plans for their future, embody the ethos of our collaborative approach. They show how industry and the Government, working in partnership, can boost the productivity and earning power of specific sectors.

I am placing a copy of the second life sciences sector deal in the Libraries of both Houses.

[HCWS1141]

HEALTH AND SOCIAL CARE

Health: Branded Medicines Pricing

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): My hon. Friend the Parliamentary Under-Secretary of State for Health (Lords) (Lord O'Shaughnessy) has made the following written statement:

Further to my written ministerial statement of Friday 23 November, I am pleased to announce that final agreement has been reached on the 2019 voluntary scheme for branded medicines pricing and access between the Department of Health and Social Care, on behalf of the UK Government representing the Governments of Scotland, Wales and Northern Ireland, and the Association of the British Pharmaceutical Industry.

The scheme terms are detailed in the documentation for the agreement, a copy of which has been deposited in the Library of the House. The 2019 voluntary scheme has now been agreed by all parties, and will commence on 1 January 2019 for a period of five years.

[HCWS1144]

HOME DEPARTMENT

Justice and Home Affairs Pre-Council Statement

The Secretary of State for the Home Department (Sajid Javid): The EU Justice and Home Affairs Council of Ministers will meet on 6 and 7 December in Brussels. The Minister for Immigration, my right hon. Friend the Member for Romsey and Southampton North (Caroline Nokes), will represent the UK for Interior day.

The Lord Chancellor and Secretary of State for Justice, my right hon. Friend the Member for South West Hertfordshire (Mr Gauke), will represent the UK for Justice day. The Scottish Government Minister for Community Safety, Ash Denham, MSP, will also attend for Justice day.

Interior day on 6 December will begin with a policy debate on the proposed regulation to amend the European border and coast guard regulation. The regulation aims to reinforce the EU's integrated border management strategy and further protect the external EU borders by providing the European Border and Coast Guard Agency with a standing corps of 10,000 staff with executive powers, dedicated equipment and the remit to act in third countries. This is a Schengen building measure which the UK does not participate in.

The Commission will present a progress report on the proposed recast of the EU returns directive. The UK chose not to participate in the current version of this directive, and has yet to decide whether to participate in this recast.

The presidency will seek agreement to a general approach on the proposed regulation on preventing the dissemination of terrorist content online. The UK supports this proposal which seeks to address the threat posed by the high-speed dissemination of terrorist content online. The UK is content with the outcome of negotiations on the regulation and is supportive of the proposed text, and of adoption of this regulation as soon as possible.

In the main Council and over lunch, there will be further debate on the comprehensive approach on migration, and on the reform of the common European asylum system, specifically the issue of solidarity, responsibility and relocation in the context of the Dublin IV proposal. The UK does not participate in the Dublin IV proposal. The Council will also discuss measures to tackle organised immigration crime. The UK supports work to strengthen the EU's external borders and to intensify relationships with key third countries in order to break smuggling networks and ensure that refuge is given to those who qualify for international protection.

There will also be a policy debate on Justice and Home Affairs: Priorities for the next MFF (2021-27). These programmes will commence after the UK's exit from the EU and the end of the envisaged implementation period. The UK will not be participating in any future programmes as a member state.

During Justice day on 7 December, the presidency will seek to agree a general approach on the sale of goods directive.

The presidency will be seeking agreement to a general approach on the recast of Brussels IIa, the foundation EU regulation on family law. The proposed text of the recast improves the procedures supplementing the 1980 Hague convention regarding abducted children; the placement of a child in another member state; automatic recognition of judgments, authentic instruments and agreements; enforcement of these in other member states; and co-operation between the central authorities responsible for the administration of cases arising from the regulation. It also introduces a provision to provide an opportunity for a child to express his or her views in proceedings under the regulation.

The Council will discuss the proposal on the third-party effects of assignment of claims. The focus will be a policy debate on article 4, which determines the basic

rule of the proposal. The options for the basic rule are either the law of habitual residence or the law of the assigned claim. The UK has not opted into this proposal so will not intervene. The UK is content with either rule providing there is no disruption to current financial market practice.

The Council will discuss the proposed regulation relating to improving law enforcement access to data held by communication service providers (e-evidence), with the aim of achieving a general approach. As the UK is not participating in the regulation, we do not have a vote and will not intervene.

The Commission is expected to provide an update at this Council on the preparation of draft EU negotiating mandates for the second additional protocol to the (Budapest) cyber-crime convention and to open discussions with the US on the CLOUD Act. The Government will consider the implications of these proposals for the UK when they are published by the Commission.

The Commission will provide an update on the planned preparatory steps on the legal and organisational measures to be taken to make the European Public Prosecutor's Office (EPPO) operational. The UK does not participate in the EPPO.

The presidency will be presenting a "state of play" paper on data retention. This reflects working level discussions on responding to the Court of Justice of the European Union's judgments on the lawful retention of communications data.

Ministers will discuss, and be asked to approve, Council conclusions on ways to reinforce judicial co-operation in criminal justice through mutual recognition tools, including the European arrest warrant and European investigation order. The UK values our co-operation under these tools and will highlight our commitment to the principle of mutual recognition and the importance of close operational working between member states to ensure that they function efficiently.

There will also be a state of play item on EU accession to the ECHR.

[HCWS1146]

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Local Government Finance Settlement 2019-20

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): In 2016, the Government offered a multi-year finance settlement, which was accepted by 97% of councils, designed to provide funding certainty over the medium term. The 2019-20 provisional settlement will consult on the final year of this four-year deal, while confirming additional resources provided at autumn Budget 2018, including £650 million for social care.

The Hudson review into local government finance, governance and processes recommended that the provisional local government finance settlement be published around 5 December. I have previously confirmed that I accept this recommendation and would aim to publish the provisional settlement on 6 December. This confirmation was made prior to the scheduling of the meaningful vote.

I recognise that my parliamentary colleagues will wish to engage thoroughly in these debates and will also wish to consider the proposed local government finance settlement for 2019-20. I have therefore decided to announce the provisional local government finance settlement after this protected period, by way of an oral statement. I can confirm that the usual period for making representations on the provisional local government finance settlement will not be truncated as a result.

[HCWS1145]

INTERNATIONAL DEVELOPMENT

World AIDS Day

The Secretary of State for International Development (Penny Mordaunt): Saturday 1 December marked the 30th anniversary of World AIDS Day. It is remarkable how different the global outlook is for people living with HIV in 2018 than it was in 1988. People can live full lives with HIV, as the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle) demonstrated so poignantly on 28 November.

We have a lot to be proud of. The UK has now become one of the first countries to meet the United Nations' 90-90-90 targets. We have demonstrated what is possible if the right services and support are in place, and when stigma and discrimination are challenged.

Globally, huge progress has been made—new HIV infections have halved since their peak in 1996. The UK has played a leading role since the beginning of the epidemic—helping to stop unnecessary AIDS-related deaths, preventing new HIV infections and investing in game-changing research and technology.

However, the end of AIDS is still not in sight. In 2017, nearly 1 million people died of AIDS, and one quarter of HIV positive people still do not know their status. We must continue to expand testing services, get more people on life-saving treatment, and address the structural issues that cause people to become infected.

That is why DFID remains one of the biggest donors to the HIV epidemic. Through our current £1.2 billion investment in the global fund to fight AIDS, TB and Malaria, UK Aid is expanding access to life saving HIV treatment and supporting countries to respond to their own epidemics.

In 2017 alone, UK Aid helped the global fund partnership to provide 17.5 million people with antiretroviral therapy and protect nearly 700,000 babies from being infected by their mothers. Furthermore, our 20-year agreement with Unitaid and ongoing support to the Clinton health access initiative has given the world great advancements in HIV testing and treatment, at affordable costs.

However, the HIV epidemic is complex and cannot be addressed fully with standalone programmes—that is why DFID is delivering an integrated approach. We support the integration of HIV with TB services and signed up to the political declaration at the high level meeting on TB at UNGA 2018, which includes ambitious targets on increasing access to preventative treatments for people living with both TB and HIV. We are also ensuring HIV is included in DFID's health systems

strengthening work, and we have embedded HIV within DFID's education policy, humanitarian policy and our 2018 strategic vision for gender equality.

HIV and AIDS disproportionately affects women and adolescent girls. AIDS is still, shockingly, the biggest killer of women of reproductive age around the world, and every week around 7,000 young women are infected with HIV. To bring down HIV infections, we must continue to fight for gender equality, stop violence against women and girls and advance sexual and reproductive health and rights.

In places where DFID does not provide aid, we are advocating for public health evidence and human rights. The failure of some countries to address their HIV epidemics is political, not financial. Discrimination against "key populations"—LGBT people, injecting drug users, sex workers, prisoners—drives worrying HIV infection rates in some parts of the world.

As a nation committed to global values, we are championing equality overseas. The UK Government support civil society to challenge harmful policies and

attitudes that exclude minorities and put them at greater risk of HIV infection. In July, we announced a £6 million uplift to the Robert Carr civil society networks fund to support grassroots organisations to combat HIV stigma, demand their rights and increase access to HIV services for key populations.

The UK Government are playing a leading role as we strive to reach the sustainable development goal to end AIDS by 2030. On this World AIDS Day, while we commemorate the lives affected by HIV and AIDS, we are also inspired to accelerate our efforts.

From 3 December, DFID is pleased to be joining forces with the Department of Health and Social Care, the Elton John AIDS Foundation and the Evening Standard for the "AIDS-free Christmas Appeal". Through UK Aid Match, the UK Government will double public donations of up to £2 million for projects in Maputo and Nairobi—we will help these cities to achieve their own 90-90-90 goals, as we have so proudly done in the UK.

[HCWS1143]

Ministerial Correction

Wednesday 5 December 2018

FOREIGN AND COMMONWEALTH OFFICE

Refugee Crises

The following is an extract from Foreign and Commonwealth Office questions on 4 December 2018.

Sir Desmond Swayne (New Forest West) (Con): Exactly what are we signing up to at Marrakesh?

Harriett Baldwin: We are signing up to the global compact on refugees. I should clarify for the House that

it is a different document from the one that has perhaps generated more controversy: the global compact on migration.

[Official Report, 4 December 2018, Vol. 650, c. 647.]

Letter of correction from the Minister for Africa:

An error has been identified in the response I gave to my right hon. Friend the Member for New Forest West (Sir Desmond Swayne).

The correct response should have been:

Sir Desmond Swayne (New Forest West) (Con): Exactly what are we signing up to at Marrakesh?

Harriett Baldwin: We are signing up to the global compact on **migration**. I should clarify for the House that it is a different document **and has perhaps generated more controversy than the global compact on refugees**.

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