

**Wednesday  
12 December 2018**

**Volume 651  
No. 222**



**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**Wednesday 12 December 2018**

---



# House of Commons

*Wednesday 12 December 2018*

*The House met at half-past Eleven o'clock*

## PRAYERS

[MR SPEAKER *in the Chair*]

## Oral Answers to Questions

### NORTHERN IRELAND

*The Secretary of State was asked—*

#### **British Service Personnel Memorial**

1. **John Mann** (Bassetlaw) (Lab): If the Government will make it its policy to build a national memorial to British service personnel killed on service in Northern Ireland. [908071]

**The Minister of State, Northern Ireland Office (John Penrose):** May I start by paying tribute to my predecessor in this role, my hon. Friend the Member for North West Cambridgeshire (Mr Vara), who has been typically generous and helpful with his time and efforts during the handover?

I am sure that everyone on both sides of the House will agree that we all owe a vast debt of gratitude to the heroism and bravery of British servicemen and women who were killed upholding the rule of law in Northern Ireland. Their sacrifice will never be forgotten. Within the National Memorial Arboretum in Staffordshire sits the armed forces memorial. Rightly, it includes the names of every member of the armed forces killed while serving in Northern Ireland, as a permanent reminder of their bravery and sacrifice.

**John Mann:** Anthony Dykes, who came from Harworth, a mining village in my constituency, was murdered on 5 April 1979. His parents, Fred and Kathleen Dykes, are two of the finest people I have ever met and represent everything that is good about my community and this country. Other grieving parents have specific memorials. For Fred and Kathleen's son and others who were killed or murdered on duty in Northern Ireland, there is no such memorial. Is it not now time that, as with other conflicts, there is a specific memorial for those who served our country and lost their lives in the conflict in Northern Ireland?

**John Penrose:** I understand and empathise with the hon. Gentleman and his constituents. In fact, as I visited the former Massereene Army barracks in Northern Ireland last week, I paused to pay my respects at a local memorial to two former Army engineers who were killed in 2009. There are many such memorials to individual acts of heroism or tragedy scattered not just

across Northern Ireland, but around the rest of this country. Those commemorate individual actions and tragedies. The national memorial is the one in Staffordshire, and we should not underestimate its importance or value—it having been opened by Her Majesty the Queen and recording the names of everybody who has been killed on service in Northern Ireland and other conflicts.

**Mr Speaker:** I would gently point out that this is not an essay exchange competition; this is Question Time. For goodness' sake, let's speed up.

**Mr Philip Hollobone** (Kettering) (Con): Will the Minister remind the House how many brave British service personnel were killed or wounded in Operation Banner, which was the defence by this country against a terrorist onslaught in Northern Ireland?

**John Penrose:** Having been in the job for three and a half weeks, I am afraid that I do not have the precise number, but it was very many and the tragedy was huge.

**Gavin Robinson** (Belfast East) (DUP): One of the last formal acts I did as Lord Mayor of Belfast in 2013 was to unveil a memorial stone in the Belfast City Council memorial garden to the Ulster Defence Regiment and others who served in Operation Banner. May I invite the Minister to come with me to see the memorial there and to consider how best nationally we could reflect the Government's recognition of sacrifice in Northern Ireland?

**John Penrose:** I will gladly go to that memorial.

### **Business Promotion**

2. **Tom Tugendhat** (Tonbridge and Malling) (Con): What recent steps she has taken to promote Northern Ireland businesses throughout the world. [908072]

7. **Craig Tracey** (North Warwickshire) (Con): What recent steps she has taken to promote Northern Ireland businesses throughout the world. [908077]

**The Minister of State, Northern Ireland Office (John Penrose):** Britain is a global trading nation and is about to become more global, so we want to promote the strengths of Northern Ireland's business community to a global audience. So far, I have visited CM Precision Components in Downpatrick, the Causeway Chamber of Commerce, Radox in Antrim, Coca-Cola in Lisburn, Queen's University Centre of Excellence in Precision Medicine in Belfast and many Northern Ireland representatives of the Federation of Small Businesses, Chamber of Commerce, Confederation of British Industry and Institute of Directors.

**Tom Tugendhat:** On every visit I make to embassies in my role as Chair of the Select Committee on Foreign Affairs, it has been made very clear to me that Northern Ireland has an amazing economy that is growing and has a rightful place around the world. Does my right hon. Friend—forgive me, I meant my hon. Friend; the day is young—agree that Northern Ireland's economic achievements would only be greater if the Northern Ireland Assembly were out there assisting and promoting it through the Northern Ireland Executive?

**John Penrose:** I completely agree that things would be hugely improved by a functioning Assembly and Executive. I have been in this role for only a couple of weeks, but, as a former businessman, I have been hugely impressed by the economic progress since the Belfast agreement. Northern Ireland is open for business and we want the whole world to know.

**Craig Tracey:** In his first few weeks of meeting businesses, what is my hon. Friend's assessment of the unique strengths of Northern Ireland for global companies looking to grow and invest their businesses, and what support will he provide as Minister?

**John Penrose:** In the meetings that I have held so far, I have been hugely impressed by the skilled and stable workforce in Northern Ireland. I have also been impressed by its world-leading research—for example, in the precision medicine centre that I visited at Queen's in Belfast—and by the strong sectoral abilities in cyber-security, life sciences and aerospace. We are doing a great deal and we need to continue to do so to promote that economic growth.

**David Simpson** (Upper Bann) (DUP): The Minister will be aware in recent times of the success that companies have had across the globe in the agri-food sector in Northern Ireland from China to Taiwan, Australia and Dubai. There is perhaps a chance of hosting a conference in Northern Ireland to promote the agri-food business and business as a whole. Is that something in which he would be interested?

**John Penrose:** The short answer is yes. If the hon. Gentleman brings me the details, I will be delighted to discuss them.

**Chris Law** (Dundee West) (SNP): In relation to the Belfast region city deal announced in the recent Budget, will the Secretary of State justify or explain why the percentage of match funding guaranteed for Belfast is not being replicated elsewhere in the UK, most notably in my city of Dundee under the Tay cities deal?

**John Penrose:** As I understand it, city deals vary from place to place. They are situation and location specific almost by definition, so there is not a particular standardised approach to any one of them. They are tailored and deliberately so. I am afraid that that is what inevitably happens. With any luck, some other city deals, perhaps in other parts of Scotland, may conform more closely to what the hon. Gentleman is after.

**Dr Andrew Murrison** (South West Wiltshire) (Con): Does my hon. Friend agree that one way to boost business in Northern Ireland will be to deal with air passenger duty and corporation tax, which are, unfortunately, devolved matters? Will he therefore encourage the institutions in Northern Ireland to get up and going again? If not, will the Government take some action?

**John Penrose:** My hon. Friend, the Chairman of the Northern Ireland Affairs Committee, is absolutely right to point out that these are devolved matters and that they need to be taken forward by a devolved Assembly and Administration—the Executive. We want to encourage

all sides to get going again, because, clearly, these issues are important to the people of Northern Ireland and need to be addressed.

### EU Withdrawal Agreement

3. **Douglas Chapman** (Dunfermline and West Fife) (SNP): What assessment she has made of the potential effect of the EU withdrawal agreement on Northern Ireland. [908073]

6. **Liz Twist** (Blaydon) (Lab): What assessment her Department has made of the effect on Northern Ireland of the UK leaving the EU. [908076]

10. **Patrick Grady** (Glasgow North) (SNP): What assessment she has made of the potential effect of the EU withdrawal agreement on Northern Ireland. [908080]

12. **Alan Brown** (Kilmarnock and Loudoun) (SNP): What assessment she has made of the potential effect of the EU withdrawal agreement on Northern Ireland. [908082]

13. **Mr Virendra Sharma** (Ealing, Southall) (Lab): What assessment her Department has made of the effect on Northern Ireland of the UK leaving the EU. [908083]

14. **Tommy Sheppard** (Edinburgh East) (SNP): What assessment she has made of the potential effect of the EU withdrawal agreement on Northern Ireland. [908084]

15. **Damien Moore** (Southport) (Con): What assessment she has made of the potential effect on Northern Ireland of the EU withdrawal agreement. [908085]

**The Secretary of State for Northern Ireland (Karen Bradley):** May I start by putting on record my thanks to my hon. Friend the Member for North West Cambridgeshire (Mr Vara), the former Minister?

The withdrawal agreement is the best way for Northern Ireland and the whole United Kingdom to ensure that we leave the European Union. It protects all the things that we value in Northern Ireland—the constitutional and economic integrity of the UK, and vital jobs and investment—and, for the people of Northern Ireland, it continues the progress that we have made over the past two decades under the Belfast agreement.

**Douglas Chapman:** On Saturday 8 December, just five short days ago, the Secretary of State penned a letter to the people of Northern Ireland. The letter stated that the deal protects all the things that we value. As the Prime Minister is now desperately rushing around Europe to change that very deal, may I ask what the new letter will say this Saturday?

**Karen Bradley:** I stand by the comments that I made in the letter. This is the best deal to ensure that the United Kingdom leaves the European Union as one united kingdom. The Prime Minister, though, has recognised the concerns that there rightly are around the backstop, and she is seeking to address those concerns.

**Liz Twist:** Will the Secretary of State tell us what aspect of this deal would require the Northern Ireland Assembly to be sitting? If the Government cannot get devolution in Northern Ireland back up and running, will they resort to direct rule to implement their deal?

**Karen Bradley:** We all want to see the Executive back up and running, and we want to see the institutions in place. The Good Friday agreement achieved so much for the people of Northern Ireland and those institutions are such an integral part of them. I know that the politicians in Northern Ireland do want to come back to do that. I think the hon. Lady is referring to the Stormont lock in paragraph 50 of the joint report, and the Government stand by that lock.

**Patrick Grady:** Will the Secretary of State confirm whether she has carried out any analysis on the exact economic and competitive advantages that Northern Ireland would have over the rest of the United Kingdom in the event of the backstop being activated? If she has, will she publish them? If she has not, will she commission some?

**Karen Bradley:** I think that it is clear that this Government want to see us go into the future relationship with the European Union by 31 December 2020 and that the backstop is an insurance policy that none of us wants to see activated.

**Alan Brown:** Article 5 of the Ireland-Northern Ireland protocol on the withdrawal agreement, which states that

“free movement for Union citizens and their family members, irrespective of their nationality, to, from and within Ireland”,

means that people will be able to move about as part of the common travel area. So with the end of free movement post Brexit, what additional checks will be imposed on people travelling to and from Northern Ireland from the UK mainland?

**Karen Bradley:** The hon. Gentleman does not understand the way that the common travel area works today and the fact there is free movement across the island of Ireland for all citizens and nationalities. Of course there is a good working relationship between the Border Force agencies in Northern Ireland and their equivalents in the Republic, so that we can ensure that those who do not have the right to be in the United Kingdom do not access the United Kingdom.

**Mr Sharma:** Throughout the debates on the EU, we were talking about the European arrest warrant. I give the Secretary of State another opportunity today to clarify why there has been in the withdrawal agreement little in the way of commitment on the European arrest warrant, which is key to policing in Northern Ireland.

**Karen Bradley:** The hon. Gentleman is quite right that the European arrest warrant is used in Northern Ireland more than anywhere else in the United Kingdom, and it is an incredibly important instrument. I hope that he has read the political declaration that accompanies the withdrawal agreement, which is clear that in the future security partnership we will have a deeper relationship with the European Union than any other third country, including on surrender of EU nationals.

**Tommy Sheppard:** The Prime Minister has told us that she is on a quest for “democratic legitimacy” for her agreement in respect of Northern Ireland. Is this not a curious term to use given that the one group of people who have been consistently ignored by the Government are the people of Northern Ireland, who voted not to leave the European Union?

**Karen Bradley:** The people of the United Kingdom voted to leave the European Union. Nearly 17.5 million people in the United Kingdom, including people in the hon. Gentleman’s constituency and mine, voted to leave the European Union. The people of Northern Ireland want to see this deal, because they want to see us leave the European Union in a managed way that is not chaotic and that works for Northern Ireland.

**Damien Moore:** What feedback has my right hon. Friend had on the withdrawal agreement from the business community in Northern Ireland, and is there any differentiation between those who are on the border and those who are not?

**Karen Bradley:** I have significant engagement with businesses across Northern Ireland, and I have found an absolutely consistent message, which is that those businesses, to protect jobs and to protect the progress that we have made since the Belfast agreement, want to see this deal so that Northern Ireland can leave the European Union, with the whole United Kingdom, in an orderly way. In fact, we were very pleased to welcome 12 business and civic society leaders to Westminster last week to express exactly that view.

**Bob Blackman (Harrow East) (Con):** Given the desire by all sides to avoid a hard border between the Republic and the north when we exit the European Union, why is that not, in a legally enforceable way, within the withdrawal agreement or the backstop agreement so that we use new technology for these purposes, not old and untried technology?

**Karen Bradley:** My hon. Friend will know that the backstop can be ended, if we go into it in the first place, by the future relationship or by alternative means, and that can of course mean new technology. But at this time there is no technology that deals with the issue of the border in a way that respects the rights of the people of Northern Ireland and respects the Belfast agreement and the way that it operates.

**Stephen Kerr (Stirling) (Con):** Does my right hon. Friend agree with the evidence presented to the Business, Innovation and Skills Committee following our visit to Northern Ireland, published on Monday, saying that businesses and trade bodies in Northern Ireland are crying out for clarity and certainty as we leave the European Union?

**Karen Bradley:** I was delighted to find myself on the same aeroplane as the BEIS Committee on its visit to Northern Ireland, and am sure that it heard the same message I hear when I am in Northern Ireland, which is that businesses want certainty and clarity, and would like to see us implement this deal so that we can ensure that we leave the European Union in an orderly way.



**Nigel Dodds** (Belfast North) (DUP): Last week, the Secretary of State was telling everybody that this was the best deal and the only deal. The Prime Minister now says that that is not the case and she needs changes. What does the Secretary of State say to that?

**Karen Bradley:** As I have said, this is the best deal. This is the best way for the United Kingdom to leave the European Union as a whole in an orderly way, but the Prime Minister has recognised and listened to the concerns of the right hon. Gentleman, his colleagues and many others in the House about the backstop, and she is looking to assuage those concerns.

**Nigel Dodds:** The Secretary of State cannot have it both ways. She is telling everybody that this is the best deal, it is a wonderful deal and everybody should accept it. However, the Prime Minister is telling everybody that nobody likes it, the Irish do not want it, Europe does not want it and the British Government do not want it. How does the Secretary of State explain the utter contradiction in those arguments?

**Karen Bradley:** I disagree with the right hon. Gentleman that there is a contradiction. I think he is talking about the backstop. We all agree that the backstop is a very uncomfortable thing that none of us wants to see introduced, just as we never want to see any insurance policy called upon, because the fact that it is called upon means that the worst has happened.

**Gavin Newlands** (Paisley and Renfrewshire North) (SNP): I welcome the hon. Member for Weston-super-Mare (John Penrose) back to the Government—although, with recent developments, it may be a short stint.

In recent weeks, the Secretary of State has publicly stated that the current backstop protocol puts Northern Ireland in an unrivalled position in the world as a destination for foreign direct investment. However, her Cabinet colleague the Scottish Secretary has said that any suggestion of an advantage for Northern Ireland is a wholly false argument. Who is right—the Scottish Secretary or her?

**Karen Bradley:** I trust that the hon. Gentleman is not trying to somehow use the unique situation in Northern Ireland and the success of Northern Ireland to try to impute a special status to Scotland. The fact is that Northern Ireland has a land border with Ireland and therefore will be in an unrivalled position, because it will be the only place that has both a land border with the European Union and access to trade deals through the independent trade policy of the United Kingdom. *[Interruption.]*

**Mr Speaker:** I do not wish to tempt fate, but at the moment, the Government Benches are a model of decorum. By contrast, there is a very large number of noisy private conversations taking place on the Opposition Benches, which I feel sure will now cease, as the Front Bench spokesperson comes in.

**Tony Lloyd** (Rochdale) (Lab): I welcome the Minister of State to his place. Paragraph 50 of the EU-UK joint report last December made it clear that there would be a guarantee, consistent with the 1998 agreement, that the Northern Ireland Assembly and Executive would be

consulted on any regulatory changes. Why did that guarantee disappear in the withdrawal agreement? Why did the Secretary of State allow it to disappear?

**Karen Bradley:** The hon. Gentleman refers to an important point. This withdrawal agreement is the only agreement that we can guarantee is consistent with the Belfast/Good Friday agreement. He refers to paragraph 50 of the joint report. The Government's commitments under paragraph 50 still stand, but quite rightly, we do not want to negotiate our sovereign rights, which are a sovereign matter for the United Kingdom, with the European Union. We want to do it unilaterally.

**Tony Lloyd:** Paragraph 50 was very clear about the role of the Assembly and the Executive. The Secretary of State's words are not good enough. Why should Northern Ireland Members have confidence in this Government? Why should the people of Northern Ireland believe that this Government are committed to devolution, to the peace process and to the Good Friday agreement?

**Karen Bradley:** It is this Government who have inserted in the withdrawal agreement and the political declaration on the future relationship our absolute commitment to the Belfast/Good Friday agreement. It is this Government who are committed to abiding by all our commitments under paragraph 50 of the joint report, including the points about the Stormont lock and unfettered access for Northern Ireland businesses to the market of Great Britain. We stand by those commitments.

**Lady Hermon** (North Down) (Ind): The Secretary of State will be aware—*[Interruption.]*

**Mr Speaker:** Order. Hush for Lady Hermon.

**Lady Hermon:** Thank you, Mr Speaker. Since the withdrawal agreement protects the constitutional status of Northern Ireland and the consent principle as guaranteed by the Belfast/Good Friday agreement, does the Secretary of State agree that it is unforgivable for the Labour party—the architects of the Good Friday agreement—to appear to have abandoned the Good Friday agreement by voting against the Brexit deal negotiated by the Prime Minister?

**Karen Bradley:** I have to say that I agree with the hon. Lady. I think putting party politics above the Good Friday agreement and all that we achieved through that is unforgivable.

### Legacy Consultation

4. **Mr Mark Francois** (Rayleigh and Wickford) (Con): When she plans to respond to her Department's consultation on addressing the legacy of Northern Ireland's past. [908074]

**The Secretary of State for Northern Ireland (Karen Bradley):** It is clear that more needs to be done to address the legacy of the past. The current system in Northern Ireland is not working well for anyone. This needs to change to provide better outcomes for victims and survivors of the troubles and to ensure that our armed forces and police officers are not unfairly treated.

We are carefully considering all the views received in almost 18,000 responses and intend to provide an update in due course.

**Mr Francois:** As the Secretary of State will recall, I have been raising with her for over a year the issue of military veterans who are being legally scapegoated for political and financial gain. It is getting worse. We now have the case of David Griffin, a retired Royal Marine, who is being reinvestigated for an alleged offence 46 years ago, of which he was cleared at the time. He is a Chelsea Pensioner. Is the Secretary of State proud of the fact that, on her watch, we have given “get out of jail free” cards to alleged IRA terrorists and we are now pursuing Chelsea Pensioners instead?

**Karen Bradley:** My right hon. Friend raised this case with the Prime Minister last week. I, too, am upset to see this situation. This is a result of the current system that we all want to see changed. I say very gently to my right hon. Friend that I have also wanted to work with him on finding a solution to this, and I look forward to continuing to do so, because there is no one simple solution, but we all want to see the system changed.

**Emma Little Pengelly** (Belfast South) (DUP): While the headlines are dominated by Brexit, the sad reality is that the witch hunt against our veterans who served in Northern Ireland continues. Can the Secretary of State outline what discussions she has had with the Secretary of State for Defence on finding solutions to stop that witch hunt?

**Karen Bradley:** I can assure the hon. Lady, with whom I have spoken about this matter on a number of occasions, that I work across Government with all colleagues, because we need to find a way to deal with this issue. There is no one simple solution, but we have to have a way to deal with this that is legal, fair and proportionate.

**Mr John Baron** (Basildon and Billericay) (Con): In supporting the point made by my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois), may I remind the Secretary of State that veterans were upholding law and order in the Province and it was the terrorists who were trying to kill people? We should bear that in mind when looking at this issue as a whole.

**Karen Bradley:** I can absolutely assure my hon. Friend that that is exactly what we are doing. We would not have seen the peace process without the hard work, dedication and dignity of our armed services and our police. They are the reason that we actually were able to have a peace process and we must never forget the sacrifice they made.

**Stephen Pound** (Ealing North) (Lab): May I, too, welcome the Minister of State—[*Interruption.*] Thank you, ma’am—the Prime Minister is very gracious. May I welcome I believe the ninth Minister to whose substance I have stood as mere shadow? May I also pay tribute to the hon. Member for North West Cambridgeshire (Mr Vara), a decent man who is wrong on Brexit, but right on many other things?

May I ask the Secretary of State this? She has previously made it clear that she does not support a statute of limitations in Northern Ireland. Does she therefore

agree either with her colleague the Secretary of State for Defence, who describes the persecution of veterans as a “ridiculous vendetta”, or with the Police Service of Northern Ireland, which says that

“we have the law and...we should all be equal before it”?

**Karen Bradley:** It is possible to agree with both. It is a delight to respond to the hon. Gentleman, who has incredible popularity in this House. I hope that he heard the documentary on the BBC yesterday, when the Defence Secretary made it clear on the record that we are looking at every option across Government. We are working across Government on this because we all want to see a solution to this problem.

### Armed Forces Veterans

5. **Victoria Prentis** (Banbury) (Con): What plans the Government have to support armed forces veterans in Northern Ireland. [908075]

8. **Ian Paisley** (North Antrim) (DUP): What plans the Government have to support armed forces veterans in Northern Ireland. [908078]

**The Secretary of State for Northern Ireland (Karen Bradley):** This Government are clear that it is only due to the unstinting efforts of our police and armed forces that we have relative peace and stability in Northern Ireland today. I was honoured to meet the Reserve Forces and Cadets Association for Northern Ireland recently when launching the veterans strategy there.

**Victoria Prentis:** Will the Secretary of State ensure that any proposals that she brings forward to deal with the legacy of the past are balanced and proportionate, and that our brave veterans are fairly treated?

**Karen Bradley:** I can absolutely give my hon. Friend that guarantee.

**Ian Paisley:** Three hundred and nineteen Royal Ulster Constabulary officers murdered, 258 Ulster Defence Regiment soldiers murdered, and over 200 of those cases unresolved—what is the Secretary of State going to do to bring justice to those gallant members from our community?

**Karen Bradley:** The hon. Gentleman puts it very well. We need to see this issue dealt with. The current system is not working for anybody. We need to see it resolved. We are working through almost 18,000 responses to the consultation and we look forward to working across the House to find a resolution that works for everyone.

**Owen Smith** (Pontypridd) (Lab): The Secretary of State is also proposing to support some of the 500 victims of the troubles with a victims pension. Can she tell us when the first payments will be made?

**Karen Bradley:** The hon. Gentleman knows better than anyone that this is a devolved matter. It is a frustration that we do not have an Assembly and an Executive in place to make these decisions, but I want to see progress made.

## Prime Minister

*The Prime Minister was asked—*

### Engagements

Q1. [908156] **Kerry McCarthy** (Bristol East) (Lab): If she will list her official engagements for Wednesday 12 December.

**The Prime Minister (Mrs Theresa May):** I know that the thoughts of the whole House will be with all those caught up in the horrific incident in Strasbourg last night, and we stand ready to give whatever support the French authorities may need.

Today, I will have meetings—possibly many meetings—with ministerial colleagues and others.

**Kerry McCarthy:** Just a normal day in the office then, Prime Minister. I also want to give my condolences for the tragic events in the beautiful city of Strasbourg.

Last year, the Prime Minister told us that there was not going to be a general election, and then there was. This week, she told us that she was not going to pull the meaningful vote, and then she did. Can I ask her now if she is going to rule out having a general election and a people's vote?

**The Prime Minister:** Can I say to the hon. Lady, first of all, that I think that a general election at this point in time, in the middle of our negotiations, would not be in the national interest? Secondly, as she will have heard me say before in this House, I think we should respect the result of the referendum that took place in 2016.

Q6. [908161] **Nigel Mills** (Amber Valley) (Con): Given what we could call uncertainty about the future of the withdrawal agreement, could the Prime Minister give people some certainty—that is, EU nationals in the UK—that whatever happens to that deal, they will be allowed to stay on roughly the same terms that are in that draft agreement?

**The Prime Minister:** My hon. Friend raises an important point, because I know that EU nationals living here in the United Kingdom will be concerned about what might happen if a deal is not agreed. We have been very clear as a Government that the withdrawal agreement that we have agreed does respect the rights, and protect and guarantee the rights, of EU citizens living here. But in the unlikely event of no deal, I have been clear that this Government will still protect EU citizens' rights, and we would wish to know that actually, other EU Governments would respect the rights of UK citizens living in the EU as well.

**Jeremy Corbyn** (Islington North) (Lab): I am sure that the whole House will join me in joining the Prime Minister in condemning the shootings in Strasbourg and extending our sympathy to the families of those that have been killed or injured there.

I am delighted to see the Prime Minister back in her place after her little journeys. Having told the media this morning that she has made progress, can she now update the House on what changes she has secured to her deal?

**The Prime Minister:** I travelled to Europe yesterday and met several Heads of Government, the Commission and the European Council, precisely because I had listened to concerns raised in the House. I took them to Europe, and no one I met yesterday is in any doubt about the strength of concern in the House about the duration of the backstop. I am interested that the right hon. Gentleman wants to know what progress we have made, because actually he could not care less what I bring back from Brussels. He has been clear that whatever comes back from Brussels he will vote against it, because all he wants to do is create chaos in our economy, division in our society and damage to our economy. That's Labour. That's Corbyn.

**Jeremy Corbyn:** It is very clear that nothing has changed. If the Prime Minister needed any clarification about the temporary nature of the backstop, she need not have gone to Europe; she could have just asked her Attorney General, who said it endured indefinitely.

As the Prime Minister may recall, when she left on her journey, we were about to start day four of a five-day debate on the deal. Since she has not achieved any changes, either to the withdrawal agreement or to the future partnership, will she now confirm that we will have the concluding days of debate and votes within the next seven days, before the House rises for the Christmas recess?

**The Prime Minister:** I had discussions with people yesterday, and I have made some progress, but of course there is an EU Council meeting and further discussions are to be held. The right hon. Gentleman asks about the meaningful vote. The meaningful vote has been deferred, and the date of that vote will be announced in the normal way. The business motion will be agreed and discussed in the usual way. [HON. MEMBERS: "When?"] I will tell Opposition Members when. We had a meaningful vote in the referendum in 2016 and, if he wants a meaningful date, I will give him one: 29 March 2019, when we leave the European Union.

**Jeremy Corbyn:** That is totally and utterly unacceptable to this House. This House agreed a programme motion. This House agreed the five days of debate. This House agreed when the vote would take place. The Government unilaterally pulled that and denied the House the chance of a vote on this crucial matter. The Prime Minister and her Government have already been found in contempt of Parliament. Her behaviour today is just contemptuous of this Parliament and this process. Her appalling behaviour needs to be held to account by the House. The people of this country are more and more concerned about the ongoing chaos at the centre of her Government. [Interruption.]

**Mr Speaker:** Order. We must have calm on both sides of the House. [Interruption.] Order. The questions will be heard, however long it takes, and so will the answers. Do not try to shout down. All you do is wear out your voices, and you will not succeed. Amen. End of subject.

**Jeremy Corbyn:** When the Prime Minister made her Lancaster House speech, she set out her negotiating objectives, and they are worth quoting. The first objective is crucial:

"We will provide certainty wherever we can."

Does this look or feel like certainty? Can she mark her own homework?



**The Prime Minister:** Indeed we have at every stage—the right hon. Gentleman said we would not get agreement in December, and we did; he said we would not get the implementation period in March, and we did; he said we would not get a withdrawal agreement and political declaration, and we did. Concerns have been raised about the backstop. As I said, we continue those discussions, and no one yesterday was left in any doubt about the strength of feeling in the House. Of course, we all know what his answer to the backstop is: ignore the referendum and stay in the EU.

**Jeremy Corbyn:** If this is an agreement, why will the Prime Minister not put that agreement to a vote of this House?

The Federation of Small Businesses says that planning ahead is impossible. Many, many other people around the country find planning ahead impossible, because all that they see is chaos at the heart of Government and an inability to plan anything for the future. Yesterday the cross-party Exiting the European Union Committee, including Conservative Members, unanimously found that the Prime Minister's deal

“fails to offer sufficient clarity or certainty about the future.”

Will the Prime Minister give the country at least some certainty and categorically rule out the option of no deal?

**The Prime Minister:** The way to ensure that there is no no deal is to agree a deal. The right hon. Gentleman talks about the impact on businesses. I will tell him what will have an impact on businesses up and down the country: what we learnt just a few days ago, that the shadow Chancellor wants to change the law so that—*[Interruption.]*

**Mr Speaker:** Order. The Prime Minister's reply must be heard, and it will be.

**The Prime Minister:** Businesses will be affected by the fact that the shadow Chancellor wants to change the law so that trade unions in this country can go on strike in solidarity with any strike anywhere in the world. That may be solidarity with trade unions. It is not solidarity with small businesses, and it is not solidarity with the ordinary working people who would pay the price of Labour.

**Jeremy Corbyn:** My question was, would the Prime Minister rule out no deal? She has failed to do that.

Let me tell the Prime Minister that this sorry saga is frustrating for businesses, for workers, and, actually, for many of those behind her as well. Many of them are trying to work constructively to find a solution. Yesterday, her former Brexit Minister said that a new customs union with the EU “could be the basis for a parliamentary consensus”. When will she start listening to people who actually want to find a constructive solution, rather than denying Parliament the right to debate it and vote on her deal?

**The Prime Minister:** We all know one group of people who do not want to find a constructive solution: the Labour party's Front Bench. That is what we see on the other side of the Chamber: no plan, no clue, no Brexit.

**Jeremy Corbyn:** The time for dithering and delay is over. The Prime Minister has negotiated her deal—*[Interruption.]*

**Mr Speaker:** Order. The right hon. Gentleman will be heard.

**Jeremy Corbyn:** The time for dithering and delay by this Government is over. The Prime Minister has negotiated her deal. She has told us that it is the best and only deal available. There can be no more excuses, no more running away: put it before Parliament and let us have the vote. Whatever happens with the Prime Minister's Conservative leadership vote today is utterly irrelevant to the lives of people across our country. It does nothing to solve the Government's inability to get a deal that works for the whole country. The Prime Minister has already been found to be in contempt of Parliament. Will she now put this deal before Parliament and halt the escalating crisis which is so damaging to the lives of so many people in this country?

**The Prime Minister:** We all know from the multiplicity of changes in plan that we have seen from the Labour party that there is one thing we can be sure about: whatever U-turn comes next in Labour's policy, the right hon. Gentleman will send out—*[Interruption.]* He will send out—*[Interruption.]*

**Mr Speaker:** Order. I said a moment ago that the Leader of the Opposition must be heard, and, belatedly, he was; and the Prime Minister will be heard.

**The Prime Minister:** Whatever change in Labour policy we see, the right hon. Gentleman will send out his henchman to reveal it all to the world: “The Inconstant Gardiner.” *[Interruption.]* Somebody will explain that to the Leader of the Opposition a little later. The right hon. Gentleman should be honest with people about his position: he could not care less about Brexit; what he wants to do is bring down the Government, create uncertainty, sow division and crash our economy. The biggest threat to people and to this country is not in leaving the EU; it is a Corbyn Government.

Q8. [908163] **Paul Masterton** (East Renfrewshire) (Con): A few weeks ago Ben McKenzie from Neilston, a pupil at Eastwood High School, took his own life, having been the victim of cruel online threats and bullying on social media and his mobile phone; he was just 13 years old. Nearly £10,000 has been raised in his memory for Beautiful Inside and Out, a Scottish charity that supports the families of victims of child suicide. Can the Prime Minister set out what this Government are going to do to tackle cyber-bullying not just to support and empower victims, but to deter and prevent children who might be engaging in these acts without realising the consequences they can have, because no family should be enduring a Christmas without their child due to suicide?

**The Prime Minister:** My hon. Friend has raised an extremely serious issue and I am sure the thoughts and condolences of the whole House are with Ben's family at this terrible time after this terrible tragedy. We need to address cyber-bullying in both ways, as my hon. Friend said: both working with the internet companies on what is put out on their platforms and with schools to help people recognise this material and deal with it, and supporting those children who could, as my hon. Friend said, be the victims or who might be carrying out these attacks. Our consultation last year on internet

safety showed that despite a range of voluntary initiatives and good work by a range of charities—I commend the work of the Scottish charity Beautiful Inside and Out and the amount of money that has been raised—this remains a serious issue for millions of people. I know the Scottish Government have been addressing this with their “Respect for All” approach, and we have funded the UK Safer Internet Centre, which is providing guidance for schools, but we should all be taking this issue seriously and the Government will continue to work on this.

**Ian Blackford** (Ross, Skye and Lochaber) (SNP): May I associate myself with the remarks of the Prime Minister on cyber-bullying and indeed on the terrible tragedy yesterday in Strasbourg?

We were promised “strong and stable” and we were promised a vote on the Brexit deal, but this Prime Minister cannot even do her own job because of the Tory civil war. This Government are an embarrassment. Christmas is just two weeks away; will the Prime Minister bring forward her meaningful vote on the Brexit deal next week?

**The Prime Minister:** As I have said, we are having discussions with European leaders and others and those discussions will continue. What matters is that they are in no doubt about the strength of feeling in this House on the issue of the duration of the backstop and they are in no doubt about the strength of feeling in this House that that should be addressed in a way that has legal force, and that is what we are discussing and continuing to negotiate with the European Union. As I said earlier, the date of the deferred vote and debate on this will be announced in due course in the normal way.

**Ian Blackford:** That is contemptuous of Parliament. Parliament voted for a meaningful vote; we should be having the vote and it should be happening next week. This Government are a farce: the Tory party is in chaos, the Prime Minister is a disgrace through her actions. The reality is that people across Scotland and the UK are seeing this today. Prime Minister, take responsibility, do the right thing: resign.

**The Prime Minister:** The right hon. Gentleman makes his remarks about deferring the vote, but it is precisely because I and my colleagues in Government have listened to the views of people across this House that we are pursuing this issue further with the European Union. That is being respectful of the views that have been raised in this House.

Q10. [908165] **Mark Pawsey** (Rugby) (Con): Many businesses up and down the country have put their plans on hold while waiting for us here in Parliament to agree our future trading relationship with our biggest and closest neighbour. Does the Prime Minister agree that their interests, and those of their workers, their suppliers and the country as a whole, are best served by concluding the agreement with the remaining 27 and by those on this side of the House supporting her in the vote this evening?

**The Prime Minister:** I thank my hon. Friend for his comments, and I agree with him, particularly on the need to ensure that we do not increase or create more uncertainty. The public voted to leave the EU and they

want us to secure a deal that delivers on that result. We should not risk handing control of the Brexit negotiations to Opposition MPs in Parliament, because that would risk delaying or even stopping Brexit. None of that would be in the national interest, so I think we need to get on and deliver a good Brexit for the country.

Q2. [908157] **Ellie Reeves** (Lewisham West and Penge) (Lab): When I stood for election, I vowed not to vote for any Brexit deal that was not in the best interests of Lewisham West and Penge. After pulling the Brexit vote, the Prime Minister must now concede that her deal is doomed. The House and her own party appear to have no confidence in her, but will she have confidence in the people and give them a say with a people’s vote, including an option to remain in the EU?

**The Prime Minister:** We have deferred the vote on the agreement. On the issue that the hon. Lady raises about putting the vote to the people, I say to her, as I said to the hon. Member for Bristol East (Kerry McCarthy) and as I have said on many occasions in this House, that the House put its faith in the votes of the people of this country when we decided to give them the referendum in 2016. People voted to leave the European Union and it is now our duty to deliver on that.

Q12. [908167] **Mr Ranil Jayawardena** (North East Hampshire) (Con): This House has a duty to ensure that the next generation live better lives tomorrow than we live today, so how does my right hon. Friend respond to the audit carried out by the Royal College of Obstetricians and Gynaecologists that found that three quarters of the hundreds of babies who die or suffer brain damage each year could be saved by better care? What steps are the Government taking to ensure that every expectant mother and unborn baby receives appropriate monitoring?

**The Prime Minister:** I thank my hon. Friend for raising that important issue. I know that it is close to the hearts of many Members of the House. Every death or injury of a child is a tragedy, and we have a commitment to halving the rates of stillbirth, neonatal death and brain injury after birth by 2025. That is supported by system-wide action under our national maternity safety strategy. We are increasing midwifery training places by 25% and investing millions of pounds in training for staff and in new safety equipment to ensure that the NHS can provide world-class care for mothers and babies, but we recognise that we need to continue to ensure that we do all we can, and I can give my hon. Friend the reassurance that we will do that.

Q3. [908158] **Matthew Pennycook** (Greenwich and Woolwich) (Lab): As the right hon. Lady reflects on her premiership, may I ask her which of the following judgments she most regrets: laying down red lines before the Brexit talks had even begun; wasting precious negotiating time on a general election; or consistently failing to face down the hardliners on her own Benches and reach out to forge a consensus in this House and the country?

**The Prime Minister:** I will tell the hon. Gentleman the judgment that was the right one. It was to accept the vote of the people in the referendum, to deliver on the vote of the people in the referendum and to deliver a good Brexit for the future of this country.

Q15. [908170] **Damien Moore** (Southport) (Con): Small businesses are the backbone of my constituency. In the Budget, the Chancellor announced a revitalisation fund for our high streets. May I ask my right hon. Friend when it will be made available? It will prove a vital lifeline for my constituency, because of the anti-business policies of Labour-controlled Sefton Council.

**The Prime Minister:** I thank my hon. Friend for highlighting the help that we have announced for the high street. He is absolutely right that the Leader of the Opposition may stand up and claim to be interested in business and small businesses, but we so often see Labour councils up and down the country doing exactly the opposite. We have provided £675 million in the future high streets fund so that plans can be made to help to make high streets and town centres fit for the future, and we will be publishing a prospectus for the fund shortly.

Q4. [908159] **Catherine West** (Hornsey and Wood Green) (Lab): Can the Prime Minister confirm which of these is worse: no deal or no Brexit?

**Leo Docherty** (Aldershot) (Con): Or a Labour Government.

**The Prime Minister:** It is important that we deliver on Brexit for the people of this country. I believe that we should do that with a good deal with the European Union, and I believe that that is what we have negotiated. I also believe, as my hon. Friend the Member for Aldershot (Leo Docherty) said from a sedentary position, that the worst thing for this country would be a Labour Government.

**Mr Kenneth Clarke** (Rushcliffe) (Con): At a time of grave national crisis on an issue that we all agree is of huge importance to future generations, can my right hon. Friend think of anything more unhelpful, irrelevant and irresponsible than for the Conservative party to embark on weeks of a Conservative leadership election?

**The Prime Minister:** My right hon. and learned Friend has raised an important issue. It is about the impact that the weeks of that campaign would have on the decision that the House has to take and that we have to take as a country in relation to leaving the European Union, because there is no doubt that the process would go beyond the legislated date of 21 January. That would mean that one of the first things that the new leader would have to do—were a new leader to come in—would be either to extend article 50 or rescind it, which would mean either delaying or stopping Brexit.

Q5. [908160] **Siobhain McDonagh** (Mitcham and Morden) (Lab): Away from the madness of the Prime Minister's own MPs, may I welcome her back to the real world? Last week, Marian was forced to queue outside St George's hospital, Tooting, with a badly infected left leg because the A&E was full. Knowing what happened to my constituent, will the Prime Minister tell me how long that queue will be should the local NHS get its way and move the A&E at St Helier hospital to leafy, wealthy Belmont?

**The Prime Minister:** I am concerned to hear the case that the hon. Lady raises about her constituent. It is absolutely right that decisions on delivery of services should be taken by local clinicians, because they are best placed to assess local need. I understand that the local NHS is looking at the considerable challenges facing Epsom and St Helier University Hospitals NHS Trust and at the options for future services, but that process is at an early stage. Knowing the hon. Lady as I do from when we both sat on Merton Council, I am sure that she will continue to raise the concerns of her constituents, and I would encourage her to do so.

**Julian Knight** (Solihull) (Con): Shortly, 34,000 copies of "Your Money Matters", a free personal finance textbook, will wing their way to every secondary school in the land. Will my right hon. Friend join me in saying thank you to Martin Lewis, who is its funder, Young Money, which is the organisation behind it, the all-party parliamentary group on financial education for young people, which I chair, and, not least, the Department for Education for making this fantastic resource for our young people happen?

**The Prime Minister:** My hon. Friend has done an important thing today by raising people's awareness of this booklet, which will be extremely important for secondary schools. It is a really good piece of work, and I congratulate all those involved. I know that my hon. Friend, through his chairmanship of the APPG, has taken this matter seriously and has been championing it for a long time. I hope that he is pleased to see this piece of work being done, and I am sure that he will want to carry on to ensure that financial education is taking place and that young people are prepared for their future lives.

Q7. [908162] **Mary Creagh** (Wakefield) (Lab): The economy is stalling, business investment is falling, and we have the grotesque—[*Interruption.*]

**Mr Speaker:** Order. I could not care less what somebody chuntering from a sedentary position says is or is not the truth; what I care about is that the hon. Lady will not be shouted down any more than any other Member in this place will be shouted down. Be quiet and listen.

**Mary Creagh:** The economy is stalling, business investment is plummeting and we have the grotesque spectacle of Tory MPs putting party interest before the public interest. If the Prime Minister survives tonight's vote, will she finally rule out no deal, face down her hard Brexiteers, let this place vote down her deal and put it back to the public in a people's vote?

**The Prime Minister:** First, if the hon. Lady wants to ensure no deal, the way to ensure no deal is to agree a deal. That is the best way to ensure there is not no deal. She talks about the economy: employment is at a record high, wages are growing and we have had 23 consecutive quarters of growth, the longest run in the G7. That is a balanced approach to the economy. That is Conservatives delivering for the people of this country.

**Sir Patrick McLoughlin** (Derbyshire Dales) (Con): May I ask my right hon. Friend to take her mind back to September 1997, when a referendum was held in



Wales? The result of that referendum was 50.3% in favour of an Assembly and 49.7% against, on a turnout of 50%. Nobody questioned whether we should accept the referendum. Does that hold any future reference for us?

**The Prime Minister:** I thank my right hon. Friend for making a very important point about the principle that was accepted at that time, which was, however small the margin, the overall result of the vote should be accepted and acted on.

Q9. [908164] **Gill Furniss** (Sheffield, Brightside and Hillsborough) (Lab): Last week, I hosted an event to raise money for Hallam FM's Mission Christmas, a charity doing fantastic work helping children in need in my constituency, and for the local food bank. Indeed, many of the 41% of children living in poverty in my community will really need help this Christmas. What message does the Prime Minister have for those working hard to make ends meet but who will find themselves forced to rely on food banks for their family's Christmas meal and Mission Christmas for their children's presents?

**The Prime Minister:** First, may I say how good it is that Hallam FM has been doing this work? There are many charities up and down the country that work to provide a better Christmas than many children would otherwise have. That is important. We do not want to see people relying on food banks, but the way to ensure that people are able to provide for themselves without having to rely on food banks is to ensure that people are in work, that that work is well paid and that work always pays, which is exactly what we are doing.

**Maggie Throup** (Erewash) (Con): Residents in Erewash are clear that we need a strong Government to deliver on Brexit and on our domestic agenda. Does my right hon. Friend agree that it is time for us to unite on the Conservative Benches, as the real threat to our great nation is the party opposite and a Labour Government?

**The Prime Minister:** I echo my hon. Friend's comments. Many members of the public want us to get on with Brexit and to ensure that we are delivering for them on the domestic agenda, like the record number of new homes we have seen being built—the best number ever, bar one year, in the last 31 years. It is important that we get on to that domestic agenda, and to do that we must unite as a party and bring our country back together again. She is absolutely right that the greatest threat to the jobs, livelihoods and futures of her constituents, and constituents around the United Kingdom, would be a Labour Government.

Q11. [908166] **Colleen Fletcher** (Coventry North East) (Lab): Last month, a 16-year-old boy was tragically killed in a knife attack in my constituency. This came as knife crime has almost doubled in Coventry over the last five years. I know that some good multi-agency work is happening in this field, but does the Prime Minister still think that we have enough police officers on our streets to be able to fight crime and the fear of crime?

**The Prime Minister:** I extend my condolences to the family of the hon. Lady's constituent who suffered this terrible attack. Obviously there is a concern, and I recognise that concern, about the rise in violent crime,

which is why the Government have produced the serious violence strategy. Members on both sides of the House, on a cross-party basis, sit on the serious violence taskforce. We are giving extra powers to the police to tackle knife crime through the Offensive Weapons Bill, and we have strengthened firearms control through the Policing and Crime Act 2017.

This is not just about police action. We have announced the £200 million youth endowment fund, which will help to work with young people who otherwise might find themselves drawn into gangs and the use of knives, to prevent them from doing so and to prevent these crimes from happening in the first place.

**Sir David Evennett** (Bexleyheath and Crayford) (Con): Does my right hon. Friend share my concerns and those of my constituents about the further delays and increased costs of Crossrail, and the failures of Transport for London and the Labour Mayor of London?

**The Prime Minister:** I absolutely share my right hon. Friend's concerns and his constituents' concerns, and indeed my constituency is also affected by the delay of Crossrail. Yes, we should recognise the role that TfL and the Labour Mayor of London have played in this. We want to see Crossrail. It is going to be of benefit to my right hon. Friend's constituents and mine, and the Labour Mayor needs to get his finger out on this.

Q13. [908168] **Jim McMahon** (Oldham West and Royton) (Lab/Co-op): In 1997, the British Prime Minister issued an apology to the people of Ireland for Britain's historic role in the great famine—a famine that saw 1 million people die and 1 million people be displaced from their homeland. That apology sent out a powerful and important message. Will this Prime Minister condemn any notion and any suggestion that food shortages in Ireland will be used to strengthen Britain's negotiating hand during the Brexit negotiations?

**The Prime Minister:** I am happy to absolutely give that assurance. We would not use that issue in any sense in the negotiating strategy. We want to work with the Irish Government to ensure that we are providing a good Brexit for the UK and for Ireland, and I believe that would be a good Brexit for the European Union.

**Neil O'Brien** (Harborough) (Con): One of my constituents in Oadby has written to me to say, "I voted for Brexit and I urge you to support our Prime Minister unreservedly and vote for this Brexit deal." Another constituent in Great Glen says, "The Prime Minister has done a terrific job in trying circumstances. The headbangers from all sides and the supine attitude of the Labour party has meant she has had an impossible job, but she has done so well." Finally, a third from Saddington writes, "I am an employer of 30 people in the Harborough constituency. To vote against the deal will cause political chaos and open the door to the worst possible scenario for this country—a far left Labour Government." Does the Prime Minister agree with me that my constituents have got a lot more common sense than the Members opposite, who want to stop Brexit and fundamentally damage our democracy?

**The Prime Minister:** I think, Mr Speaker, that this can be an occasion where I give a very short answer: yes.



Q14. [908169] **Rachael Maskell** (York Central) (Lab/Co-op): The self-serving chaos unleashed on this Parliament this week is emblematic of the way in which this Government have consistently treated the people of our country. In the light of the Prime Minister's conduct, the pound has fallen by 2% in the past 48 hours—her Budget's equivalent of running the entire NHS for six weeks. Does she believe that this is a price worth paying for her Brexit deal?

**The Prime Minister:** The hon. Lady talks about what the Government are doing for the NHS. It is this Government who are establishing a 10-year plan for the sustainability of the NHS and putting the biggest cash boost in its history into the NHS to ensure it is there for all our constituents, now and in the future.

**Andrew Selous** (South West Bedfordshire) (Con): Does the Prime Minister agree that we all owe a huge debt of gratitude to our police officers, prison officers and probation staff, who are in the frontline of keeping us all safe, which is the first duty of any Government? In that regard, may I ask her to take a close and personal interest in the 2019-20 police funding settlement?

**The Prime Minister:** First, let me agree with my hon. Friend; we do owe an enormous debt of gratitude to all those who are on the frontline, putting themselves potentially at risk for us—not only police officers, but prison officers and probation officers, whom he referenced. I assure him that, as he has, I have been looking, with the Home Secretary, at the 2019-20 police funding settlement.

**Caroline Lucas** (Brighton, Pavilion) (Green): The plotters behind her know that any replacement Prime Minister would face exactly the same party arithmetic and exactly the same deadlock on Brexit. This deadlock can be changed only by going back to the people. Today, *The Times* also said that is her only chance of saving her job and saving her deal. So can she tell the House: what exactly is she afraid of?

**The Prime Minister:** The issue is that this House overwhelmingly voted to give the choice to the British people as to whether or not to leave the European

Union. The British people chose to leave the European Union and I strongly believe it is the duty of Members of this House to deliver on that vote.

**Kevin Hollinrake** (Thirsk and Malton) (Con): What does the Prime Minister consider most important: playing parliamentary parlour games in this place, or protecting jobs and businesses by going back to the negotiating table and thrashing out a deal that will pass through this House?

**The Prime Minister:** It is in the interests of employers and in the interests of people whose jobs are at stake to make sure that we get a good deal with the European Union. That is why it is important that I was in Europe yesterday and will continue to be in Europe doing exactly as my hon. Friend says: negotiating the deal that I believe can get the support of this House to ensure we can move forward and deliver a good Brexit.

**Sir Vince Cable** (Twickenham) (LD): Does the Prime Minister judge that it is more welcome or more appropriate to face a no confidence motion from her Back Benchers or from the Leader of the Opposition?

**The Prime Minister:** Obviously, one of those will take place. What I think is important for everybody in this House is to recognise that we have, I believe, a solemn duty to deliver on the result of the 2016 referendum. I believe the best way of doing that is with a good Brexit deal with the European Union that protects jobs and honours the referendum. I believe that is the deal we have negotiated.

**Julian Knight** (Solihull) (Con): On a point of order, Mr Speaker.

**Mr Speaker:** Order. I say to the hon. Gentleman, whose mellifluous tones we listened to only a few moments ago, that I am very happy to entertain a point of order, but that it should come after the urgent question. I am sure he will retain the thrust of it in his head and he will share it with the House in due course. We will await that with eager anticipation, but not until we have had the urgent question from Emily Thornberry.

## Institute for Statecraft: Integrity Initiative

12.42 pm

**Emily Thornberry** (Islington South and Finsbury) (Lab) (*Urgent Question*): To ask the Secretary of State for Foreign and Commonwealth Affairs to make a statement on his Department's funding of the Institute for Statecraft's integrity initiative.

**The Minister for Europe and the Americas (Sir Alan Duncan)**: The Institute for Statecraft is an independent UK-based charity whose work seeks to improve governance and enhance national security. It runs a project called the integrity initiative, which is working to counter disinformation overseas by bringing together groups of experts to analyse and discuss the problem posed by Russian disinformation.

The Government are funding this initiative with nearly £2 million this financial year. That funding covers its activity outside the UK and it does not fund any activity within the UK; nor does it fund the management of the integrity initiative's social media account. Recent reports that Foreign Office funding has been used to support party political activity in the UK are therefore wholly untrue.

**Emily Thornberry**: Thank you, Mr Speaker, for granting this urgent question. I thank the Minister of State for his opening remarks.

Let me make it clear at the outset that I have no interest today in debating the integrity initiative's purpose of countering the very real threat of interference in western democracies and the spread of disinformation by the Russian state. If a debate needs to happen on how that objective is best pursued, it is best left for another day. The issue before us today is much more simple and fundamental: it is a cardinal rule of public life in our country that official resources should not be used for political purposes, a rule we saw symbolised this very morning when the Prime Minister delivered her statement outside Downing Street with the usual Government coat of arms removed from her lectern because of the political nature of her statement. There is, I am afraid, absolutely no doubt that the publicly funded integrity initiative has broken that rule repeatedly by using its Twitter accounts to disseminate articles attacking the integrity of Conservative and Labour officials, of Conservative peers and, repeatedly, of the Leader of Her Majesty's Opposition.

I greatly welcome the Minister's statement on Monday, in which he totally condemned such behaviour by a publicly funded organisation, and said that not only must it stop, but that he wanted to know "why on earth it happened in the first place".

That is doubly important in this case, because the integrity initiative's use of Twitter as a tool for disseminating information has not been a fringe activity, but is an integral part of its applications for Foreign Office funding over the past two years. Indeed, the budget for its agreed objectives of increasing reporting in the media and expanding the impact of its website and Twitter account amounted to £275,000 in this financial year. In the list of key deliverables it promised the Foreign Office this year, it stated explicitly that one of its instruments of delivery will be its

"600-plus Twitter followers, including influential players".

In the light of all that, I hope that the Minister of State can answer some more questions to explain, as he put it, why on earth that misuse of public funds has taken place. First, were Foreign Office officials monitoring the integrity initiative's social media output, given that it was an integral part of the activity for which it was being funded? If so, why did they not flag up concerns to him about the dissemination of personal attacks? If not, why was this misuse of public funds going unchecked? Secondly, does the funding agreement governing the integrity initiative make clear that its use of funds and its public statements must comply with Cabinet Office rules? Finally, if the Government intend to renew that funding for the next financial year, what arrangements and agreements will be put in place to ensure that nothing of this sort ever happens again?

**Sir Alan Duncan**: It is a matter of regret, Mr Speaker, that the right hon. Lady did not listen to the answer that I gave a moment ago. Let me explain to the House what has been going on. The Institute for Statecraft was hacked several weeks ago and numerous documents were published and amplified by Kremlin news channels. The Russian state media campaign that followed fits with a wider pattern of Russian disinformation against the UK. This campaign's objective is clear: it is yet another example of Russian disinformation intended to confuse audiences and discredit an organisation that is working independently to tackle the threat of disinformation. The current Russian disinformation activity is precisely the sort of disinformation that this project is designed to counter. It is regrettable, but perhaps rather unsurprising, that some have been fooled, and have used this to make accusations about British politics in exactly the way hoped for in this malign activity.

While that is going on in the UK, the sort of activity that we do fund is doing its utmost to counter Russian disinformation overseas, which is undermining democracy and its institutions ever more widely across the world. The FCO has given a grant to the Institute for Statecraft this financial year of nearly £2 million. Our agreement, written into the contract with the institute, specifically states that the grant must not be used to support activity intended to influence, or attempt to influence, the UK Parliament, Government or political parties. We have not seen any evidence that the integrity initiative has breached this obligation, and the accusation that Government money has been used for domestic political purposes is utterly unfounded.

**Emily Thornberry**: What?

**Sir Alan Duncan**: I say once again to the right hon. Lady that no Foreign Office funding is used for the initiative's UK domestic activity. She can look at me as aghast as she likes, but the money that comes from the Foreign Office is used for activity overseas, and she should accept that as the—[*Interruption.*] If she does not accept it, she should say in terms what she is accusing me of, because that would be a breach of the forms of the House.

**Kevin Foster** (Torbay) (Con): It would clearly be concerning if any Foreign Office money was being used for party political activities, so I welcome the Minister's reassurances. Will he confirm that an investigation has been launched to see what has happened, and that when a proper, independent investigation has come to proper conclusions, he will take action on them?

**Sir Alan Duncan:** Perhaps one of the accurate things that the right hon. Member for Islington South and Finsbury (Emily Thornberry) said was that when I was interviewed on Radio 4 and this matter was sprung on me, I said that I would look into it straightaway, and I did. I have established the facts and I am satisfied that our money does not go towards funding any kind of UK domestic activity.

**Angela Rayner** (Ashton-under-Lyne) (Lab): Rubbish!

**Sir Alan Duncan:** Mr Speaker, I have been accused of speaking rubbish by the hon. Lady. She should mark her words carefully before she bellows untruths at me across the House.

**Mr Speaker:** Order. Nobody should bellow across the House from either side. I know that the right hon. Minister of State is very well able to look after himself. The word “rubbish” is sadly used relatively frequently in the House, and it is certainly not unparliamentary. It is a matter of taste rather than of order. I am glad to see the right hon. Minister of State breaking out into a smile. It would be more seemly if colleagues would conduct these exchanges in a slightly more restrained fashion. To that end, I now look in hope—possibly in anticipation—to Mr Stephen Gethins.

**Stephen Gethins** (North East Fife) (SNP): I wish to put on record that a number of FCO-funded non-governmental organisations do extraordinary work in the most difficult circumstances. Before I came to this place, I worked in the south Caucasus and the western Balkans, where many of those organisations do that extraordinary work. They deserve our support for doing that but, more than anything else, they need to know that the Foreign Office has full openness and transparency. Our most powerful tool against any Russian misinformation is respect for the rule of law, the democratic process and, critically, transparency; we owe that to those working in these organisations. The Minister will be well aware of many people who work in very difficult circumstances and find themselves at the hard edge of Russian disinformation campaigns.

We need to have confidence in our democratic process. There should be no undermining of politicians, be they Labour, Scottish National party or Conservative, or of anybody else. What further steps will the Minister take to ensure that impartiality and integrity goes to the very heart of all funding that comes from the Foreign Office? I hope that he will consider the tone of the question I am putting to him, and will agree with me that those who are doing difficult work in difficult conflict environments deserve the full support of this House, and to know that the Foreign Office has their back.

**Sir Alan Duncan:** I thank the hon. Gentleman for both what he asked and the tone in which he asked it. He has experience of these issues and I share in pretty well everything that he just said. The integrity initiative, in its activity abroad, endeavours to deliver exactly that sort of transparency to counter fake news and disinformation, in the way that I think the hon. Gentleman and all of us would hope. Indeed, the right hon. Member for Islington South and Finsbury said in her opening remarks that she would support that sort of activity.

What is more, this charity is incorporated in Scotland, so it is subject to the Scottish Charity Regulator, and that kind of non-partisan activity is required. Within the UK, the charity does some automatic retweeting of stories that relate to Russia. Of course, on some occasions that includes mentions of the right hon. Leader of the Opposition; equally, there could be mention of a Conservative, as indeed has happened on many occasions. It has been judged to be no more than non-partisan repetition of stories that relate to Russia.

**Sir Desmond Swayne** (New Forest West) (Con): I am reassured to know that we are taking on Russian misinformation. I am right to be, aren't I?

**Sir Alan Duncan:** Yes, my right hon. Friend is right to be. The whole House should appreciate that this is an ever-increasing challenge, and one that we need to meet in the cyber field, as we do in the information field. That is what we are doing.

**Emily Thornberry:** In a united way.

**Sir Alan Duncan:** The right hon. Gentleman says from a sedentary position “in a united way”—yes, and she could add to that unity by recognising the truth of what I have said, instead of denying it in her normal way.

**Emily Thornberry:** I'm not a gentleman. I have never been a gentleman.

**Hilary Benn** (Leeds Central) (Lab): The Minister said that the Institute for Statecraft was hacked several weeks ago. Will he clarify for the House whether that hacking extended to the Twitter account of the integrity initiative, which has been retweeting articles that are undoubtedly critical of my right hon. Friend the Leader of the Opposition, and the Opposition's policy?

**Sir Alan Duncan:** The answer is that I do not know, but if information is on a Twitter account, it is publicly available anyway. It is the information that was not publicly available that was hacked, and I deplore that hack. That is what is now being used by Russian-inspired sources to create the sort of encounters we are witnessing here today.

**Richard Graham** (Gloucester) (Con): This is the first time I have come across an accusation from a Labour party spokesperson that retweeting a *New Statesman* article was a smear against Labour. Despite the fact that the Government's financial support has nothing to do with the institute's UK activities, will my right hon. Friend reassure Members that if any evidence is found that the institute is involved in efforts to discredit the Labour party, he would unequivocally condemn such behaviour?

**Sir Alan Duncan:** Yes. If our funding were being used for that, then yes, I would condemn it, and the contract would be withdrawn. [Interruption.] I hear again from a Labour Front Bencher an accusation, which I have categorically denied today, that Foreign Office funding is paying for UK Twitter activity and the management of the institute's account. I say to the hon. Member for Middlesbrough (Andy McDonald), who has been shouting



[*Sir Alan Duncan*]

at me from the Front Bench, that he should withdraw that accusation, because I have spoken in honesty to the House, and he should recognise that.

**Christine Jardine** (Edinburgh West) (LD): Russia has been pushing the boundaries with its international interference and disruption, and we have seen incidents such as Salisbury and what is happening in Ukraine. Our defences against cyber-attack will be depleted if we leave the European Union, so will the Minister tell the House what plans have been drawn up to increase the skills and resources required to counter future cyber-attacks?

**Sir Alan Duncan:** We are one of the leaders in cyber-defence; indeed, we assist other countries in learning the techniques necessary to protect against the sort of hacking that we are discussing in part today. I am confident, and I have enormous confidence in the professional competence of our officials in defending this country from cyber-attacks and malign cyber-activity.

**Dr Julian Lewis** (New Forest East) (Con): How sure are we that the Russians were behind this hack? If we are sure, what are we going to do by way of response?

**Sir Alan Duncan:** One of the responses is, of course, to counter in the sort of way that we are doing in the House today. Unfortunately, I do not have as many allies across the Chamber as I would like to have in so doing. We know the origin of the attack because it takes exactly the same pattern that we have seen in previous attacks.

**Mike Gapes** (Ilford South) (Lab/Co-op): The Russians are engaged in hybrid cyber-warfare against our country and many others. We seem to play by different rules from theirs. What are we doing to counter the nefarious activities of the Russian propaganda channel RT and of Sputnik?

**Sir Alan Duncan:** We do indeed play by the rules, because we have integrity in upholding the rule of law and acting within the confines of our own law. Some might say that that puts us at a disadvantage, because other people break the rules to try to get the better of us, but we have strong cyber-defences. The kind of activity that the integrity initiative undertakes is designed to counter the sort of activity to which the hon. Gentleman rightly refers. It saddens and dismays me that I do not have the full support of those on the Opposition Front Bench in defending what we are doing.

**Julian Knight** (Solihull) (Con): I welcome the absolute clarity of the Minister's statement and his refutation of the allegations. I also welcome the work of the Institute for Statecraft. Does the Minister agree that we need to double down on that work, because as the Digital, Culture, Media and Sport Committee has shown, the reality is that Russian disinformation is a danger to our democracy and our very way of life? We should not fall into Russian traps and aid the sort of paranoia that we have seen in the coverage of this matter in the likes of *The Canary* and that type of publication.

**Sir Alan Duncan:** I fully agree. We should not be taken for a sucker. If we allow malign forces to divide us and try to rule over us, that is what will have happened to us. Again, I urge the Front Benchers of Her Majesty's Opposition to appreciate that this is a proper part of government activity—within the rules, according to a contract—and it behoves them to accept the assurances that have been so clearly and openly given today.

**Tom Brake** (Carshalton and Wallington) (LD): On the allegations of Russian influence, is the Minister aware of concerns about some activities of peers in the House of Lords who are representing Russian companies, including Lord Truscott, who is the remunerated chairman of the advisory board of Russian Gold Fund, which is a private equity investment fund about which it is possible to find out precisely nothing, including who is investing in it and where the money is going?

**Sir Alan Duncan:** It is not for me to comment on the propriety or otherwise of any Member of the House of Lords. It has its own standards and rules, and it is for that House to apply those rules as it sees fit.

**Bob Blackman** (Harrow East) (Con): I congratulate my right hon. Friend on the robust way in which he has answered these questions. Will he ensure that the Institute for Statecraft reviews its editorial policy so that we counter Russian fake news and disinformation and so that it does not fall foul of criticising UK politicians?

**Sir Alan Duncan:** I am very happy to say yes. I can assure my hon. Friend and the House that when it comes to challenging officials on any issue, I do so very robustly, to establish the highest standards of activity in everything the Foreign Office does. Therefore, in response to this situation, I have certainly been grilling officials to find out exactly what is happening. I have asked them to engage with the Institute for Statecraft to look at its editorial policy to ensure that there is, and will remain, an absolutely clear division between its domestic activity under its charitable rules and any overseas activity that we fund and is subject to the contract we have.

**Chris Bryant** (Rhondda) (Lab): I completely support any attempts to deal with misinformation campaigns, whether they originate from Russia, Saudi Arabia, the hard right in the United States of America or Syria—or, for that matter, in Catalonia last year. I want to make sure that a project such as this really works, but it will not have the confidence of the whole nation unless we are able to see some changes in the way in which it operates in this case. I would have more confidence if the Government were to engage in the kind of investigation that is ongoing in the United States of America into Russian involvement in democratic process in this country. Why can we not have that investigation?

**Sir Alan Duncan:** Again, that is an area where there is an enormous amount of work going on in the Government. I share the hon. Gentleman's concerns. We have seen all sorts of social media activity and we have seen completely verified activity of Russian intervention in democratic processes, such as the election in Montenegro and perhaps the referendum in Catalonia. That is in addition to the full spectrum of activity that we are specifically discussing in this urgent question.



**Sir Christopher Chope** (Christchurch) (Con): Will my right hon. Friend explain why the Government are still not in favour of expelling the Russian Federation from the Council of Europe? The Russian Federation is in breach of all its international obligations, yet the Government are not doing what they could do, which is to expel it from the Council of Europe.

**Sir Alan Duncan:** I understand what my hon. Friend is saying, but a matter of that sort is for the Council of Europe and I know that the parliamentary representatives are discussing it. Russia has not paid its dues and this question is being discussed regularly.

**Jenny Chapman** (Darlington) (Lab): May I just observe that the Minister seems to be rather affronted by the anger felt on this side of the House, particularly by my Front-Bench colleagues, on this issue? He really need not; he ought to be sharing in that anger. Does he think that the investigation that he has undertaken so far is sufficient, or does he plan any further inquiry into this matter? Does he think he has done enough?

**Sir Alan Duncan:** No, I do not share in the anger because the accusations that are being made are misplaced and have been categorically denied. Right hon. Ladies and Gentlemen in particular should accept the assurance on that basis.

**Ian Murray** (Edinburgh South) (Lab): I am delighted that the Foreign Office is spending money trying to counter the disinformation and fake news that is coming not just from Russia but, as my hon. Friend the Member for Rhondda (Chris Bryant) said, from all over the world. What comments has the Minister given to this organisation to impress upon it that its domestic use of its Twitter account, whether right or wrong, may be undermining what it is trying to do internationally?

**Sir Alan Duncan:** I actually think that that is a perfectly fair question about whether the domestic activity of the organisation somehow taints the legitimate and Foreign Office-funded international activity. What I resent very deeply is Members of this House not accepting the assurances given that Foreign Office funding does not pay for that domestic activity. In the organisation's defence, I think that all it does is to forward from already open website articles anything that happens to mention Russia. It is deemed to have done so on a non-partisan basis, so in as much as it may occasionally mention the Leader of the Opposition, it could also mention anyone on the Conservative side. That distinction ought to be accepted and understood, particularly by Opposition Front Benchers. I have undertaken to conduct exactly that sort of review, because it is important that our activity is clear, distinct and not in any way muddled with the sort of activity that the hon. Gentleman is describing.

**Ian C. Lucas** (Wrexham) (Lab): Will the Minister clarify when the Foreign Office became aware that the account had been hacked? Was it before or after the press coverage?

**Sir Alan Duncan:** I suspect, although I am partly speculating, that the Foreign Office probably knew fairly quickly. The matter did not necessarily come to Ministers

straightaway, probably because it was not deemed to be that serious. Unfortunately, these things happen all too frequently at the moment.

**Peter Grant** (Glenrothes) (SNP): According to documents that the company itself has filed with Companies House, one of the directors describes his own occupation as "senior civil servant". Now, it may be that that is his former rather than his present occupation, but a simple glance at his career indicates that he has held a number of senior and presumably sensitive posts within both Her Majesty's Government and NATO. Will the Minister tell us whether the Government were aware, until now, that this individual held that directorship? Were the Government involved in any way in nominating or recommending him for that position? And what approval of authorisation, if any, did the individual require before he became a director of what is, as the Minister has said, an independent company limited by guarantee?

**Mr Speaker:** It was very cheeky of the hon. Gentleman to ask three questions, but I am sure the Minister will respond.

**Sir Alan Duncan:** I believe that I would be right in saying that perhaps the reason for this is that NATO is also a funder of this activity. Therefore, I imagine that the name to which the hon. Gentleman refers has a connection with NATO. However, should this be inaccurate, I will of course write to him straightaway.

**Layla Moran** (Oxford West and Abingdon) (LD): In the end, this is about trust. In a recent parliamentary question to do with public money to fund social media ads to promote the Brexit deal, I asked the Government whether they would place the contents of these ads in the Library for us all to see. Unfortunately, this request was declined. Does the Minister agree that, to ensure public trust and transparency, the content and audiences of any ads paid for by public money should be published centrally as a matter of course?

**Sir Alan Duncan:** The Foreign Office funding for the Integrity Initiative does not really pay for advertisements, so that is not really relevant to today's urgent question. May I just refer to the earlier question regarding when we knew about the hack? We first knew about it on 23 November.

**Chris Williamson** (Derby North) (Lab): The Minister is burying his head in the sand. The fact is that this organisation has received more than £2 million of public money in just over 18 months, and it is a matter of fact that it has been engaging in a smear campaign against the Leader of the Opposition and the Labour party. It has also taken credit for derailing the appointment of Pedro Banos as the director of Homeland Security in Spain. This is a democratic outrage, and will the Minister therefore agree to an independent inquiry into the activities of this organisation?

**Sir Alan Duncan:** I have said this on many occasions this morning: what the hon. Gentleman says about domestic activity—smearing the Leader of the Opposition—is utterly untrue.

**Hugh Gaffney** (Coatbridge, Chryston and Bellshill) (Lab): Will the Minister now make it clear when he knew, how long the institute was hacked and what he has done about it?

**Sir Alan Duncan:** I have sort of answered all those questions already this morning. I first knew about this when there was a report in the Sunday papers. I answered a question sprung on me on the “Today” programme at 7 o’clock yesterday, after which I sought all the facts, which have equipped me truthfully to answer this urgent question today.

**Martin Whitfield** (East Lothian) (Lab): Does it not concern the Minister that the internal checks within the FCO have led it to sending cheques for £2 million to a derelict mill in Scotland as an address for this charity?

**Sir Alan Duncan:** Well, that is not the cleverest of questions. The charity was incorporated in Scotland. Most of its activities are in the UK and all payments are channelled properly to where they belong.

**Mr Paul Sweeney** (Glasgow North East) (Lab/Co-op): Will the Minister tell us a bit more about the Foreign Office’s counter-disinformation and media development team—what its objectives, resourcing and budget are and whether it has operational interface with the integrity initiative?

**Sir Alan Duncan:** This question this morning is primarily about the integrity initiative. We carry out a lot of activity. Indeed, it is linked with our cyber-facilities in the UK Government, so, across Whitehall, there is all sorts of counter-disinformation activities. This is managed by our strategic fund—the conflict, stability and security fund—so increasingly across Whitehall, we are having to be alert and equipped to counter cyber-attacks and disinformation.

**Ian Austin** (Dudley North) (Lab): The Government should be doing much more to counter Russian disinformation in Britain and in the west. In particular, may I ask the Minister to comment on the activities

of RT, which cannot be regarded as a serious news organisation? It is a wholly owned Kremlin propaganda channel, which has engaged in dishonest campaigns to undermine our democracy. Does he agree that it is a channel that mainstream politicians should not have anything to do with, and will he contact his counterparts at DCMS and ask them to encourage Ofcom to review the channel’s licence?

**Sir Alan Duncan:** It is a rare moment of early festive good cheer that I can find myself wholly in agreement with the hon. Gentleman, which is not something that always happens across the Floor of the House. He is absolutely right about the extent to which Russia Today is an obvious mouthpiece for the Kremlin. It distorts information; it spreads disinformation; and it has quite a few useful idiots who it puts in front of the camera, and we should identify those so-called useful idiots and make sure that none of them is ever in our midst.

**Martin Docherty-Hughes** (West Dunbartonshire) (SNP): I agree with the shadow Foreign Secretary that we should scrutinise all instances of public bodies in receipt of public funds, yet the fact remains that the integrity initiative has criticised all political parties, including my own, when they have fallen foul—inadvertently or not—of the Russian disinformation narrative trap. I am a wee bit concerned that we fall into a trap where we are exposing the plethora of, some would say, Putin-Verstehers in grey suits in all political parties. I understand that the origin of much of the information discussed today emerged as a result of a hack perpetrated by actors of a dubious origin. Will the Minister enlighten the House further on the circumstances of that hack, and will he bring a report back to the Floor of the House?

**Sir Alan Duncan:** Obviously, when I referred to my “Today” programme interview, it was on Monday, rather than yesterday. Let me just say to the hon. Gentleman that we are having an investigation into the hacking. It is continuing. We cannot attribute it with certainty to an absolutely specific source, but it does fit in with the wider pattern that I mentioned earlier, and therefore, of course, we have our well-founded suspicions.

## Points of Order

1.14 pm

**Julian Knight** (Solihull) (Con): On a point of order, Mr Speaker. The wait is over. A few days ago, a senior Labour Member of Parliament addressed a public meeting in my constituency relating to the relocation of a post office—a very sensitive public matter. I will not name the MP in question, but I would like your guidance please, Sir, on the correct procedure for Members in terms of when they should or should not show the courtesy of letting a sitting Member of Parliament know.

**Mr Speaker:** I am grateful to the hon. Gentleman for his point of order. The answer is straightforward: it is a long-standing convention in this House that a Member visiting the constituency of another Member in a political or public capacity should notify the Member whose constituency is to be visited. If the visit is of a purely private character, for example, going to lunch or dinner at somebody's house in that Member's constituency, the obligation does not apply. I am bound to say to him, and I am sorry that he is obviously highly dissatisfied about this, that this is a recurrent complaint from Members on both sides of the House and I hope that, in the interests of the House as a whole, Members on both sides would honour the convention. [*Interruption.*] The hon. Member for Bolsover (Mr Skinner) says from a sedentary position, "Who was it?". Well, the hon. Member for Solihull (Julian Knight) has not named the Member. I think that he is focused on the principle rather than the personality. It seems to me that the principle applies regardless of who the personality is. However, if the hon. Member for Bolsover is particularly keen to know the identity of the person concerned, he can always have a cup of tea with the hon. Gentleman, although he may think that that is a step too far.

**Mr Dennis Skinner** (Bolsover) (Lab): A big step too far.

**Mr Speaker:** Why is that response not a great surprise to me?

**Andrew Gwynne** (Denton and Reddish) (Lab) *rose*—

**Mr Speaker:** I am saving up the Front Bench. It would be a pity to squander the hon. Gentleman at too early a stage of our proceedings.

**Gareth Thomas** (Harrow West) (Lab/Co-op): On a point of order, Mr Speaker. You may remember that an independent report into the allegations of sexual harassment, abuse of power and bullying at UNAids, which Britain currently chairs, has recently been published calling for the resignation of the current executive director. Can you think of any way in which it would be possible to elicit a statement from the Secretary of State for International Development, whose responsibility this is, on what she and the Government are doing to effect the resignation of the said executive director?

**Mr Speaker:** The hon. Gentleman could seek an Adjournment debate on the matter. There are other routes open to him and I think that he knows that. I

cannot offer any promise to him but, if he were able to demonstrate that it was a matter of urgency, it could be aired on the Floor of the House. Sometimes, when I am asked by a disappointed or, dare I say it, a mildly frustrated Member who has not been able to air the matter of concern to him or her, my advice tends to be: persist, persist, persist. Just because a Member is unsuccessful the first time round, it does not automatically follow that the Member will continue to fail.

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): On a point of order, Mr Speaker. I have raised this matter with you and the Clerks, and I understand that measures are being taken to address this issue, but I want to raise with you the concern that there are hundreds of young people here today campaigning for a people's vote from the For Our Future's Sake organisation and Our Future Our Choice. They have been in the House to meet MPs over the past few weeks and have had very constructive discussions. They are not protesters. They are not here to cause disruption; they are here to speak to their elected representatives. Can you ensure that they are being allowed in to meet MPs and to use the Committee Rooms that they have booked with Members and that this does not happen in the future? It sends out a very bad message if, for whatever untoward reasons, young people coming to express their democratic rights are prevented from accessing Central Lobby and speaking to their Members.

**Mr Speaker:** I am extremely grateful to the hon. Gentleman for raising that point of order and for his characteristic courtesy in giving me advance notice of his intention to do so. My reply is a nuanced one that I hope is fair in the circumstances, and those circumstances include the fact that I have been in the Chair and not able to view the circumstances directly, so I am reluctant to rush to judgment.

What I would say to the hon. Gentleman is as follows. If constituents have meetings with their Members, they should of course be given ready access to those Members and should also be permitted to get to a Committee Room with maximum expedition. Security and logistical concerns may mean that larger groups are filtered through Central Lobby in batches so that they can obtain the relevant green card. However, I will investigate the circumstances of what happened this morning more fully and write to him when I have full information.

I hope that the hon. Gentleman, whose point of order is very reasonable, will understand if I say two things. First, I share his insistence on ready access and his passion for the idea of public engagement—in particular, the idea that young people who want to get into this place and communicate with Members, and register their views, should have the opportunity to do so. It is not for nothing that I have chaired the UK Youth Parliament for the past 10 years here, and not for nothing that I have gone to the UK Youth Parliament's annual conference every year for the past 10 years. That is not just because I enjoy talking to them, though I readily admit that I do, but also because I enjoy hearing from them. That, I think, is important.

The second point I would make, which I hope the hon. Gentleman will accept in the spirit in which it is intended, is that I know that our staff are utterly



[Mr Speaker]

dedicated and conscientious, and I would not want to criticise those staff unless there were a very compelling reason to do so.

I take on board what the hon. Gentleman has said, and I will look into it and get back to him.

**Andrew Gwynne** (Denton and Reddish) (Lab): On a point of order, Mr Speaker. It is customary for the local government finance settlement to be announced to Parliament in early December. Indeed, Ministers had pencilled it in for 6 December. Last week, in a written statement, the Secretary of State for Housing, Communities and Local Government deferred the statement until after the “protected period”, by which I assume he meant the expected meaningful vote on the withdrawal agreement, which of course should have been last night.

Have you, Sir, had any indication from the Government as to when they expect to bring the statement before the House, as given the late change to this week’s business, it could have been made by now? I am not asking you to speculate on rumour and uncertainty, with the Government perhaps wanting to collapse business next week. However, this is crucially important, notwithstanding the psychodrama unfolding on the Government Benches, because our councils are now entering the council tax-setting cycle and need to have certainty about their budgets and their council tax requirements, including the police precept, ahead of the bills being sent out in March.

**Mr Speaker:** I say to the hon. Gentleman, in all candour and conviviality, that no one could accuse him of excluding from his attempted point of order any point that might to any degree, in any way, at any time be judged to be material. That is my polite way of saying that his point of order is supremely comprehensive.

My answer to the hon. Gentleman is twofold. First, the business question is the obvious opportunity for this matter to be aired and, as he is sitting next to the shadow Leader of the House, he can attempt to add it to the list of important matters that she will feel inclined to raise at the business question tomorrow.

Secondly, although I obviously have absolutely no way of knowing whether the contents of the prospective statement are likely to be finalised any time soon, if they are finalised soon, there is no shortage of time for this matter to be aired either tomorrow or, indeed, next week. The hon. Gentleman is dextrous in his use of parliamentary mechanisms to secure the attention of the House. We will leave it there for now.

If there are no further points of order—if the appetite has been satisfied—we come now to the ten-minute rule motion for which the hon. Member for Braintree (James Cleverly) has been so patiently waiting.

## International Trade and Development Agency

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

1.24 pm

**James Cleverly** (Braintree) (Con): I beg to move,

That leave be given to bring in a Bill to establish an International Trade and Development Agency to coordinate the development and delivery of policy between the Department for International Trade and the Department for International Development; and for connected purposes.

I am sure that all Members of this House will be familiar with the old adage, “Give a man a fish, feed him for a day. Teach a man to fish and feed him for life.” But I feel that another line should be added to that: “Buy that man’s surplus fish and watch him lift himself out of poverty.”

In March 2016, I went to Sierra Leone, the country of my mother’s birth, to see the impact that UK aid has had. Sierra Leone is a country that was ravaged by civil war—a civil war that was ultimately brought to a close because of the involvement of British armed forces. More recently, Sierra Leone was hit by Ebola, a disease that was able to take hold because the social and medical infrastructure of the country was smashed during the civil war. British aid and British medical professionals were instrumental in winning the fight against Ebola. When mudslides in Sierra Leone’s capital of Freetown took the lives of hundreds, UK aid stepped up and supported the country once again.

However, when I spoke to the people of Sierra Leone—a country that was hit by war, disease and natural disaster—on my visit, I found that the thing they craved most from their relationship with the UK was not further aid, thankful though they were for the aid they had received, but increased trade. They wanted to be able to sell to us and to be able to buy our products and services in return.

The Department for International Development has the remit to end extreme poverty and tackle the root causes of disease, mass migration, insecurity and conflict. I know that DIFD does look at helping countries on the journey out of poverty by supporting the development of their commercial potential and establishing the foundations for future trading relationships, but it will always feel pressure to focus on countries with the most poverty and at the times of greatest hardship. Our constituents very rarely complain when they see UK aid supporting those in the most extreme hardship. We are, at heart, a nation of people with an internationalist outlook and a desire to support people when they are at their lowest ebb. There is, however, less vocal support for our development spending when it is not targeted at the points of most extreme poverty and hardship. Yet it is this area that gives countries the best chance of becoming permanently economically self-sufficient.

Since the EU referendum vote, the people of the United Kingdom have embraced a new-found interest in international trade policy. We have seen a significant appetite to build on our current relationships and become, once again, a global trading nation. It is right that in the immediate post-Brexit world, the International Trade Department prioritises increasing trade flows between the UK and other larger developed economies. This is



the most efficient use of limited Government resources: time, money, and people. But there is a danger that countries who are neither at the poorest nor the richest end of the spectrum fall between the two. We see very little public disagreement when our aid spending is directed at countries like Sierra Leone, which has gone through such difficulties, but when it is directed at countries like Nigeria and Pakistan, we too often see negative headlines and public disquiet. Yet it is countries like these—not at the lowest ebb but certainly not yet fully economically stable—that could be permanently helped out of poverty through trade with the United Kingdom.

If the UK is going to take up its rightful position as a truly global leader in this field, we need to ensure that we have a repository for the kind of expertise necessary to look into things like trade preferences for least developed countries and how we make sure that countries growing out of LDC status are not presented with a cliff-edge change to their trade status.

Addressing those complexities is a tall order for our civil servants, spread across two Departments, and takes deep, specialist expertise. Civil servants rotate through different jobs across Departments every few years, so we often have to rely on outside expertise, and unfortunately there is little institutional memory in this area. Equally, asking civil servants to assess the impact of policies and programmes they have designed is like asking someone to mark their own homework. Parliament must also be able to access independent evidence and analysis, be well informed about the shape of our new trade arrangements with developing countries as we leave the EU, have visibility of the impacts of those trade arrangements and, if they are performing less well than expected, call for improvements.

A similar basket of requirements brought about the creation of the United States International Trade Commission some 100 years ago. That is why we should have a similar but enhanced organisation here in the UK at this pivotal moment in our history. The agency would be a statutory body, reporting to Ministers and Parliament, probably with a staff of around 50 full-time professionals. The agency would have five main functions.

First, it would carry out analysis and consultations with businesses in the UK and in developing countries to build up a robust evidence base, monitoring our trade with developing countries and assessing the impacts on growth, employment and development, reporting to Ministers and Parliament annually.

Secondly, it would specifically review the scope and design of our trade preference systems for developing countries and advise Ministers at least every two years on how these were performing and where improvements were needed, including which countries should be included, excluded or graduated.

Thirdly, it would recommend how we can best craft our future trade agreements with developing countries in goods, services and technology to maximise the benefits for promoting shared prosperity at home and abroad and overcome red-tape barriers for developing countries exporting to the UK.

Fourthly, it would undertake sustainability impact assessments of all future UK trade agreements with developing countries, following the model that has been used extensively by the EU but for which we currently have no system here in the UK.

Finally, the agency would track our Aid for Trade programmes, assessing performance against Government targets and recommending best practices for joined-up and effective UK aid spending in this area.

We have the opportunity to create an organisation of truly global standing that could be a model for other OECD countries and an international centre of excellence. We have the chance to make a statement to countries around the world, rich and poor, that we do not just want to make poverty bearable; we want to make poverty history.

1.32 pm

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): I rise to speak in opposition to the Bill. Let me start by making it clear that trade, development and ending poverty very much go together. That has always been at the heart of the Department for International Development's agenda, having been put at its heart when the Department was established by the Labour Government in 1997. I sat in that Department as an adviser and worked with many organisations, particularly on trade and development issues, for many years. I worked alongside my hon. Friend the Member for Harrow West (Gareth Thomas), who served as a joint Trade and DFID Minister, on how we properly put those issues together.

I am a Labour and a Co-operative MP. Fair trade and trade justice are at the heart of what Co-operative MPs stand for. Many of us are members of the fair trade group in Parliament, and many of us have argued for support for trade with developing countries—trade that will lift people out of poverty.

The hon. Member for Braintree (James Cleverly) mentioned the Make Poverty History campaign, in which I was closely involved in 2005. One of its three pillars was trade justice, alongside more and better aid and dropping the debt. All those things go together. While I agree with some of the principles put forward by the hon. Gentleman, his speech belied a wider agenda. This is essentially part of an agenda about Brexit and an attempt by some Government Members to undermine and take apart the Department for International Development by other means than a straight-out abolition. That has been a hallmark of some Conservative policy over the last few years, which is deeply disappointing. While we have, on the face of it, a commitment to the Department and to the 0.7% spending target, a series of measures have undermined the Department and its core objectives.

I am not sure that some of the things the hon. Gentleman suggested would be compatible with the International Development Acts. Those Acts were clear that poverty eradication had to be the foremost agenda of UK aid and development policy. He said that the Department feels “pressure” to focus on countries with the most poverty. I think that it should. That should be the primary purpose of our aid and development spending—those most in poverty.

**James Cleverly:** Not exclusively.

**Stephen Doughty:** The hon. Gentleman says that I was not listening. I was listening carefully. He is blurring objectives. The focus should be on poverty and on our

[*Stephen Doughty*]

common interest. There is a way of devising international development policy and trade policy that is in the common interest of both parties—of our country and of developing countries—and ensures that we move together in generating and spreading wealth and prosperity for all people in the world, including in those countries, rather than having a self-interested trade policy.

Past Conservative Governments do not have a positive record on this. I would hate to see a day when we slip back to things like the Pergau Dam scandal, or where things are tied simply to self-interested trade policies and we attempt to get self-advantage rather than to focus on common interests between ourselves and some of the poorest countries in the world.

There is a good way to go about this. It is the policy that we have practised in Government through the Department for International Development. It is the policy that has been pursued in much of our work through multilateral agencies, which do much to promote trade and development and provide trade capacity.

The hon. Gentleman spoke about the EU. One of the greatest tragedies of Brexit is that we are potentially coming out of key European development agencies, the European development fund and the arrangements that exist for close co-operation with many countries, including many in the Commonwealth and African, Caribbean and Pacific countries. It has been far from perfect. I have campaigned when I think the EU has got things wrong in its relationships. In fact, my hon. Friend the Member for Harrow West will remember he and I having lively discussions about policy in a previous life and where that went.

The reality is that, on the whole, the EU has had development and poverty eradication at the heart of its policies and its relationships with the ACP countries. We already have trade agreements with many of those countries. We already have supportive policies in aid and development. One of the tragedies of Brexit is that we will potentially just chuck all that in the bin.

The European development fund, the European Commission's humanitarian office—ECHO—and many other programmes are some of the Department for International Development's highest rated multilateral programmes. I previously served on the International Development Committee, and we saw evidence of that when looking at the funding of multilateral agencies.

It seems absurd to suggest that we come out of all those programmes and create something else that is hugely bureaucratic and would, I fear—whatever the intentions of the hon. Member for Braintree—be used by other Government Members and those with agendas to simply undermine the work of the Department for International Development.

There is also the crucial issue of the extra bureaucracy and cost of setting up such an agency. Why do we need it? We already have a Department. We already have UK aid. We already have the multilateral agencies that have these relationships. We already have many experts working in trade facilitation and trade and international development. Why would we create another costly agency and reorganise and shunt civil servants back and forth yet again when we already have people doing excellent

work in that area, in not only this country but many of the others with which we co-operate? I do not need to mention all the names, but there are many other agencies that we have worked with for many years, such as Crown Agents.

Of course, we also have the Commonwealth Development Corporation. Mr Speaker, you will know, because I have spoken on this at great length before, that I have been a critical friend of the CDC. The CDC has got things wrong in the past. The huge extra funding given to it was premature and too much to absorb quickly, but I know that the CDC is working to look at all those issues. It is important that we stick with what we have. It works perfectly well. It has poverty eradication at the heart of it. We have excellent people working on it. We do not need to create something else.

As I said, this Bill unfortunately sits alongside a series of other agendas. We have seen attempts by this Government to rebadge aid and development spending and redraw the definitions used at an international and UK level—“Let's say we're keeping the 0.7% target, but we'll undermine it in every way we can by sticking everything else under it and claiming that it's development spending.” We have seen the repeated diversion of our aid funding to private contractors, many of whom have actually been seriously criticised for some of the work they have been doing. As I have said, we have had the huge increases to the CDC. I am not opposed to an increase to the CDC, but I have had some serious concerns about its level.

We have also seen this with the Government's two cross-Government funds—the conflict, stability and security fund and the prosperity fund. Many parts of that work are excellent—the funds are doing excellent work—and we cannot have a purist development policy in which we do not work with other agencies. However, I certainly have some serious questions about the way in which other Departments have been spending money through the prosperity fund without reference to our development objectives and without reference to poverty eradication as the first point. Quite frankly, there has been very lax scrutiny from other Departments—including, I am sorry to say, the Foreign Office—about where that is going and how it is being spent.

I do not think that the fate of the world's poorest people and the relationships of common interest that we should be building together, as I have said, should somehow be used instrumentally in the Brexit process. They should not be used as some sort of Brexit sweeteners for us to try and grab magical trade deals that, frankly, we already have, but are also not going to replace our excellent trading relations with our EU neighbours or, indeed, the trading relations that exist between us as an integral part of the European Union and many of the world's developing countries.

We have to have a relationship of mutual respect: not simply one of self-interest, but one of common interest. We will truly make poverty history by supporting and working alongside developing countries, not by acting in an instrumental way in which we are putting our own interests before those of others. I therefore oppose the Bill, and I hope the House will divide on this.

*Question put (Standing Order No. 23).*

*The House divided: Ayes 42, Noes 243.*

**Division No. 278]****[1.41 pm****AYES**

Afriyie, Adam  
Aldous, Peter  
Bacon, Mr Richard  
Beresford, Sir Paul  
Blackman, Bob  
Bone, Mr Peter  
Cleverly, James  
Crouch, Tracey  
Double, Steve  
Duddridge, James  
Duncan Smith, rh Mr Iain  
Elphicke, Charlie  
Evennett, rh Sir David  
Freeman, George  
Gyimah, Mr Sam  
Halfon, rh Robert  
Henderson, Gordon  
Howell, John  
Lord, Mr Jonathan  
Loughton, Tim  
Mann, Scott  
McLoughlin, rh Sir Patrick  
Mills, Nigel

Murrison, Dr Andrew  
Offord, Dr Matthew  
Penning, rh Sir Mike  
Quince, Will  
Rees-Mogg, Mr Jacob  
Robinson, Mary  
Selous, Andrew  
Smith, Royston  
Soames, rh Sir Nicholas  
Swayne, rh Sir Desmond  
Syms, Sir Robert  
Thomas, Derek  
Thomson, Ross  
Tomlinson, Michael  
Vaizey, rh Mr Edward  
Vickers, Martin  
Villiers, rh Theresa  
Wiggin, Bill  
Wragg, Mr William

**Tellers for the Ayes:**

**Robert Neill and  
Colin Clark**

**NOES**

Abbott, rh Ms Diane  
Abrahams, Debbie  
Ali, Rushanara  
Allin-Khan, Dr Rosena  
Amesbury, Mike  
Antoniazzi, Tonia  
Ashworth, Jonathan  
Austin, Ian  
Bailey, Mr Adrian  
Barron, rh Sir Kevin  
Beckett, rh Margaret  
Benn, rh Hilary  
Berger, Luciana  
Betts, Mr Clive  
Blackman-Woods, Dr Roberta  
Blomfield, Paul  
Brabin, Tracy  
Bradshaw, rh Mr Ben  
Brake, rh Tom  
Brennan, Kevin  
Brown, Lyn  
Brown, rh Mr Nicholas  
Bryant, Chris  
Buck, Ms Karen  
Burden, Richard  
Burgon, Richard  
Butler, Dawn  
Cable, rh Sir Vince  
Cadbury, Ruth  
Cameron, Dr Lisa  
Campbell, rh Mr Alan  
Campbell, Mr Ronnie  
Carden, Dan  
Carmichael, rh Mr Alistair  
Champion, Sarah  
Chapman, Jenny  
Charalambous, Bambos  
Coaker, Vernon  
Cooper, Julie  
Cooper, Rosie  
Cooper, rh Yvette  
Corbyn, rh Jeremy  
Crausby, Sir David

Creagh, Mary  
Cryer, John  
Cummins, Judith  
Cunningham, Alex  
Cunningham, Mr Jim  
Daby, Janet  
Dakin, Nic  
Davey, rh Sir Edward  
David, Wayne  
Davies, Geraint  
De Cordova, Marsha  
De Piero, Gloria  
Debbonaire, Thangam  
Dent Coad, Emma  
Dhesi, Mr Tanmanjeet Singh  
Doughty, Stephen  
Dowd, Peter  
Drew, Dr David  
Dromey, Jack  
Duffield, Rosie  
Eagle, Ms Angela  
Eagle, Maria  
Edwards, Jonathan  
Efford, Clive  
Elliott, Julie  
Elmore, Chris  
Esterson, Bill  
Evans, Chris  
Farrelly, Paul  
Fellows, Marion  
Field, rh Frank  
Fitzpatrick, Jim  
Fletcher, Colleen  
Fovargue, Yvonne  
Foxcroft, Vicky  
Frith, James  
Furniss, Gill  
Gaffney, Hugh  
Gapes, Mike  
Gardiner, Barry  
George, Ruth  
Gethins, Stephen  
Gill, Preet Kaur

Glendon, Mary  
Goodman, Helen  
Grady, Patrick  
Green, Kate  
Greenwood, Lilian  
Greenwood, Margaret  
Griffith, Nia  
Grogan, John  
Gwynne, Andrew  
Haigh, Louise  
Hanson, rh David  
Hardy, Emma  
Harman, rh Ms Harriet  
Harris, Carolyn  
Hayes, Helen  
Hayman, Sue  
Hendrick, Sir Mark  
Hendry, Drew  
Hepburn, Mr Stephen  
Hill, Mike  
Hillier, Meg  
Hobhouse, Wera  
Hodge, rh Dame Margaret  
Hodgson, Mrs Sharon  
Hollern, Kate  
Hollobone, Mr Philip  
Hopkins, Kelvin  
Hosie, Stewart  
Howarth, rh Mr George  
Huq, Dr Rupa  
Hussain, Imran  
Jardine, Christine  
Jones, Darren  
Jones, Gerald  
Jones, Graham P.  
Jones, Sarah  
Jones, Susan Elan  
Kane, Mike  
Keeley, Barbara  
Kendall, Liz  
Khan, Afzal  
Killen, Ged  
Kinnock, Stephen  
Kyle, Peter  
Laird, Lesley  
Lake, Ben  
Lamb, rh Norman  
Lammy, rh Mr David  
Lavery, Ian  
Law, Chris  
Lee, Karen  
Leslie, Mr Chris  
Lewell-Buck, Mrs Emma  
Lewis, Clive  
Lewis, Mr Ivan  
Linden, David  
Lloyd, Stephen  
Lloyd, Tony  
Long Bailey, Rebecca  
MacNeil, Angus Brendan  
Madders, Justin  
Mahmood, Mr Khalid  
Mahmood, Shabana  
Marsden, Gordon  
Martin, Sandy  
Maskell, Rachael  
Matheson, Christian  
Mc Nally, John  
McCabe, Steve  
McCarthy, Kerry  
McDonald, Andy  
McDonnell, rh John

McFadden, rh Mr Pat  
McGovern, Alison  
McInnes, Liz  
McKinnell, Catherine  
McMahon, Jim  
McMorrin, Anna  
Mearns, Ian  
Miliband, rh Edward  
Monaghan, Carol  
Moon, Mrs Madeleine  
Moran, Layla  
Morden, Jessica  
Morgan, Stephen  
Morris, Grahame  
Murray, Ian  
Norris, Alex  
Onn, Melanie  
Onwurah, Chi  
Osamor, Kate  
Owen, Albert  
Peacock, Stephanie  
Pennycook, Matthew  
Perkins, Toby  
Phillips, Jess  
Phillipson, Bridget  
Pidcock, Laura  
Pollard, Luke  
Poulter, Dr Dan  
Pound, Stephen  
Qureshi, Yasmin  
Rashid, Faisal  
Rayner, Angela  
Reed, Mr Steve  
Rees, Christina  
Reeves, Ellie  
Reeves, Rachel  
Reynolds, Emma  
Reynolds, Jonathan  
Rimmer, Ms Marie  
Kendall, Liz  
Rowley, Danielle  
Ruane, Chris  
Russell-Moyle, Lloyd  
Ryan, rh Joan  
Saville Roberts, Liz  
Shah, Naz  
Sharma, Mr Virendra  
Sherriff, Paula  
Shuker, Mr Gavin  
Siddiq, Tulip  
Skinner, Mr Dennis  
Slaughter, Andy  
Smeeth, Ruth  
Smith, Angela  
Smith, Cat  
Smith, Eleanor  
Smith, Laura  
Smith, Nick  
Smyth, Karin  
Snell, Gareth  
Sobel, Alex  
Spellar, rh John  
Stevens, Jo  
Stone, Jamie  
Streeting, Wes  
Stringer, Graham  
Sweeney, Mr Paul  
Thomas, Gareth  
Thomas-Symonds, Nick  
Timms, rh Stephen  
Trickett, Jon  
Turner, Karl  
Twigg, Stephen



Twist, Liz  
Umunna, Chuka  
Vaz, Valerie  
Walker, Thelma  
West, Catherine  
Western, Matt  
Whitehead, Dr Alan  
Williams, Hywel

Williams, Dr Paul  
Williamson, Chris  
Wilson, Phil  
Zeichner, Daniel

**Tellers for the Noes:**  
**Stella Creasy and**  
**Martin Whitfield**

*Question accordingly negated.*

**James Cleverly:** Recount!

**Mr Speaker:** I am not quite sure which football team the hon. Gentleman supports—

**James Cleverly:** Arsenal.

**Mr Speaker:** Well, in that case the hon. Gentleman is always a model of good behaviour—always. Any Arsenal fan is to be commended. We appreciate the amiable demeanour of the hon. Gentleman in the circumstances.

**Dr Rupa Huq** (Ealing Central and Acton) (Lab): On a point of order, Mr Speaker. I wonder whether I might seek your advice on this matter. The Home Office has just laid a written statement on an update of the Government's anti-corruption strategy 2017 to 2022, which originated from David Cameron back in 2016. I have been unable to get a hard copy of it, but having this as a written, not an oral, statement denies Members of the House the opportunity to hold the Government to account on the commitments in the strategy. We are at least due by now a consultation on the new economic crime of failure to prevent money laundering—I asked the Prime Minister about that in her statement on the G20 the other day. I know that these are good days to bury bad news and that this Government like to duck big challenges, but have you received any advance notice

or indication of when there will be an oral statement from the Minister with responsibility for crime prevention on the anti-corruption strategy, which would give us in this House an opportunity to debate its progress?

**Mr Speaker:** The short answer to the hon. Lady is that no, I have received no indication of an imminent statement on that matter by any Government Minister. This is not, strictly speaking, a point of order upon which I can rule, although I must say that in raising an attempted point of order that does not constitute a point of order, she is not in a notably isolated minority—that is to say, the vast majority of attempted points of order are, of course, nothing of the kind. They are points of frustration, points of point-scoring, points of view and points of advertisement, rather than points of order. What I would say is that it is of course for the Government to decide whether, and if so when, to make a statement on the matter and to judge what form that statement should take. Principally—I say this as much for the benefit of people attending to our proceedings who are not Members of the House as for those who are—they have to make a judgment about whether to make a written or an oral statement. That partly depends on the timetable and how much space there is in the day, and it partly depends on their judgment about the level of importance to be attached to the matter.

The hon. Lady has made clear her view that an oral statement would have been appropriate in this case, and no doubt that view will have been heard clearly on the Treasury Bench. Meanwhile, although she is disappointed not to have witnessed a statement that she thinks is appropriate, she has at least succeeded in highlighting the fact of the imminent publication—well, we think the imminent publication, but certainly the important publication—of the document concerned.

If there are no further points of order, the Clerk will now proceed to read the orders of the day.

## Courts and Tribunals (Judiciary and Functions of Staff) Bill [Lords]

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

**Mr Speaker:** I should inform the House that I have selected the amendments on the amendment paper—although they are starred as tabled after the usual deadline—because of the late notice of today’s business. I should also inform the House that I have today issued a provisional certificate that clause 2 of the Bill, as amended in Public Bill Committee, relates exclusively to England and Wales and is within devolved legislative competence. At the end of the Report stage on a Bill, I am required to consider the Bill as amended on Report for certification. At that point, I will issue my final certificate.

### Clause 3

AUTHORISED COURT AND TRIBUNAL STAFF: LEGAL  
ADVICE AND JUDICIAL FUNCTIONS

1.58 pm

**Yasmin Qureshi** (Bolton South East) (Lab): I beg to move amendment 1, in page 3, line 28, leave out subsection 3 and insert—

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

*This amendment would require that where statutory instruments delegating judicial functions to authorised persons are brought they would be subject to the affirmative procedure.*

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

Amendment 2, in the schedule, page 6, line 36, at end insert—

“(aa) is a qualified solicitor, barrister or chartered legal executive with more than three years’ experience post-qualification, and”.

*This amendment would stipulate that the minimum legal qualifications for authorised persons should be three years’ experience post-qualification.*

Amendment 3, in the schedule, page 8, line 31, at end insert—

“( ) is a qualified solicitor, barrister or chartered legal executive with more than three years’ experience post-qualification, and”.

*See explanatory statement to amendment 2.*

Amendment 4, in the schedule, page 11, line 12, at end insert

“and if they are a qualified solicitor, barrister or chartered legal executive with more than three years’ experience post-qualification”.

*See explanatory statement to amendment 2.*

Amendment 5, in the schedule, page 11, line 32, leave out subsection 67C and insert—

“67C Right to judicial reconsideration of decision made by an authorised person

A party to any decision made by an authorised person in the execution of the person’s duty as an authorised person exercising a relevant judicial function, by virtue of section 67B(1), may apply in writing, within 14 days of the service of the order, to have the decision reconsidered by a judge of the relevant court within 14 days from the date of application.”

*This amendment would grant people subject to a decision made under delegated powers a statutory right to judicial reconsideration.*

**Yasmin Qureshi:** I rise to speak in support of amendment 1 and the other amendments. We are being encouraged to wave through this wafer-thin Bill, which is both narrowly constrained and obscurely drafted. This is a Bill that sneaks through changes that will change unconstitutional double delegation—that is, of legislative power to unaccountable judges sitting on procedure rule committees and of judicial powers to non-independent courts and tribunal staff.

Let us begin with clause 3, which delegates judicial functions to authorised staff. This provision must be understood in the context of a wider court reform agenda and the austerity measures that seek to make significant cuts. These efficiencies, generated through the proposed reforms, arise not only from the reduction in the size of the courts estate, but from savings on judicial salaries. Ultimately, the Bill seeks more justice on the cheap.

The Bill will ensure that judicial powers are delegated to non-independent courts and tribunal staff. The procedure rule committee is primarily made up of senior judges, who would ensure relatively little external public scrutiny of this delegation of judicial functions to non-judicial employees of Her Majesty’s Courts and Tribunals Service. That is a really important point.

The Bill provides that regulations under clause 3 must be made under the negative resolution procedure. In effect, this will allow new rules of court stipulating which judicial functions can be delegated and to whom, and the requisite qualifications or experience that an authorised person must have to take on these judicial functions, but, as the Bill stands, such a delegation will come into force without any real parliamentary scrutiny. In essence, by providing that the regulations in the Bill are to be made under the negative resolution procedure, the Government are avoiding proper scrutiny by a democratically mandated legislature here in this place.

Our amendment, which is supported by the Bar Council, would ensure more constitutionally appropriate accountability and scrutiny, through the affirmative resolution procedure, of these sweeping regulations. These regulations concern powers to make rules stipulating which judicial functions can be delegated and to whom, and the qualifications and experience required before a member of the administration can be given these judicial functions. Without careful scrutiny and additional safeguards, the Government’s drip-feed approach to court reform will erode some of our most fundamental institutions and our understanding of the rule of law.

**John Howell** (Henley) (Con): Will the hon. Lady comment on whether the qualification provision will raise the bar significantly above that in current regulations for such people and whether that will put at a disadvantage people already carrying out those functions?

**Yasmin Qureshi:** We are talking about two different things. The authorised persons are to have delegated to them many judicial functions, and it is only appropriate that they have some experience. In those circumstances, three years’ post-qualification experience is not a big ask, obligation or burden. We are asking for the minimum, and we are being very reasonable and practical about it. We are only surprised that the Government are not taking our concerns on board and changing the rules.

**Mr Jim Cunningham** (Coventry South) (Lab): One reason we need proper scrutiny is the tendency towards rationalisation of the courts, which eventually means long waiting times—that cannot be justice for anyone waiting for a trial. There have been endless cases of this now, and it is getting worse, not better. Does my hon. Friend agree that that is not fair on the victim or the perpetrator?

**Yasmin Qureshi:** My hon. Friend is spot on. That is one of our concerns about the Government’s proposals.

We need a process that requires transparent and public scrutiny in this House of the scope of future delegated powers. The safeguards the Opposition seek on the powers created by the Bill are not unreasonable and would not interfere with the notion of reasonable delegation of non-contentious administrative functions; they simply press for further oversight and accountability.

Our amendments providing that the authorised persons must be solicitors, barristers or chartered legal executives with more than three years’ post-qualification experience have been recommended and drafted by the Law Society and are supported by the Bar Council. In other words, all the practitioners in the country are supporting and asking for these changes, and I ask the Government, even at this late stage, to consider adopting them. In the circumstance, we believe them to be the minimal ask of the Government. It is a lower qualification threshold than what is currently required of pupil supervisors, or indeed of solicitors, to supervise an office.

It is worth remembering that authorised staff are not subject to the training, experience, ethos and oaths of professional judges, and could be performing judicial functions while also—this is really important—being employed directly by HMCTS. This raises genuine questions of independence.

**Kevin Hollinrake** (Thirsk and Malton) (Con): We are talking about taxpayers’ money. Does the hon. Lady not accept that where such tasks are routine—say, straightforward case preparation—the people performing them should not need a legal qualification?

**Yasmin Qureshi:** These people will be performing judicial tasks and functions and so will need to be appropriately qualified, which is why we have tabled the amendments.

**James Cartledge** (South Suffolk) (Con): It is my understanding that these are mainly interlocutory functions, not actual judgments or significant judicial functions.

**Yasmin Qureshi:** No, as we understand it, although it is envisaged that some of these tasks will be procedural, others will be very important to people whose rights are affected. We might think, for example, that requests for adjournments are straightforward, but they are not. As practitioners and former practitioners will know, they can be complicated, because when a judge decides whether to grant one, they take into consideration a host of things, so it is important that the person be appropriately qualified.

We accept that the procedure rule committee will be able to iron out some of the questions about what are judicial and what are administrative functions, but the main thing is that these people will be carrying out

judicial functions and deciding some difficult issues, and it is only appropriate that they be qualified and appropriately experienced.

**Andy Slaughter** (Hammersmith) (Lab): My hon. Friend is absolutely right. We discussed this in Committee. Interlocutory case management often has a large bearing on what happens in a case; it can alter what happens in a case and it can alter cost decisions. In their own way, such decisions are as important as purely judicial decisions. The Government’s proposal might be a false economy, so I support what she is saying.

**Yasmin Qureshi:** I thank my hon. Friend, a former shadow Justice Minister, for his intervention, and I take his point.

We acknowledge that the relevant procedure rule committee will set out the procedural requirements for who can carry out the procedures, but we also know that these committees are predominantly made up of senior judges, so this will have implications for the independence of judicial decision making.

We also believe that such a shift will not match the expectations held by members of the public on the experience and independence of those making judicial decisions about their rights.

**Robert Neill** (Bromley and Chislehurst) (Con): The hon. Lady referred to the independence of the judges. Is not the whole virtue of this proposal that the rules governing who should be delegated what functions will be made by judges, and should not be made by politicians in any circumstance? Lord Thomas of Cwmgiedd, the former Lord Chief Justice, observed:

“Experience has shown that detailed restrictions on procedure are a very real fetter on the administration of justice.”—[*Official Report, House of Lords*, 20 June 2018; Vol. 791, c. 2039.]

He counselled against too much restriction of the kind that is being proposed.

**Yasmin Qureshi:** The procedure rule committee obviously has a place in our judicial system, and we accept that judges and others are involved in it, but everyone knows that there are times when, because of financial pressures, services are cut to the bare minimum. We believe that, to protect our judicial system, the functions concerned should be clearly set out, and those that will have an effect on someone should be decided by an authorised person with a legal qualification.

**Alex Chalk** (Cheltenham) (Con): The hon. Lady is getting perilously close to suggesting that judges will do justice when they are inside a court, but will be incapable of ensuring that justice is done when they are outside a court, on the procedure rule committees. Will she make it crystal clear that judges will always, in all circumstances, want to do justice, and can be trusted to do so?

**Yasmin Qureshi:** We are not suggesting that judges will somehow not be independent. As I have said, I have the highest regard for our judiciary in court, although from time to time we might disagree with the decisions that judges reach. In the real world, however, there are often targets to be met and financial constraints to be considered. We are saying that when the procedure rule committee is making rules, it should be guided by Parliament.

**Robert Neill** *rose*—



**Yasmin Qureshi:** I have taken a number of interventions, and I will make some progress now. Otherwise we will be going round in circles on the same point.

The Bill provides for judicial functions to be delegated to authorised staff across the criminal, civil and family courts and tribunals. However, it also states that while those staff will be independent of the Lord Chancellor when carrying out the delegated functions, they will remain court staff, and will not take the judicial oath of independence. It is surely important for those who will be making any type of judicial decision to take that oath. They cannot be described as independent when they are employed by the court in which they will serve.

There might, for example, be economic pressures. The court might want to get rid of cases very quickly, within a certain period. The promotion prospects of those who are employed directly by the courts will, of course, be affected, and, unlike judges, they will not be governed by the oath of independence, the Bar rules and the Law Society rules. People who are making judicial decisions should be appropriately qualified, with the proper ethos and the proper rules that apply to solicitors and barristers, and to which members of the legal profession, such as me, must have regard.

Our amendment 5 would ensure that a party to any decision made by an authorised person exercising a relevant judicial function, or the function of a tribunal, “may apply in writing, within 14 days of the service of the order, to have the decision reconsidered by a judge of the relevant court within 14 days from the date of application.”

We will be quite happy if the Government want to increase the period to 21 days, or reduce it to fewer than 14, but we want people to have a right to judicial reconsideration of a decision made by an authorised person. We cannot understand why the Government do not want to accept the amendment.

2.15 pm

The statutory right of reconsideration would allow any party to a decision made by an authorised person to have that decision reconsidered by a judge, as recommended by Lord Justice Briggs in his 2016 “Civil Courts Structure Review: Final Report”. The right is already provided for in, for example, tribunal procedure rules. Lord Justice Briggs said:

“The creation of an extensive right to have the decisions of Case Officers considered by a judge has from the outset been regarded as the natural safety valve for concerns about what was...described as the delegation of judicial functions to persons who are not judges”.

We are asking for a minimum safeguard. The right of reconsideration would have the benefit of freeing an authorised person from the obligation to produce detailed reasons for every decision, as would be the case if the right of appeal, for example, were created. It has the additional benefit of going further than a right of review by guaranteeing judicial oversight of a decision.

More importantly, that statutory right would ensure compliance with article 6 of the European convention on human rights, which refers to the right to a fair trial. Decisions that affect people’s rights must be made by an independent and impartial person, and that person cannot be a member of court staff or employed directly by a tribunal. We consider this to be a proportionate safeguard that would be relevant to the new powers created by the Bill, given the provision in article 6 that

the determination of a person’s civil rights and obligations, or any criminal charge against them, must be undertaken by an independent and impartial tribunal established by law.

The requirement for independence would apply not only to the tribunal, but to any judge or other officer authorised by law to exercise judicial power. As the Ministry of Justice acknowledges in its human rights memorandum on the Bill,

“In considering independence...guarantees against outside pressures are relevant—as is the question whether the body presents an appearance of independence”.

In the memorandum, the MOJ suggests that it is intended that

“case management decisions which it is proposed these authorised members of staff will be able to take will be uncontentious and not of sufficient importance to engage Article 6”.

However—I say this particularly to those who have practised in law and have attended court, and my hon. Friend the Member for Hammersmith (Andy Slaughter) made the point earlier—case management decisions can have a significant impact in shaping the ultimate outcome of a case. For example, a decision on the appropriate timescales within which a party should take a step in proceedings may be significant, as failures to comply with a timescale will lead to some or all of the party’s case being struck out.

Furthermore, the Ministry of Justice’s factsheet on the delegation of functions to non-judicial staff states:

“In future, we expect that authorised staff may be able to carry out a...range of...functions”

and responsibilities,

“including case management powers and some mediation roles.”

That suggests that what is envisaged is more than a delegation of purely procedural powers to authorised persons. In effect, a mediation role is almost like a judicial role, and people who have not been properly trained and are not properly qualified should not be mediating between the parties to the proceedings. Even in its own paper, the Ministry of Justice seems to expect those staff to play a much bigger role in decision making.

Labour Members strongly believe that Parliament must have a role in ensuring that the new system of delegation proposed in the Bill includes a backstop protection—the word “backstop” has been used a lot in the last few weeks—of the right to a fair trial. Our amendments have been endorsed by the Law Society, the Bar Council and the Equality and Human Rights Commission. They propose a statutory right to judicial reconsideration for any party to a judicial decision made by an authorised person or non-judge. This would afford stronger protection of the right to a fair trial, and would guarantee the independent and impartial determination required by article 6. Another of our amendments seeks to ensure that, in drawing up the rules on reconsideration, the procedure committee must consider which functions and decisions could clearly have a material impact on the substantive rights of the parties.

The safeguards we are calling for are not unreasonable; they are minimal if we understand that the provisions in this so-called “uncontroversial” Bill have the potential to profoundly impact on our justice system. But to truly understand the impact of this Bill, we have to look at it

in the context of the Government's wider austerity agenda. The double delegation of powers that the Government are intent on introducing is a slippery slope that, without proper controls, puts rights at risk. We can resist this—and we do. Without further careful scrutiny and additional safeguards, this Bill has the potential to erode long-established legal rights.

The Government must take notice of the clear limitations of this Bill. They should listen to those who seek to improve this Bill and accept our amendments to ensure that we protect our judicial system.

**Robert Neill:** I hope I shall make a better stab at my speech than I did of being a Teller earlier.

I rise to oppose these amendments, tempted though I am by the way in which they were proposed by the shadow Minister, the hon. Member for Bolton South East (Yasmin Qureshi), whom I respect as a fellow lawyer. However, I do have to say that she seeks to go further than is appropriate and seeks to put a needless restriction on the ability of the procedure committee in particular to come to the appropriate balance. I have very great respect for the views of both the Law Society and the Bar Council—I say that with reference to my entry in the Register of Members' Financial Interests as a non-practising barrister and a consultant to a law firm—but ultimately the scheme envisaged by the Government is a right and balanced one, and reflects in particular the views of the senior judiciary, which I think is important because ultimately it is the judges who are best placed to decide the appropriate level of delegation. They are the people who work day to day with these staff; they see day to day the nature of the boxwork—as it is sometimes called—and the other things that come in.

For these reasons, when the matter was debated in the other place, both Lord Thomas of Cwmgiedd, the recently retired Lord Chief Justice, to whom I have already referred, and Lord Neuberger of Abbotsbury, recently retired president of the Supreme Court, counselled against an undue restriction on the operation of the civil procedure rule committee, already a well established body of the kind the Opposition seek to bring in. I think they also broadly supported the overall thrust of the Bill.

The hon. Lady referred to austerity. That is not the objective of this Bill; there has been a long-standing proposal to modernise the civil justice system. She referred to the work done by Lord Justice Briggs, for whom I have the greatest respect. The Bill is a logical follow-on from the Briggs report, and it is necessary if we are to achieve modernisation and make the courts more accessible for litigants. This is an entirely sensible Bill; that is why the judiciary has pushed for these sorts of proposals, and why Lord Thomas said that he “warmly” welcomed it. It will save some £6 million; he regards that as a realistic figure. That is important in the context of the available resources for the courts system. We all accept that the courts are under pressure, and this is a sensible way forward that does not impede the basic requirements of access to justice or fairness.

Lord Thomas said two further things that we should bear in mind. He spoke about the developments in civil procedures; the rule committee has been an important part of that over the last 15 to 20 years, so it is not as though the committee were unused to dealing with

these matters. The committees bring together representatives of the legal profession. As a former practitioner, I agree with his description of that committee as

“a highly representative body with many representatives of the legal profession. Certainly, the committee will always try to reach a view by consensus—when I was a member of it for more than six years there never was a division; we always managed to agree.”—[*Official Report, House of Lords, 20 June 2018; Vol. 791, c. 2039.*]

Most experienced practitioners will be aware of that. I think we can say the same of the criminal procedure rule committee; these are very well established bodies, and judges do not forget that they are judges when they are there.

It is a little unworthy, I say with respect, to suggest that the judiciary—we have talked about the senior judiciary chairing these bodies—would acquiesce in an inappropriate level of delegation for a purely financial consideration. They would be going against their judicial oaths. I do not think for one second that the hon. Lady really means to say that they would do that. The amendments would, however, put needless constraint on the committee's work. That is why I quoted before and quote again Lord Thomas's observation:

“Experience has shown that detailed restrictions on procedure are a very real fetter on the administration of justice”—[*Official Report, House of Lords, 20 June 2018; Vol. 791, c. 2039.*]

In the other place, he gave a number of examples that I need not give here showing why that could be counterproductive.

It is also worth considering the speech of Lord Neuberger. He pointed out the following:

“There are two protected factors: one is that nothing can be done without it being in the rules, and the second is that the Lord Chief Justice needs to give his or her authorisation to the person who makes the decision.”—[*Official Report, House of Lords, 20 July 2018; Vol. 792, c. 887.*]

Those are important safeguards.

**James Cartlidge:** My hon. Friend speaks with great expertise. What he is saying goes back to the point raised earlier about the possibility of the functions that are delegated having legal significance. Presumably if that was the case, they would not be delegated to start with.

**Robert Neill:** That is precisely right. It is inconceivable that any Lord Chief Justice would give his or her consent to a delegation that was inappropriate or would put the interests of justice at risk. I never sat as a deputy district judge—they used to be called deputy registrars in my day, so long ago was it—in civil matters, but I have many friends who do, and a great deal of what is called boxwork, with which at least some on the Treasury Bench will be familiar, was of a very administrative kind. We expect the district judges in a busy county court to deal with that, whereas it seems perfectly reasonable for many of these matters, which are often of a very interlocutory nature, to be dealt with by an experienced member of court staff who has been in the service for many years. We are not talking about the ultimate determination of the case in any of these matters. That is why Lord Neuberger referred to that safeguard or protection, and the protection that that would be laid before Parliament.

Lord Neuberger made another important observation on the attempt, as it seems to me, to fetter the discretion of the committee. He posed a rhetorical question, as perhaps senior judges and other lawyers tend to do:

“Whether it is right to provide in such clear terms, and such uncompromising general terms, for the circumstances and requirements for”

appeals—which is what he was talking about—seems to him to be questionable. He was making this point:

“Having chaired the Civil Procedure Rule Committee for three years, I can say, as has been quoted in relation to its criminal equivalent by my noble and learned friend Lord Thomas, that considerable care is given to ensure that all the requirements of justice are met. It is very rare, if ever, that I can remember a decision being arrived at which was not arrived at by consensus.”

These questions are considered, not only by the judiciary but by practitioners, including members of the solicitors’ profession and members of the Bar. Plaintiffs’ and defendants’ interests are represented on these committees, as are both ends of the profession—solicitors and barristers—and all levels of the judiciary, from the High Court bench through the circuit bench to the district bench. This is a broad-based body and, as Lord Neuberger said, these

“details should be worked out...by the rule committee”.—[*Official Report, House of Lords*, 10 July 2018; Vol. 792, c. 890 to 891.]

I think that that is a forceful argument for leaving the proposals as the Government intended.

2.30 pm

This is an important matter, but I hope that the House will not be lured into setting an undue restriction that, with every respect to the intentions of the hon. Member for Bolton South East, could give the impression that Parliament did not trust the independence of the judiciary, because that would certainly not be correct, or that it sought needlessly to circumscribe the way in which judges operate their courts. It is fundamental that we as party politicians—that is effectively what virtually all of us are—should not interfere in the way in which judges organise their workload and the staffing of the courts. As well as being impractical and unhelpful, that could also set an undesirable precedent in which Parliament, as well as setting the statutory framework in which judges operate, sought to delve too closely into the control of the everyday operations of an independent judiciary and court system.

**Louise Haigh** (Sheffield, Heeley) (Lab): I rise briefly to speak in favour of the amendments tabled by my Front-Bench colleagues. I believe that safeguards need to be in place to ensure that people are properly qualified to make decisions and particularly that contentious decisions should be reviewed by a qualified judge. I want explicitly to address concerns about how this might transpire in the family courts. Several of my hon. Friends raised the concern in Committee that the family courts could be the most affected by potential delays and the perverse consequences of the measures in the Bill.

This is particularly relevant given the recent exposure of the case of Sammy Woodhouse. I am sure that colleagues will be well aware of her case. I know that the Minister is, and I am grateful to her for meeting Sammy and me last week. Mr Speaker also welcomed Sammy to Prime Minister’s questions last week. Her bravery in

putting herself forward, in risking being held in contempt of the family court and in waiving her anonymity to speak about her experiences, so that we in this place can drive change, is inspiring. We owe it to her and to the many other survivors to ensure that we drive change and ensure that what happened to her and to too many other young women and girls never happens again.

Those young women and girls were failed by the state. They were failed by our legal system, by the police, by the Crown Prosecution Service, by local authorities and by government at every level, and now they are being failed yet again by our legal system. Our entirely permissive system, which allows anyone to make an application through the family courts, means that men who have been convicted of rape—in Sammy’s case, the father of her child, Arshid Hussain, is serving a 35-year prison sentence—can apply to the courts for access or visitation rights. Sammy’s case shocked the nation, but unfortunately it was not unique. Just yesterday, I spoke to another woman who had to respond and attend court after the man who was convicted of raping her and fathering her child had applied through the family courts from prison.

This could be prevented through a simple ban on any man convicted of fathering a child through rape applying to the family courts. I know that the Government are reluctant to bring this forward, out of concern for the convicted rapist’s article 8 right to a family life, but I am afraid that that simply is not good enough. I will always defend our human rights as enshrined in the Human Rights Act 1998 and the European convention on human rights—I say this on the day of the 70th anniversary of the universal declaration of human rights—but article 8 is a qualified right and not one that should override the rights of women and children and their safety. Surely, we should be starting from the presumption that if a child has been conceived through rape, the man should have no parental rights to that child and that we should allow such rights only in exceptional circumstances, not the other way round.

When I speak to victims of rape and survivors of child sexual exploitation in situations such as Sammy’s—women who have an almost uniformly terrible experience of the family courts—their feeling is one of betrayal and despair that every day is a battle in which they have to fight for their most basic rights. They are often forced to relive their traumatic experiences and justify themselves over and over, yet they are so often told about the rights of the men who have abused them and who can now click their fingers and drag their victims back through the courts to traumatise them all over again. Women such as Sammy, who have already given evidence, spoken out in criminal trials and been to hell and back, should not then live the rest of their lives trying to bring their children up in horrendously difficult circumstances with the threat of being dragged back through the courts once again to face the man who raped them. It may be the case that no judge would allow such access in any circumstances, but it is surely intolerable for women in this situation to have to face the man in court all over again, and I believe that we as a Parliament should make that crystal clear.

The family procedure rule committee met earlier this week to discuss the consequences of Sammy’s case and to consider amending practice direction 12C. I hope that the committee will be able to bring much greater



[*Louise Haigh*]

clarity, but this is likely to be in relation to local authorities' duty to notify in the case of a care order. That will not solve the problem, and I worry that, combined with the measures introduced in the Bill, it could bring greater uncertainty to the process and leave victims with even greater uncertainty and fear that their abusers might be able to weaponise the courts against them. As I have said, I am grateful to the Minister for meeting Sammy and me last week, but we were both really disappointed that the Government were not willing to take more immediate action to address this thoroughly intolerable situation. I hope that the Minister will be able to update the House on what action they have now considered and on the implications of the Bill for this important issue.

**The Parliamentary Under-Secretary of State for Justice (Lucy Frazer):** It is an honour to take this Bill through its final stages. I should like to start by addressing some of the key points raised today by the hon. Member for Bolton South East (Yasmin Qureshi). She suggested that we were sneaking the Bill through the House. However, it was introduced seven months ago. Not only that, but it forms part of the Prisons and Courts Bill, which was introduced in this House in 2017 and which fell at the general election. The provisions in this Bill have been well known for some time. They have been debated in this House, and they are not being sneaked anywhere at all. The thrust of the hon. Lady's speech was that this is a Bill about cuts, but it is certainly not. The Bill is part of our £1 billion court reform programme.

**Neil O'Brien (Harborough) (Con):** My hon. and learned Friend is making an important point. In 2010, this country faced its largest budget deficit since the second world war, and all that my constituents want is value for money from the Government. The measures that we are taking forward today may not be the most exciting or sexy things that we will do this House, but they are a key part of value-for-money government.

**Lucy Frazer:** My hon. Friend makes an important point that has a number of aspects. First, my Department had to make cuts in 2010 because of the poor financial situation that we inherited from the Labour party. Secondly, it is important that we deliver justice fairly to those who are part of the justice system, but as he says, we also have a duty to the taxpayer. Overlaying those two points is a third point. Notwithstanding the position we inherited and notwithstanding our duty to taxpayers, my Department is undertaking a significant reform programme that is investing in our justice system. A couple of weeks ago, the Ministry of Justice held a conference at which more than 20 countries from around the world were represented. They talked about their own reform and modernisation programmes, but ours is one of the most ambitious. We are at the forefront of innovation, and we are investing in our justice system to bring it up to date in the 21st century.

**Robert Neill:** Is this not also important in the context of the speech by Lord Thomas of Cwmgiedd in the other place? He said that

"the operation of the criminal, civil, tribunals and family procedures rule committees has enabled us far more than any other state to keep our rules up to date."

We need to continue to do that. That is why he stated:

"I urge the greatest caution in trying to put into primary legislation anything that restricts in this way the powers of the rule committees."—[*Official Report, House of Lords, 16 October 2018; Vol. 793, c. 425.*]

**Lucy Frazer:** That is an important point. Our justice system is renowned throughout the world, thanks to its flexibility, which is enabled by the rules committees along with the other measures that allow us to develop our jurisdiction.

The hon. Member for Bolton South East finished by suggesting that we should listen and take the amendments on board, but we have listened and made amendments. We made amendments in the other place to include safeguards and improve the Bill.

**Kevin Hollinrake:** The Minister makes a good point about our duty to the taxpayer. Irrespective of this nation's financial situation, we always have a responsibility to spend the taxpayers' money wisely. As she knows, Northallerton magistrates court in my constituency will close. She has put in place some mitigation measures to help people to continue to have access to justice, but will she ensure that those measures are in place before the closure of that court?

**Lucy Frazer:** My hon. Friend and, indeed, Mr Deputy Speaker have campaigned hard about the closure of their local courts, and the dispensing of local justice is important in Northallerton, as it is in Chorley. My hon. Friend makes an important point, because, following campaigning by my hon. Friend and his constituency neighbour, my hon. Friend the Member for Richmond (Yorks) (Rishi Sunak), we committed not to close the court on the basis that we would do so only when the technology was in place to ensure that we could continue to deliver justice. We need to move with the times, but we must also ensure that people get fair procedures and justice in the tribunals.

**Robert Neill:** My hon. and learned Friend is being most generous in giving way. Does she also recognise that modernising and simplifying procedures saves money not only for the taxpayer, but for litigants? Part of access to justice is about reducing needless costs for litigants.

**Lucy Frazer:** That is an important point, because when we talk about what we have saved, we often mean what has been saved at the Ministry of Justice, but the reality is that ensuring that justice is served for the people who use it is at the heart of our reforms. Many of our changes have received positive feedback. In a recent trial at the tax tribunal, people were able to access justice from remote locations and not have to go to a physical court. That was well received, because people did not have to disrupt their day by physically entering court. Of course, that will not be appropriate for everyone, but we must ensure that we use the advantages of technology in the future.

**Simon Hoare (North Dorset) (Con):** I am grateful to my hon. and learned Friend the Parliamentary Under-Secretary of State for Justice for giving way—[*Laughter.*] That bought us 32 seconds. I am interested in what she has said. Is she able to dilate—preferably at some

considerable length—on the benefits that might accrue from people not having to go to court in rural areas, such as North Dorset, where public transport is scarce and where not everybody has access to a motor car? The changes could be of huge benefit to large, sparsely populated rural areas such as mine.

**Lucy Frazer:** My hon. Friend makes an important point, and I also represent a rural area. Interestingly, some of the greatest and most interesting innovations at our conference were from Australia, where the geography is an issue, and we can learn a lot from its procedures. Over recent years, 300,000 people have started engaging with our online services, which have been well received.

**Simon Hoare:** Will the Minister give way on that point?

**Lucy Frazer:** I will take one intervention and then address the amendments.

**Simon Hoare:** I am grateful. Can we read across from what my hon. and learned Friend says that she is making strong representations to ministerial colleagues at the Department for Digital, Culture, Media and Sport, to BT and to other providers to ensure that hotspots, blackspots, notspots—call them what you will—in rural areas that are poorly served by a reliable, speedy, robust internet will be filled to allow all our citizens to access justice and make representations using technology? With the best will in the world, if the technology is not there—I know that my hon. and learned Friend knows this—people will not be able to use it.

2.45 pm

**Lucy Frazer:** My hon. Friend makes a second important point, which is that we cannot roll out and continue to use technology unless the technology actually works. I regularly talk to Her Majesty's Courts and Tribunals Service and others about the importance of ensuring that the systems that we already have in place work well, so that the technology does not fail us when we are trying to hold court hearings.

**Neil O'Brien:** Further to the important point made by my hon. Friend the Member for North Dorset (Simon Hoare) about virtual and online courts and creating hassle-free access to courts for all constituents, can the Minister give us figures for the extent to which the change has helped to unclog our courts? One of the benefits of the Bill for my constituents is not just hassle-free access for them, but the fact that our courts will not be clogged up by the traffic cases and small beer that lead my constituents to wonder why serious criminals take years to be processed. Will the Minister give us some stats about the growth of virtual and online courts and what this Bill will do to those stats?

**Lucy Frazer:** I mentioned earlier that 300,000 people have already started engaging with our services online. They can apply for probate or divorce online, and many people are doing that. We also have our new online civil moneys claim court, which enables people to apply online and defend online. In one case in the first week after its launch, we had a settlement without people

going to court at all. Technology will not only enable us to unclog our courts and get quicker hearing times, but give our constituents better access to justice because more people will be engaging with it. It will be cheaper for them to engage, and therefore more people will be able to access fairness and justice in the resolution of their claims.

I turn to the essence of the Bill and the Opposition amendments. Amendment 1 relates to clause 3(3), which provides for the use of the negative resolution procedure, which the hon. Member for Bolton South East suggested is not appropriate when dealing with the judicial functions of staff. However, the Government think that the amendment is inappropriate for several reasons. First, clause 3(3), which provides for the use of the negative resolution procedure, is not actually concerned with judicial functions. Clause 3(3) is in fact cross-referring to clause 3(2), which allows the Secretary of State to make

“consequential, transitional, transitory or saving”

provisions relating to authorised staff by way of regulations.

In reality, clause 3(3) allows us to amend references in secondary legislation to, for example, justices' clerk—a post abolished by the Bill—to authorised officer. So far, we have identified over 200 references and over 60 pieces of secondary legislation that would need amendment, and there may be more. It is a standard clause for this type of provision. We know that that is the correct reading of the measure because the power to enable staff to carry out the judicial functions that the hon. Member for Bolton South East is concerned about is actually set out in the procedural rules made by the independent rules committees. This is clear from clause 3(1), which refers not to regulations but to procedure rules. The procedure by which the procedure rules are enacted is set out not in this Bill but in other legislation, namely the Courts Act 2003, the Civil Procedure Act 1997 and the Tribunals, Courts and Enforcement Act 2007.

Amendments 2 to 4 relate to the qualifications of those undertaking advice or judicial functions under the Bill. Amendments 2 and 3 require that any staff member who gives legal advice to lay justices or judges of the family court must be legally qualified and have more than three years' experience post-qualification. Amendment 4 requires the same qualifications for any staff carrying out judicial functions.

The Government absolutely agree it is important that those who undertake functions in our courts are suitably qualified. As my hon. Friend the Member for Bromley and Chislehurst (Robert Neill) said, and as he has said on many occasions, our justice system is renowned throughout the world, and much of that is down to the experience and quality of our judiciary. Ensuring that those who work within our justice system have the right skills is fundamental to justice.

**Neil O'Brien:** Members on both sides of the House would agree that we have a world-renowned judiciary. In fact, Members are profoundly nervous when we see headlines in our papers calling judges, “Enemies of the People,” which we would all disavow. These are people who, day in and day out, do things in court that could cause them to be threatened. They are taking risks on behalf of the rest of us, and it is a high-quality system. With that in mind, and given the respect in which the judiciary are held by this House, does my hon. and

[Neil O'Brien]

learned Friend agree it is important that we do not accidentally do them down in this debate? Does she agree it is not right for the shadow Attorney General to suggest, I think unintentionally, that temporary judges may be less impartial than permanent judges? All our judiciary are high quality.

**Lucy Frazer:** That is absolutely right. As a former barrister, I appeared regularly before experienced judges, all of whom were full of integrity, undertaking important roles.

The hon. Member for Bolton South East suggested that all judges need qualifications of some kind. Of course, we have magistrates across the country who are doing outstanding jobs in our justice system. As my hon. Friend the Member for Harborough (Neil O'Brien) mentions, temporary judges, just like full-time judges and judges who operate on a permanent basis, are recruited because of their expertise and skill. They are trained, and they carry out their roles as they should.

**Kevin Hollinrake:** My hon. and learned Friend mentioned the fine work done by magistrates. Is there any way we could relax the requirements in order to increase the number of cases that may be considered by magistrates? I understand that magistrates are the most cost-effective part of the justice system.

**Lucy Frazer:** Magistrates undertake a significant number of roles, and they have vital responsibilities. In fact, they deal with over 95% of all criminal cases, the majority of which are less serious criminal cases, but they are very important. I am pleased recently to have attended the Magistrates Association conference, where I met a number of magistrates who are doing vital work across the country.

**James Cleverly (Braintree) (Con):** I declare an interest, as my wife is currently going through the process to become a magistrate. I am struck by how the role of magistrates is so little understood. There are a number of people in my professional and personal circles who might make good magistrates, but they are unaware of the process or of the importance of the role. What more could be done to highlight the significant role that magistrates play in the criminal justice system?

**Lucy Frazer:** I am pleased to hear that Mrs Cleverly is undertaking this important role. My hon. Friend is right that it is important, and employers do understand. The Lloyds banking group recently won an award for encouraging staff to take time off to undertake this important role, and we need to do more to encourage employers to encourage their staff to take part in this important function.

**Simon Hoare** *rose*—

**Mr Deputy Speaker (Sir Lindsay Hoyle):** A short intervention.

**Simon Hoare:** Everything I do is short, Mr Deputy Speaker.

We are all, thank God, living longer. At some point, might there be merit in reviewing the retirement age both for our judges and our magistrates? With people taking early retirement and so on, the receptacle of wisdom should not be lost to the courts, particularly taking the point raised by my hon. Friend the Member for Braintree (James Cleverly) on the difficulty of finding people to fill these posts.

**Mr Deputy Speaker:** Order. We need to move on now. I was very generous before, but magistrates have absolutely nothing to do with the Bill, as the Minister well knows.

**Lucy Frazer:** I am happy to come on to the three reasons why amendments 2 to 4 cannot be accepted. First, the amendments are not necessary. The functions are already being carried out, and carried out well, by those with lesser qualifications than those sought by the hon. Member for Bolton South East. The qualification requirements for legal advisers in the magistrates court and family court are currently set out in regulations made by the Lord Chancellor, as they have been since 1979, and amendments 2 and 3 would raise the qualifications bar significantly higher than the current regulations and would rule out a large proportion of Her Majesty's Courts and Tribunals Service staff from giving legal advice in future.

**James Cartlidge:** There are many people in the Chamber with huge legal expertise. All I can claim is spending my year off as a junior outdoor clerk, for which the only qualifications needed were a ponytail and a cockney accent, as far as I could see. From my short experience I discovered the huge number of staff who make up our courts and keep them ticking along. They might be administrative functions, but we should not be afraid of reforming our courts to give those people greater roles that help them to make more of their career.

**Lucy Frazer:** My hon. Friend makes an important point. Not only is it important to ensure that the qualifications match the role, but these reforms will ensure good career progression for competent and organised staff. Similarly, in relation to amendment 4, it is already the case that some staff can exercise judicial functions in almost every jurisdiction except the Crown court. The range of functions they can carry out varies enormously, as my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) pointed out earlier, from legally qualified legal advisers in the county court setting aside default judgments to non-legally qualified caseworkers in the lower tribunal dealing with postponement requests and issuing strikeout warnings.

Accepting amendment 4 would rule out a large proportion of those staff, who are already exercising judicial functions and who may have been doing either or both for a number of years. Such a loss of expertise would be particularly damaging and would impact on the service that Her Majesty's Courts and Tribunals Service can provide. The hon. Member for Bolton South East suggested that introducing authorised staff was damaging to justice, but I did not hear any examples of inappropriate action by any of our current staff who do not currently have those qualifications and who are already carrying out these roles.



**Kevin Foster** (Torbay) (Con): The Minister is outlining well the position under the current regulations. Does she agree, therefore, that specifying the needed qualifications in primary legislation would be unwelcome when we already have a perfectly effective system that does not require such qualifications, which could then in future be changed by further primary legislation?

**Lucy Frazer:** That is the heart of the Government's position, and it takes me neatly on to my second point. The Bill, as drafted, already ensures appropriate procedures are in place to ensure that parties are protected. Those points were clearly put by my hon. Friends the Members for Torbay (Kevin Foster) and for Bromley and Chislehurst—the Chair of the Select Committee on Justice always puts things clearly and cogently. The Bill rightly allows the relevant procedure rule committees to set the requirements relating to the necessary qualifications or experience of these staff in the future, depending on the functions they permit staff to carry out.

3 pm

**Kevin Hollinrake:** This is an important point. Will my hon. and learned Friend come on to address not only the human cost if these amendments are accepted, with the potential for people in these roles at the moment to lose those jobs, but the financial costs of making those people redundant and replacing them with qualified people?

**Lucy Frazer:** Yes, those are important points. A large number of people already carry out these important roles and do so very well, and we would like to retain them.

Both the judicial functions that may be carried out by staff and the accompanying qualification requirements will be set out—it is just that they will be set out in the procedure rules, which are made by way of secondary legislation and are therefore subject to parliamentary scrutiny.

**Neil O'Brien:** Progressive politicians on both sides of the House believe in labour market progression; they believe people should be able to act up, do more, learn more, take their career further and earn more. By putting in primary legislation artificial demarcations that stop skilled people doing things they are capable of doing, we would be doing people down; we would be putting a limit on their aspirations. That is why we must reject these amendments.

**Lucy Frazer:** That is an important point. Some people are already carrying out these functions and doing them well, and they will be able to see a future career progression for themselves. The legal and other qualifications they should have will be set out, but they will be set out by the committees, which are judicially led and independent of Government, and include representatives of the legal professions, and court and tribunal users. As my hon. Friend the Member for Bromley and Chislehurst said, the judges placed on those are leading the procedure rule committees and have significant expertise. It is they who are best placed to assess the appropriate level of qualification or experience for authorised staff, in the light of the functions they choose to allow those staff to exercise.

My hon. Friend rightly said that the member of staff will not be able to give legal advice or exercise judicial functions until they have been authorised to do so by the Lord Chief Justice or their nominee, or by the Senior President of Tribunals or their delegate. Authorisations are therefore ultimately the responsibility of the judiciary, and those people will not authorise staff unless they are satisfied as to their competence.

**Robert Neill:** My hon. and learned Friend will know, and perhaps she will confirm, that the way this works in practice is that either the Lord Chief Justice or the Senior President of Tribunals makes the authorisation. Alternatively, in the case of the civil jurisdiction, for example, this will invariably at least go to the senior presiding judge or the presiding judges of the circuit. We are talking about people who, in their administrative role, never mind their judicial capacity, will have visited and met these—

**Mr Deputy Speaker:** Order. Minister, come on. And you have had three speeches already, Bob, you don't need to stretch the imagination of the Chamber.

**Lucy Frazer:** My hon. Friend, the Chair of the Select Committee, was making an important point. The rule committees are—

**Mr Deputy Speaker:** Order. Some might think it is very important—[*Interruption.*] Order. Would the Minister like to sit down for a moment? In fairness, I am beginning to get a little frustrated with the people who were not here for all the speeches; we had no speakers in, and now everyone wants to come in with interventions. I have only got one Member now down to speak on Third Reading, so if people really want to make a contribution, they know what to do.

**Lucy Frazer:** I hope that more will put in to speak on this important subject. I wish to pick up on what my hon. Friend was saying, because he cited a number of speeches from the other place, where senior members of the judiciary were highlighting the appropriateness of the Government's position. Lord Neuberger, former President of the Supreme Court, warned that these amendments would place

“a potential straitjacket on the ability to appoint the appropriate people to make appropriate decisions.”

He went on to reflect that there “will be many decisions” for which the experience set out in the amendments

“would be appropriate, but there will be others where less experience would be adequate for the decision-making.”—[*Official Report, House of Lords, 10 July 2018; Vol. 792, c. 882.*]

Thirdly, I come to an important point that has not yet been mentioned in the House. The amendments would limit flexibility should new routes to legal qualifications emerge. For example, one key change that we have made in the draft regulations that we published alongside the Bill is to include fellows of the Chartered Institute of Legal Executives, or those who have passed the necessary examinations to be a CILEx fellow, among those who can give legal advice. That is a progressive step, but if we were to accept amendments 2 and 3, it would be much harder to respond to such changes in the future, as we would have to amend primary, rather than secondary, legislation.

[Lucy Frazer]

Furthermore, a legal qualification might not be the most relevant qualification for a particular judicial function. For example, it is more helpful for a registrar in the tax tribunal to be a tax professional by background, rather than a legal professional.

The hon. Member for Bolton South East raised a number of points on independence, and I wish to start by saying that I think the judiciary, whether sitting in court or in committee, has, as my hon. Friend the Member for Cheltenham (Alex Chalk) said when he was in his place, the highest level of independence and integrity.

The hon. Lady queried, both here and in Committee, the independence of authorised staff, implying that those with a legal qualification were more likely to be independent. Under the Bill, all court and tribunal staff who are authorised to exercise judicial functions will now be independent of the Lord Chancellor when doing so, and subject only to the direction of the Lord Chief Justice or their nominee, or the Senior President of Tribunals or their delegate.

The Bill also provides, for the first time, protections from legal proceedings and costs in legal proceedings and indemnities for all authorised staff when carrying out judicial functions, which will further safeguard their independence in decision making.

Finally, amendment 5 deals with the right of reconsideration of decisions taken by authorised staff in the courts. I wish to start by acknowledging that the hon. Lady and the Opposition have listened carefully to the points made in Committee; I note there is now no amendment dealing with decisions taken by staff in the tribunals, and I welcome that.

It is right that in some circumstances a party to proceedings may wish to have the decision reconsidered, but we remain opposed to the amendment for three reasons. First, the Bill already ensures that a right of reconsideration will be available when appropriate. We believe that the independent procedure rule committees—comprised, as I and others have said, of jurisdictional experts and experienced practitioners—are best placed to decide whether such a right of further reconsideration is needed and, if so, the form that that right should take.

Indeed, the procedure rule committees in the civil and tribunals jurisdictions have already included in their respective rules a specific right to judicial reconsideration for decisions made by authorised persons in appropriate cases. For example, the magistrates courts and the family court have their own existing mechanisms for reviewing various decisions, which amendment 5 would cut across.

Secondly, the right identified by the hon. Lady is too broad, even by her own admission. In speaking to amendments in Committee, she said that

“we accept and acknowledge that one should not be able to ask for reconsideration simply because one disagrees with the decision of the authorised person; one must have a cogent reason. There must be proper grounds for requesting a reconsideration.”—[*Official Report, Courts and Tribunals (Judiciary and Functions of Staff) [Lords] Public Bill Committee*, 4 December 2018; c. 17.]

I was delighted to hear those words, because the Government have also been arguing, both here and in the other place, that a blanket right of reconsideration

simply would not work in practice. Yet amendment 5 would give a party in a case an automatic right to request that any decision made by an authorised person exercising the functions of a court be reconsidered by a judge, irrespective of the merits.

Thirdly, the approach we put forward is fair and balanced. The Government listened to concerns about ensuring there were adequate safeguards in the Bill. For that reason, we moved amendments on the right of reconsideration that were accepted on Report in the other place. They effectively require the rule committee, when making rules, to allow authorised staff to exercise judicial functions to consider whether each of those functions should be subject to a right to judicial reconsideration. Where a rule committee decides against the creation of a right of reconsideration, it must inform the Lord Chancellor of its decision and the reasons for it.

The hon. Lady also referred to the Briggs report, and I would like to touch on that very briefly. The recommendations made by Lord Justice Briggs are taken from the report “Civil Courts Structure Review”, the focus of which was the courts of the civil jurisdiction. While an unqualified right of reconsideration might have been appropriate to recommend for the civil courts, given their unique way of working it would be ineffective simply to transpose this recommendation on entirely different jurisdictions.

The civil procedure rule committee has built a right of reconsideration into its rules, but this will not necessarily be appropriate for other jurisdictions. It is for each jurisdiction, with the expertise it has within the rule committee, to decide what is right.

That approach has found favour in the other place. Lord Thomas, former Lord Chief Justice and former chair of the criminal procedure rule committee, said:

“I support what the Government seek to do and urge a substantial degree of caution in respect of the proposals brought forward by the noble Baroness”—

that is, Baroness Chakrabarti. He added that the Government’s approach provides the right balance:

“It gives discretion to a body that knows and has a lot of experience, but it contains that degree of explanatory accountability that will make sure that it does not do anything—even if we were to worry that it might—that goes outside a proper and just delegation”.—[*Official Report, House of Lords*, 16 October 2018; Vol. 793, c. 425-26.]

The Bill strikes the right balance between ensuring appropriate safeguards and transparency of decision making, and leaving the jurisdictional rule committees the discretion to determine the most appropriate mechanism for reviewing decisions by authorised people.

Finally, I would like to respond to the very important points made by the hon. Member for Sheffield, Heeley (Louise Haigh). I was very pleased to meet her and Sammy Woodhouse a week or so ago. She raised issues that are outside the scope of the Bill, but none the less what Sammy went through was harrowing and the hon. Lady made some important points. As she knows, I committed to look very carefully at the issues she raised and I assure her that we are doing that.

As the hon. Lady mentioned, we have already taken some steps. We have, as she alluded to, asked the president of the family court to look at the practice directions and he has committed to doing that with the rule committee. My officials have spoken to the Association of Directors

of Children's Services about whether it is appropriate to send further guidance to councils on the circumstances in which they should apply to court not to give notice of hearings to parties, such as happened in the Sammy Woodhouse case. The Department will continue to look closely at those issues.

For all those reasons, this is an important Bill that will ensure that we can bring flexibility to our judges, deploy them in the most flexible way, use their resources where they are needed and not when they are not needed, and ensure that those who operate our court system do so effectively and fairly for the people they serve.

The Ministry of Justice is putting users of the court at the heart of our reforms and of our programme on court reform. The measures will not only save on cost—that is not the primary reason for them, although it is important—but ensure that cases go through the system fairly and well. For those reasons, I urge the hon. Lady to withdraw the amendment.

**Yasmin Qureshi:** I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

*Amendment proposed:* 2, in the schedule, page 6, line 36, at end insert—

“(aa) is a qualified solicitor, barrister or chartered legal executive with more than three years’ experience post-qualification, and”.—(*Yasmin Qureshi.*)

*This amendment would stipulate that the minimum legal qualifications for authorised persons should be three years’ experience post-qualification.*

*Question put,* That the amendment be made.

*The House divided:* Ayes 246, Noes 308.

## Division No. 279]

[3.15 pm

### AYES

Abbott, rh Ms Diane	Campbell, Mr Ronnie
Abrahams, Debbie	Carden, Dan
Ali, Rushanara	Carmichael, rh Mr Alistair
Allin-Khan, Dr Rosena	Champion, Sarah
Amesbury, Mike	Chapman, Jenny
Antoniazzi, Tonia	Charalambous, Bambos
Ashworth, Jonathan	Coaker, Vernon
Austin, Ian	Coffey, Ann
Barron, rh Sir Kevin	Cooper, Julie
Beckett, rh Margaret	Cooper, Rosie
Benn, rh Hilary	Cooper, rh Yvette
Berger, Luciana	Corbyn, rh Jeremy
Betts, Mr Clive	Coyle, Neil
Blackman-Woods, Dr Roberta	Crausby, Sir David
Blomfield, Paul	Creagh, Mary
Brabin, Tracy	Creasy, Stella
Bradshaw, rh Mr Ben	Cruddas, Jon
Brake, rh Tom	Cryer, John
Brennan, Kevin	Cummins, Judith
Brown, Lyn	Cunningham, Alex
Brown, rh Mr Nicholas	Cunningham, Mr Jim
Bryant, Chris	Daby, Janet
Buck, Ms Karen	Dakin, Nic
Burden, Richard	Davey, rh Sir Edward
Burgon, Richard	David, Wayne
Butler, Dawn	Davies, Geraint
Byrne, rh Liam	De Cordova, Marsha
Cable, rh Sir Vince	De Piero, Gloria
Cadbury, Ruth	Debbonaire, Thangam
Campbell, rh Mr Alan	Dent Coad, Emma

Dhesi, Mr Tanmanjeet Singh	Lavery, Ian
Dodds, Anneliese	Lee, Karen
Doughty, Stephen	Leslie, Mr Chris
Dowd, Peter	Lewell-Buck, Mrs Emma
Drew, Dr David	Lewis, Clive
Dromey, Jack	Lewis, Mr Ivan
Duffield, Rosie	Lloyd, Stephen
Eagle, Ms Angela	Lloyd, Tony
Eagle, Maria	Long Bailey, Rebecca
Edwards, Jonathan	Lucas, Caroline
Efford, Clive	Lucas, Ian C.
Elliott, Julie	Madders, Justin
Esterson, Bill	Mahmood, Mr Khalid
Evans, Chris	Mahmood, Shabana
Farrelly, Paul	Malhotra, Seema
Field, rh Frank	Mann, John
Fitzpatrick, Jim	Marsden, Gordon
Fletcher, Colleen	Martin, Sandy
Flint, rh Caroline	Maskell, Rachael
Fovargue, Yvonne	Matheson, Christian
Foxcroft, Vicky	McCabe, Steve
Frith, James	McCarthy, Kerry
Furniss, Gill	McDonagh, Siobhain
Gaffney, Hugh	McDonald, Andy
Gapes, Mike	McDonnell, rh John
Gardiner, Barry	McFadden, rh Mr Pat
Gill, Preet Kaur	McGovern, Alison
Glindon, Mary	McInnes, Liz
Goodman, Helen	McKinnell, Catherine
Green, Kate	McMahon, Jim
Greenwood, Lilian	McMorris, Anna
Greenwood, Margaret	Mearns, Ian
Griffith, Nia	Miliband, rh Edward
Grogan, John	Moon, Mrs Madeleine
Gwynne, Andrew	Moran, Layla
Haigh, Louise	Morden, Jessica
Hamilton, Fabian	Morgan, Stephen
Hanson, rh David	Morris, Grahame
Hardy, Emma	Murray, Ian
Harman, rh Ms Harriet	Nandy, Lisa
Harris, Carolyn	Norris, Alex
Hayes, Helen	Onn, Melanie
Hayman, Sue	Onwurah, Chi
Hendrick, Sir Mark	Osamor, Kate
Hepburn, Mr Stephen	Owen, Albert
Hill, Mike	Pearce, Teresa
Hillier, Meg	Pennycook, Matthew
Hobhouse, Wera	Perkins, Toby
Hodge, rh Dame Margaret	Phillips, Jess
Hodgson, Mrs Sharon	Phillipson, Bridget
Hoey, Kate	Pidcock, Laura
Hollern, Kate	Pollard, Luke
Hopkins, Kelvin	Pound, Stephen
Howarth, rh Mr George	Powell, Lucy
Huq, Dr Rupa	Qureshi, Yasmin
Hussain, Imran	Rashid, Faisal
Johnson, Diana	Rayner, Angela
Jones, Darren	Reed, Mr Steve
Jones, Gerald	Rees, Christina
Jones, Graham P.	Reeves, Ellie
Jones, Sarah	Reeves, Rachel
Jones, Susan Elan	Reynolds, Emma
Kane, Mike	Reynolds, Jonathan
Keeley, Barbara	Rimmer, Ms Marie
Khan, Afzal	Rodda, Matt
Killen, Ged	Rowley, Danielle
Kinnock, Stephen	Ruane, Chris
Kyle, Peter	Russell-Moyle, Lloyd
Laird, Lesley	Ryan, rh Joan
Lake, Ben	Saville Roberts, Liz
Lamb, rh Norman	Shah, Naz
Lammy, rh Mr David	Sharma, Mr Virendra



Sherriff, Paula  
 Shuker, Mr Gavin  
 Siddiq, Tulip  
 Skinner, Mr Dennis  
 Slaughter, Andy  
 Smeeth, Ruth  
 Smith, Angela  
 Smith, Eleanor  
 Smith, Laura  
 Smith, Nick  
 Smith, Owen  
 Smyth, Karin  
 Snell, Gareth  
 Sobel, Alex  
 Spellar, rh John  
 Stevens, Jo  
 Stone, Jamie  
 Streeting, Wes  
 Stringer, Graham  
 Sweeney, Mr Paul  
 Tami, rh Mark  
 Thomas, Gareth  
 Thomas-Symonds, Nick

Thornberry, rh Emily  
 Timms, rh Stephen  
 Trickett, Jon  
 Turner, Karl  
 Twigg, Stephen  
 Twist, Liz  
 Umunna, Chuka  
 Vaz, Valerie  
 Walker, Thelma  
 Watson, Tom  
 Western, Matt  
 Whitehead, Dr Alan  
 Whitfield, Martin  
 Williams, Hywel  
 Williams, Dr Paul  
 Williamson, Chris  
 Wilson, Phil  
 Yasin, Mohammad  
 Zeichner, Daniel

**Tellers for the Ayes:**  
**Stephanie Peacock and**  
**Chris Elmore**

#### NOES

Adams, Nigel  
 Afolami, Bim  
 Afriyie, Adam  
 Aldous, Peter  
 Allan, Lucy  
 Allen, Heidi  
 Amess, Sir David  
 Andrew, Stuart  
 Argar, Edward  
 Atkins, Victoria  
 Bacon, Mr Richard  
 Badenoch, Mrs Kemi  
 Baker, Mr Steve  
 Baldwin, Harriett  
 Barclay, rh Stephen  
 Baron, Mr John  
 Bebb, Guto  
 Benyon, rh Richard  
 Beresford, Sir Paul  
 Berry, Jake  
 Blackman, Bob  
 Boles, Nick  
 Bone, Mr Peter  
 Bottomley, Sir Peter  
 Bowie, Andrew  
 Bradley, Ben  
 Bradley, rh Karen  
 Brady, Sir Graham  
 Braverman, Suella  
 Brereton, Jack  
 Bridgen, Andrew  
 Brine, Steve  
 Brokenshire, rh James  
 Bruce, Fiona  
 Burghart, Alex  
 Burns, Conor  
 Burt, rh Alistair  
 Cairns, rh Alun  
 Cartledge, James  
 Cash, Sir William  
 Caulfield, Maria  
 Chalk, Alex  
 Chishti, Rehman  
 Chope, Sir Christopher  
 Churchill, Jo  
 Clark, Colin

Clark, rh Greg  
 Clarke, rh Mr Kenneth  
 Clarke, Mr Simon  
 Cleverly, James  
 Clifton-Brown, Sir Geoffrey  
 Coffey, Dr Thérèse  
 Collins, Damian  
 Costa, Alberto  
 Courts, Robert  
 Cox, rh Mr Geoffrey  
 Crabb, rh Stephen  
 Crouch, Tracey  
 Davies, Chris  
 Davies, David T. C.  
 Davies, Glyn  
 Davies, Mims  
 Davies, Philip  
 Davis, rh Mr David  
 Dinenage, Caroline  
 Djanogly, Mr Jonathan  
 Docherty, Leo  
 Dodds, rh Nigel  
 Donaldson, rh Sir Jeffrey M.  
 Donelan, Michelle  
 Dorries, Ms Nadine  
 Double, Steve  
 Dowden, Oliver  
 Doyle-Price, Jackie  
 Drax, Richard  
 Duguid, David  
 Duncan, rh Sir Alan  
 Duncan Smith, rh Mr Iain  
 Ellis, Michael  
 Ellwood, rh Mr Tobias  
 Elphicke, Charlie  
 Eustice, George  
 Evennett, rh Sir David  
 Fabricant, Michael  
 Fallon, rh Sir Michael  
 Field, rh Mark  
 Ford, Vicky  
 Foster, Kevin  
 Fox, rh Dr Liam  
 Francois, rh Mr Mark  
 Frazer, Lucy  
 Freeman, George

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

Kwarteng, Kwasi  
 Lamont, John  
 Lancaster, rh Mark  
 Leadsom, rh Andrea  
 Lee, Dr Phillip  
 Lefroy, Jeremy  
 Leigh, Sir Edward  
 Letwin, rh Sir Oliver  
 Lewer, Andrew  
 Lewis, rh Brandon  
 Lewis, rh Dr Julian  
 Liddell-Grainger, Mr Ian  
 Lidington, rh Mr David  
 Little Pengelly, Emma  
 Lopez, Julia  
 Lopresti, Jack  
 Lord, Mr Jonathan  
 Loughton, Tim  
 Maclean, Rachel  
 Main, Mrs Anne  
 Mak, Alan  
 Malthouse, Kit  
 Mann, Scott  
 Masterton, Paul  
 May, rh Mrs Theresa  
 Maynard, Paul  
 McLoughlin, rh Sir Patrick  
 McPartland, Stephen  
 McVey, rh Ms Esther  
 Menzies, Mark  
 Mercer, Johnny  
 Merriman, Huw  
 Metcalfe, Stephen  
 Miller, rh Mrs Maria  
 Mills, Nigel  
 Milton, rh Anne  
 Mitchell, rh Mr Andrew  
 Moore, Damien  
 Mordaunt, rh Penny  
 Morgan, rh Nicky  
 Morris, Anne Marie  
 Morris, David  
 Morris, James  
 Morton, Wendy  
 Mundell, rh David  
 Murray, Mrs Sheryll  
 Murrison, Dr Andrew  
 Neill, Robert  
 Newton, Sarah  
 Nokes, rh Caroline  
 Norman, Jesse  
 O'Brien, Neil  
 Offord, Dr Matthew  
 Opperman, Guy  
 Paisley, Ian  
 Parish, Neil  
 Patel, rh Priti  
 Paterson, rh Mr Owen  
 Pawsey, Mark  
 Penning, rh Sir Mike  
 Penrose, John  
 Percy, Andrew  
 Pery, rh Claire  
 Philp, Chris  
 Pincher, rh Christopher  
 Poulter, Dr Dan  
 Pow, Rebecca  
 Prentis, Victoria  
 Prisk, Mr Mark  
 Pursglove, Tom  
 Quin, Jeremy  
 Quince, Will

Raab, rh Dominic  
 Redwood, rh John  
 Rees-Mogg, Mr Jacob  
 Robertson, Mr Laurence  
 Robinson, Gavin  
 Robinson, Mary  
 Rosindell, Andrew  
 Ross, Douglas  
 Rowley, Lee  
 Rudd, rh Amber  
 Rutley, David  
 Sandbach, Antoinette  
 Scully, Paul  
 Seely, Mr Bob  
 Selous, Andrew  
 Shannon, Jim  
 Shapps, rh Grant  
 Sharma, Alok  
 Shelbrooke, Alec  
 Simpson, David  
 Skidmore, Chris  
 Smith, Chloe  
 Smith, Henry  
 Smith, rh Julian  
 Smith, Royston  
 Soames, rh Sir Nicholas  
 Soubry, rh Anna  
 Spelman, rh Dame Caroline  
 Spencer, Mark  
 Stephenson, Andrew  
 Stevenson, John  
 Stewart, Bob  
 Stewart, Rory  
 Streeter, Mr Gary  
 Stride, rh Mel  
 Stuart, Graham  
 Sturdy, Julian  
 Sunak, Rishi

Swayne, rh Sir Desmond  
 Swire, rh Sir Hugo  
 Syms, Sir Robert  
 Thomas, Derek  
 Thomson, Ross  
 Throup, Maggie  
 Tolhurst, Kelly  
 Tomlinson, Justin  
 Tomlinson, Michael  
 Tracey, Craig  
 Tredinnick, David  
 Trevelyan, Anne-Marie  
 Truss, rh Elizabeth  
 Tugendhat, Tom  
 Vaizey, rh Mr Edward  
 Vara, Mr Shailesh  
 Vickers, Martin  
 Villiers, rh Theresa  
 Walker, Mr Charles  
 Walker, Mr Robin  
 Warburton, David  
 Warman, Matt  
 Watling, Giles  
 Whately, Helen  
 Wheeler, Mrs Heather  
 Whittaker, Craig  
 Whittingdale, rh Mr John  
 Wiggin, Bill  
 Williamson, rh Gavin  
 Wilson, rh Sammy  
 Wollaston, Dr Sarah  
 Wragg, Mr William  
 Wright, rh Jeremy  
 Zahawi, Nadhim

**Tellers for the Noes:**  
**Amanda Milling and**  
**Iain Stewart**

Benn, rh Hilary  
 Berger, Luciana  
 Betts, Mr Clive  
 Blackman-Woods, Dr Roberta  
 Blomfield, Paul  
 Brabin, Tracy  
 Brake, rh Tom  
 Brennan, Kevin  
 Brown, Lyn  
 Brown, rh Mr Nicholas  
 Bryant, Chris  
 Buck, Ms Karen  
 Burden, Richard  
 Burgon, Richard  
 Butler, Dawn  
 Byrne, rh Liam  
 Cable, rh Sir Vince  
 Cadbury, Ruth  
 Campbell, rh Mr Alan  
 Campbell, Mr Ronnie  
 Carden, Dan  
 Champion, Sarah  
 Chapman, Jenny  
 Charalambous, Bambos  
 Coaker, Vernon  
 Coffey, Ann  
 Cooper, Julie  
 Cooper, Rosie  
 Cooper, rh Yvette  
 Corbyn, rh Jeremy  
 Coyle, Neil  
 Crausby, Sir David  
 Creagh, Mary  
 Creasy, Stella  
 Cruddas, Jon  
 Cryer, John  
 Cummins, Judith  
 Cunningham, Alex  
 Cunningham, Mr Jim  
 Daby, Janet  
 Dakin, Nic  
 Davey, rh Sir Edward  
 David, Wayne  
 Davies, Geraint  
 De Cordova, Marsha  
 De Piero, Gloria  
 Debbonaire, Thangam  
 Dent Coad, Emma  
 Dhesi, Mr Tanmanjeet Singh  
 Dodds, Anneliese  
 Doughty, Stephen  
 Dowd, Peter  
 Drew, Dr David  
 Dromey, Jack  
 Duffield, Rosie  
 Eagle, Ms Angela  
 Eagle, Maria  
 Edwards, Jonathan  
 Efford, Clive  
 Elliott, Julie  
 Esterson, Bill  
 Evans, Chris  
 Farrelly, Paul  
 Field, rh Frank  
 Fitzpatrick, Jim  
 Fletcher, Colleen  
 Flint, rh Caroline  
 Fovargue, Yvonne  
 Foxcroft, Vicky  
 Frith, James  
 Furniss, Gill  
 Gaffney, Hugh

Gapes, Mike  
 Gardiner, Barry  
 George, Ruth  
 Gill, Preet Kaur  
 Glindon, Mary  
 Goodman, Helen  
 Green, Kate  
 Greenwood, Lilian  
 Greenwood, Margaret  
 Griffith, Nia  
 Grogan, John  
 Gwynne, Andrew  
 Haigh, Louise  
 Hamilton, Fabian  
 Hanson, rh David  
 Hardy, Emma  
 Harman, rh Ms Harriet  
 Harris, Carolyn  
 Hayes, Helen  
 Hayman, Sue  
 Hendrick, Sir Mark  
 Hepburn, Mr Stephen  
 Hill, Mike  
 Hillier, Meg  
 Hobhouse, Wera  
 Hodge, rh Dame Margaret  
 Hodgson, Mrs Sharon  
 Hoey, Kate  
 Hollern, Kate  
 Hopkins, Kelvin  
 Howarth, rh Mr George  
 Huq, Dr Rupa  
 Hussain, Imran  
 Johnson, Diana  
 Jones, Darren  
 Jones, Gerald  
 Jones, Sarah  
 Jones, Susan Elan  
 Kane, Mike  
 Keeley, Barbara  
 Khan, Afzal  
 Killen, Ged  
 Kinnock, Stephen  
 Kyle, Peter  
 Lake, Ben  
 Lamb, rh Norman  
 Lammy, rh Mr David  
 Lavery, Ian  
 Lee, Karen  
 Leslie, Mr Chris  
 Lewell-Buck, Mrs Emma  
 Lewis, Clive  
 Lloyd, Stephen  
 Lloyd, Tony  
 Long Bailey, Rebecca  
 Lucas, Caroline  
 Lucas, Ian C.  
 Madders, Justin  
 Mahmood, Mr Khalid  
 Mahmood, Shabana  
 Malhotra, Seema  
 Mann, John  
 Marsden, Gordon  
 Martin, Sandy  
 Maskell, Rachael  
 Matheson, Christian  
 McCabe, Steve  
 McCarthy, Kerry  
 McDonagh, Siobhain  
 McDonald, Andy  
 McDonnell, rh John  
 McFadden, rh Mr Pat

*Question accordingly negated.*

**Mr Deputy Speaker (Sir Lindsay Hoyle):** I have now to announce the result of the deferred Division on the question relating to the Independent Parliamentary Standards Authority. The Ayes were 513 and the Noes were 13, so the Question was agreed to.

*Amendment proposed:* 5, in the schedule, page 11, line 32, leave out subsection 67C and insert—

“67C Right to judicial reconsideration of decision made by an authorised person

A party to any decision made by an authorised person in the execution of the person’s duty as an authorised person exercising a relevant judicial function, by virtue of section 67B(1), may apply in writing, within 14 days of the service of the order, to have the decision reconsidered by a judge of the relevant court within 14 days from the date of application.”—(*Yasmin Qureshi.*)

*This amendment would grant people subject to a decision made under delegated powers a statutory right to judicial reconsideration.*

*Question put,* That the amendment be made.

*The House divided:* Ayes 243, Noes 312.

**Division No. 280]**

**[3.30 pm**

**AYES**

Abbott, rh Ms Diane  
 Abrahams, Debbie  
 Ali, Rushanara  
 Allin-Khan, Dr Rosena  
 Amesbury, Mike  
 Antoniazzi, Tonia  
 Ashworth, Jonathan  
 Austin, Ian  
 Barron, rh Sir Kevin  
 Beckett, rh Margaret

McGovern, Alison  
 McInnes, Liz  
 McKinnell, Catherine  
 McMahon, Jim  
 McMorrin, Anna  
 Mearns, Ian  
 Miliband, rh Edward  
 Moon, Mrs Madeleine  
 Moran, Layla  
 Morden, Jessica  
 Morgan, Stephen  
 Morris, Grahame  
 Murray, Ian  
 Nandy, Lisa  
 Norris, Alex  
 Onn, Melanie  
 Onwurah, Chi  
 Osamor, Kate  
 Owen, Albert  
 Pearce, Teresa  
 Pennycook, Matthew  
 Perkins, Toby  
 Phillips, Jess  
 Phillipson, Bridget  
 Pidcock, Laura  
 Pollard, Luke  
 Pound, Stephen  
 Powell, Lucy  
 Qureshi, Yasmin  
 Rashid, Faisal  
 Rayner, Angela  
 Reed, Mr Steve  
 Rees, Christina  
 Reeves, Ellie  
 Reeves, Rachel  
 Reynolds, Emma  
 Reynolds, Jonathan  
 Rimmer, Ms Marie  
 Rodda, Matt  
 Rowley, Danielle  
 Ruane, Chris  
 Russell-Moyle, Lloyd  
 Ryan, rh Joan  
 Saville Roberts, Liz  
 Shah, Naz  
 Sharma, Mr Virendra  
 Sherriff, Paula

Shuker, Mr Gavin  
 Siddiq, Tulip  
 Skinner, Mr Dennis  
 Slaughter, Andy  
 Smeeth, Ruth  
 Smith, Angela  
 Smith, Eleanor  
 Smith, Laura  
 Smith, Nick  
 Smith, Owen  
 Smyth, Karin  
 Snell, Gareth  
 Sobel, Alex  
 Spellar, rh John  
 Stevens, Jo  
 Stone, Jamie  
 Streeting, Wes  
 Stringer, Graham  
 Sweeney, Mr Paul  
 Tami, rh Mark  
 Thomas, Gareth  
 Thomas-Symonds, Nick  
 Thornberry, rh Emily  
 Timms, rh Stephen  
 Trickett, Jon  
 Turner, Karl  
 Twigg, Stephen  
 Twist, Liz  
 Umunna, Chuka  
 Vaz, rh Keith  
 Vaz, Valerie  
 Walker, Thelma  
 Watson, Tom  
 Western, Matt  
 Whitehead, Dr Alan  
 Whitfield, Martin  
 Williams, Hywel  
 Williams, Dr Paul  
 Williamson, Chris  
 Wilson, Phil  
 Yasin, Mohammad  
 Zeichner, Daniel

**Tellers for the Ayes:**  
**Stephanie Peacock and**  
**Chris Elmore**

#### NOES

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

Bone, Mr Peter  
 Bottomley, Sir Peter  
 Bowie, Andrew  
 Bradley, Ben  
 Bradley, rh Karen  
 Brady, Sir Graham  
 Braverman, Suella  
 Brereton, Jack  
 Bridgen, Andrew  
 Brine, Steve  
 Brokenshire, rh James  
 Bruce, Fiona  
 Buckland, Robert  
 Burghart, Alex  
 Burns, Conor  
 Burt, rh Alistair  
 Cairns, rh Alun  
 Cartlidge, James  
 Cash, Sir William  
 Caulfield, Maria  
 Chalk, Alex  
 Chishty, Rehman

Chope, Sir Christopher  
 Churchill, Jo  
 Clark, Colin  
 Clark, rh Greg  
 Clarke, rh Mr Kenneth  
 Clarke, Mr Simon  
 Cleverly, James  
 Clifton-Brown, Sir Geoffrey  
 Coffey, Dr Thérèse  
 Collins, Damian  
 Costa, Alberto  
 Courts, Robert  
 Cox, rh Mr Geoffrey  
 Crabb, rh Stephen  
 Crouch, Tracey  
 Davies, Chris  
 Davies, David T. C.  
 Davies, Glyn  
 Davies, Mims  
 Davies, Philip  
 Dinage, Caroline  
 Djanogly, Mr Jonathan  
 Docherty, Leo  
 Dodds, rh Nigel  
 Donaldson, rh Sir Jeffrey M.  
 Donelan, Michelle  
 Dorries, Ms Nadine  
 Double, Steve  
 Dowden, Oliver  
 Doyle-Price, Jackie  
 Drax, Richard  
 Duguid, David  
 Duncan, rh Sir Alan  
 Duncan Smith, rh Mr Iain  
 Ellis, Michael  
 Ellwood, rh Mr Tobias  
 Elphicke, Charlie  
 Eustice, George  
 Evans, Mr Nigel  
 Evennett, rh Sir David  
 Fabricant, Michael  
 Fallon, rh Sir Michael  
 Field, rh Mark  
 Ford, Vicky  
 Foster, Kevin  
 Fox, rh Dr Liam  
 Francois, rh Mr Mark  
 Frazer, Lucy  
 Freeman, George  
 Freer, Mike  
 Fysh, Mr Marcus  
 Gale, Sir Roger  
 Garnier, Mark  
 Gauke, rh Mr David  
 Ghani, Ms Nusrat  
 Gibb, rh Nick  
 Gillan, rh Dame Cheryl  
 Girvan, Paul  
 Glen, John  
 Goldsmith, Zac  
 Goodwill, rh Mr Robert  
 Gove, rh Michael  
 Graham, Luke  
 Graham, Richard  
 Grant, Bill  
 Grant, Mrs Helen  
 Gray, James  
 Grayling, rh Chris  
 Green, Chris  
 Green, rh Damian  
 Greening, rh Justine  
 Grieve, rh Mr Dominic

Gyimah, Mr Sam  
 Hair, Kirstene  
 Halfon, rh Robert  
 Hall, Luke  
 Hammond, rh Mr Philip  
 Hammond, Stephen  
 Hancock, rh Matt  
 Hands, rh Greg  
 Harper, rh Mr Mark  
 Harrington, Richard  
 Harris, Rebecca  
 Harrison, Trudy  
 Hart, Simon  
 Hayes, rh Sir John  
 Heald, rh Sir Oliver  
 Heapey, James  
 Heaton-Harris, Chris  
 Heaton-Jones, Peter  
 Henderson, Gordon  
 Herbert, rh Nick  
 Hinds, rh Damian  
 Hoare, Simon  
 Hollingbery, George  
 Hollinrake, Kevin  
 Hollobone, Mr Philip  
 Holloway, Adam  
 Howell, John  
 Huddleston, Nigel  
 Hughes, Eddie  
 Hunt, rh Mr Jeremy  
 Hurd, rh Mr Nick  
 Jack, Mr Alister  
 James, Margot  
 Javid, rh Sajid  
 Jayawardena, Mr Ranil  
 Jenkin, Sir Bernard  
 Jenkyns, Andrea  
 Jenrick, Robert  
 Johnson, rh Boris  
 Johnson, Dr Caroline  
 Johnson, Gareth  
 Johnson, Joseph  
 Jones, Andrew  
 Jones, rh Mr David  
 Jones, Mr Marcus  
 Kawczynski, Daniel  
 Keegan, Gillian  
 Kennedy, Seema  
 Kerr, Stephen  
 Knight, rh Sir Greg  
 Knight, Julian  
 Kwarteng, Kwasi  
 Lamont, John  
 Lancaster, rh Mark  
 Leadsom, rh Andrea  
 Lee, Dr Phillip  
 Lefroy, Jeremy  
 Leigh, Sir Edward  
 Letwin, rh Sir Oliver  
 Lewer, Andrew  
 Lewis, rh Brandon  
 Lewis, rh Dr Julian  
 Liddell-Grainger, Mr Ian  
 Lidington, rh Mr David  
 Little Pengelly, Emma  
 Lopez, Julia  
 Lopresti, Jack  
 Lord, Mr Jonathan  
 Loughton, Tim  
 Maclean, Rachel  
 Main, Mrs Anne  
 Mak, Alan



Malthouse, Kit  
 Mann, Scott  
 Masterton, Paul  
 May, rh Mrs Theresa  
 Maynard, Paul  
 McLoughlin, rh Sir Patrick  
 McPartland, Stephen  
 McVey, rh Ms Esther  
 Menzies, Mark  
 Mercer, Johnny  
 Merriman, Huw  
 Metcalfe, Stephen  
 Miller, rh Mrs Maria  
 Milling, Amanda  
 Mills, Nigel  
 Milton, rh Anne  
 Mitchell, rh Mr Andrew  
 Moore, Damien  
 Mordaunt, rh Penny  
 Morgan, rh Nicky  
 Morris, Anne Marie  
 Morris, David  
 Morris, James  
 Morton, Wendy  
 Mundell, rh David  
 Murray, Mrs Sheryll  
 Murrison, Dr Andrew  
 Neill, Robert  
 Newton, Sarah  
 Nokes, rh Caroline  
 Norman, Jesse  
 O'Brien, Neil  
 Offord, Dr Matthew  
 Opperman, Guy  
 Paisley, Ian  
 Parish, Neil  
 Patel, rh Priti  
 Paterson, rh Mr Owen  
 Pawsey, Mark  
 Penning, rh Sir Mike  
 Penrose, John  
 Percy, Andrew  
 Perry, rh Claire  
 Philp, Chris  
 Pincher, rh Christopher  
 Poulter, Dr Dan  
 Pow, Rebecca  
 Prentis, Victoria  
 Prisk, Mr Mark  
 Pursglove, Tom  
 Quin, Jeremy  
 Quince, Will  
 Raab, rh Dominic  
 Redwood, rh John  
 Rees-Mogg, Mr Jacob  
 Robertson, Mr Laurence  
 Robinson, Gavin  
 Robinson, Mary  
 Rosindell, Andrew  
 Ross, Douglas  
 Rowley, Lee  
 Rudd, rh Amber  
 Rutley, David  
 Sandbach, Antoinette

Scully, Paul  
 Seely, Mr Bob  
 Selous, Andrew  
 Shannon, Jim  
 Shapps, rh Grant  
 Sharma, Alok  
 Shelbrooke, Alec  
 Simpson, David  
 Skidmore, Chris  
 Smith, Chloe  
 Smith, Henry  
 Smith, rh Julian  
 Smith, Royston  
 Soames, rh Sir Nicholas  
 Soubry, rh Anna  
 Spelman, rh Dame Caroline  
 Spencer, Mark  
 Stephenson, Andrew  
 Stevenson, John  
 Stewart, Bob  
 Stewart, Rory  
 Streeter, Mr Gary  
 Stride, rh Mel  
 Stuart, Graham  
 Sturdy, Julian  
 Sunak, Rishi  
 Swayne, rh Sir Desmond  
 Swire, rh Sir Hugo  
 Syms, Sir Robert  
 Thomas, Derek  
 Thomson, Ross  
 Throup, Maggie  
 Tolhurst, Kelly  
 Tomlinson, Justin  
 Tomlinson, Michael  
 Tracey, Craig  
 Tredinnick, David  
 Trevelyan, Anne-Marie  
 Truss, rh Elizabeth  
 Tugendhat, Tom  
 Vaizey, rh Mr Edward  
 Vara, Mr Shailesh  
 Vickers, Martin  
 Villiers, rh Theresa  
 Walker, Mr Charles  
 Walker, Mr Robin  
 Wallace, rh Mr Ben  
 Warburton, David  
 Warman, Matt  
 Watling, Giles  
 Whately, Helen  
 Wheeler, Mrs Heather  
 Whittingdale, rh Mr John  
 Wiggin, Bill  
 Williamson, rh Gavin  
 Wilson, rh Sammy  
 Wollaston, Dr Sarah  
 Wragg, Mr William  
 Wright, rh Jeremy  
 Zahawi, Nadhim

**Tellers for the Noes:**  
**Craig Whittaker and**  
**Iain Stewart**

*Question accordingly negated.*

**Madam Deputy Speaker (Dame Rosie Winterton):** Consideration completed. I will now suspend the House for no more than 5 minutes in order to make a decision about certification. The Division bells will be rung two minutes before the House resumes. Following my

certification, the Government will table the appropriate consent motion, copies of which will be made available in the Vote Office and will be distributed by Doorkeepers.

3.44 pm

*Sitting suspended.*

3.50 pm

*On resuming—*

**Madam Deputy Speaker:** I can now inform the House that I have completed certification of the Bill, as required by the Standing Order. I have confirmed the view expressed in Mr Speaker's provisional certificate issued earlier today. Copies of my final certificate will be made available in the Vote Office and on the parliamentary website.

Under Standing Order No. 83M, a consent motion is therefore required for the Bill to proceed. Copies of the motion are available in the Vote Office and on the parliamentary website, and have been made available to Members in the Chamber. Does the Minister intend to move the consent motion?

**Lucy Frazer indicated assent.**

*The House forthwith resolved itself into the Legislative Grand Committee (England and Wales) (Standing Order No. 83M).*

[DAME ROSIE WINTERTON *in the Chair*]

3.51pm

**David Linden** (Glasgow East) (SNP): I beg to move, That the Committee sit in private.

**The Second Deputy Chairman of Ways and Means (Dame Rosie Winterton):** I am afraid I cannot accept that motion because the hon. Gentleman is not a member of the Committee.

**David Linden:** On a point of order, Dame Rosie. I am grateful for your indulgence. Can you clarify that the reason why I cannot move that motion is that I represent a constituency in Scotland, and am rendered a second-class Member of the House by the legislative apartheid that is English votes for English laws?

**The Second Deputy Chairman:** The point is that the Legislative Grand Committee represents Members of Parliament from England and Wales. In no way does that imply that the hon. Gentleman is second-class.

I remind hon. Members that if there is a Division, only Members representing constituencies in England and Wales may vote.

*Resolved,*

That the Committee consents to Clause 2 of the Courts and Tribunals (Judiciary and Functions of Staff) Bill [Lords] as amended in the public bill committee.—(*Lucy Frazer.*)

*The occupant of the Chair left the Chair to report the decision of the Committee (Standing Order No. 83M(6)).*

*The Deputy Speaker resumed the Chair; decision reported.*

**David Linden:** On a point of order, Madam Deputy Speaker. Before we return from the Legislative Grand Committee, my understanding is that, as a Member

[David Linden]

representing a Scottish constituency, while I may not be able to move a motion, I can contribute verbally. Is that correct?

**Madam Deputy Speaker:** I am afraid that the hon. Gentleman has rather missed his chance.

**David Linden:** I stood to catch your eye.

**Madam Deputy Speaker:** No, I am afraid you did not. I am very sorry.

*Third Reading*

3.54 pm

**Lucy Frazer:** I beg to move, That the Bill be now read the Third time.

This is a small and technical Bill, but it is a key component of our £1 billion programme of reform that will see our courts and tribunals modernised for the 21st century and, importantly, make access to justice quicker and easier for all. It is also the first step in the legislation that will underpin these reforms, as we will introduce further courts legislation as soon as parliamentary time allows.

The judicial measures in the Bill will enable greater flexibility in the deployment of judges. They will allow the senior judiciary to respond more effectively to changes in demand and to make better use of the skills and experience of the existing cohort of judges. This Bill will free up judges from the most routine tasks by enabling appropriately qualified and experienced staff in courts and tribunals to carry out a wider range of judicial functions than they can at present. Through these measures, the Bill will improve the overall effectiveness and efficiency of courts and tribunals and, importantly, it will reduce delays. This will ensure that we deliver a speedier resolution of matters, which is important in benefiting those who use our courts and tribunals system.

As I have said, this is a short Bill, so I will be brief, but I would not want to finish without thanking the hon. Member for Bolton South East (Yasmin Qureshi) and other Members of this House for the constructive way in which they have engaged on these issues. I pay tribute to the noble and learned Lord Thomas, the former Lord Chief Justice, and the noble and learned Lord Neuberger, the former President of the Supreme Court—they have been widely quoted in this House—for their wise counsel in the other place and for sharing their expertise on how the measures in the Bill will operate in practice.

I thank the Clerks and other parliamentary staff for helping the proceedings on the Bill to run so smoothly, and I extend my thanks to our hard-working Bill team, our private offices, our Parliamentary Private Secretaries and the Whips. It has been an honour to take the Bill through the House, and I look forward to seeing the important measures it contains being implemented in the coming months. On that basis, I commend the Bill to the House.

3.56 pm

**Imran Hussain (Bradford East) (Lab):** I, too, thank all hon. Members who have participated in the proceedings on the Bill today and throughout its passage for the

considered and learned contributions they have made. I also thank the Public Bill Office, as well as organisations such as the Law Society, the Bar Council and Justice for the expertise and support that they have provided throughout these proceedings.

From the outset, we have made clear our reservations about the measures contained in the Bill: the fact that there is no proper parliamentary scrutiny of the delegation of powers to non-judicial staff; the fact that there are no minimum qualifications and experience for staff to whom powers are delegated; and the fact that there is no statutory right to reconsideration by a judge of the decisions made by authorised staff. We have been clear that we are not opposed to the principle of reform and change to our courts system. However, we cannot support the changes in this Bill without the protections that we, the Bar Council and the Law Society, among other organisations, and legal professionals have called for. Unfortunately, on these matters, we feel that we have been ignored, and therefore we will oppose the Bill on Third Reading today.

Judges hold considerable power in our courts system. They have the power to commit individuals to prison, to detain, to repossess, to grant injunctions and to issue search orders, among many others, and it takes judges years to develop the experience and qualifications necessary to wield these powers. That is why we should not take the handling of powers given to them lightly, yet that is precisely what the Government are doing in this Bill. They are passing powers currently exercised by the judiciary to authorised court staff and, most crucially, they are doing so without sufficient scrutiny. The delegation of powers exercised by the procedure rule committees will be done under delegated legislation, with no more safeguards than using a motion under the negative procedure. This is not simply a procedural matter, as the Government have stated today, but one that has the potential to change the nature of our justice system.

Under the Bill, authorised staff will find themselves able to wield considerable power. Although some decisions might seem insignificant, no court decision is small or inconsequential. The smallest decision's implications can reach far beyond the here and now, well into the advanced stages of a case. We can easily see authorised staff making decisions that are contested because the procedure rule committees, not Parliament, are granting them the power and functions. The Government should have accepted our amendment today to require that when statutory instruments delegating judicial functions to authorised persons are introduced, they are subject to the affirmative procedure, allowing Parliament the necessary scrutiny, but they chose not to do so.

The lack of scrutiny of delegated powers and functions is even more worrying considering the lack of qualifications and experience that the Bill requires to wield them. We rightly expect a minimum standard of our judges, and so do the public. We expect that decisions in our courts are made by those with experience and the necessary qualifications, which is why we have restrictions and a thorough vetting process for those who wish to become members of our judiciary. Justices of the peace—magistrates who do not hold a legal qualification—nevertheless have considerable life experience and are still advised by trained, experienced and qualified legal staff. The Government, however, have imposed none of these requirements of experience and qualification on authorised staff.

In the Public Bill Committee in the Lords, the Minister responsible stated that the minimum standards we sought to impose then, and sought to impose in the Public Bill Committee in this House and again earlier today, would be more restrictive than those that are currently imposed on people providing legal advice in magistrates and family courts. However, that is no excuse and there is no reason why, when authorised staff are making decisions that were previously made by trained and experienced judges, we should not be upholding a higher standard. The Government counter that the decisions being made by authorised staff will be limited and that they will not be contested, but they cannot give that guarantee here today, for even the most basic decisions—extending time for service and taking pleas—may give rise to contention.

Even if we were to provide tight restrictions in the Bill for decisions that were delegated to ensure that they were not contested, that would not alter the fact that even non-contested elements of cases require experience—a view supported by Sir Brian Leveson in his review of the efficiency of criminal proceedings. Furthermore, if staff were legally trained and qualified, they would still be without the benefit of the experience that our judges hold through their many years of service in our legal system. That is why experience is just as crucial here as qualifications, as shown by our amendments and by the support that they received from the Bar Council. There was no reason why the Government could not accept the amendments on this issue, and no reason for them not to hold authorised staff to a higher standard when they are granted the power to make decisions. Clearly, however, the Government thought otherwise of the Bar Council's expertise.

Our final point is that the Bill fails to provide sufficient safeguards for the decisions that are made by authorised staff, with no statutory right to judicial reconsideration. Clearly, the Government have not taken heed of the warning to be vigilant when judicial powers are being exercised by non-members of the judiciary. The explanations that they have provided in their factsheets—that delegated decisions will not be contested—are insufficient, as are the safeguards provided by the procedure rule committees, which are too open to pressure to reduce the right to reconsideration to ease pressures and backlogs in the courts.

Any legal decision made in our courts must be open to review and appeal. It is a fundamental principle of the rule of law, and the decisions made by authorised staff should be no different, yet the Bill does not uphold that spirit by failing to make available a statutory right to reconsideration. In failing to provide that statutory right, the Government have undermined the expectation of the public that legal decisions will be made by a judge or can be reviewed by a judge, and they have undermined our courts and judicial system in the process.

The Bill is a poor replacement for what should have been a thorough Bill filled with real courts reform. We are disappointed that the Government have failed to take up the baton of reform and to change their punitive legal aid cuts, which have left thousands unable to exercise their right to access to justice, created barren legal aid deserts and allowed legal rights to degrade to the point where they are no longer worth the paper they are written on. They have failed to change course on a courts closure programme that forces people to travel miles, at great cost and difficulty, to get to their closest

courts and uphold their rights, and they have failed to address the urgent need for protection for domestic violence victims being cross-examined and questioned in the family courts by the very same people who subjected them to the abuse.

**Keith Vaz** (Leicester East) (Lab): My hon. Friend is making a powerful speech, and I agree with everything he has said. There is one other aspect that I am sure he as a constituency MP, like me and others, has faced, which is the delays experienced by our constituents in the immigration tribunal, some having to wait up to two years for a decision on whether they can bring spouses into the country. Does he agree that the Government have failed to act to clear the backlog?

**Imran Hussain:** My right hon. Friend is a distinguished parliamentarian and, as ever, makes a really important point. It is not within the remit of the Bill—one of the problems with the Bill is that its narrow scope prevents important issues such as the one he raises from being discussed—but I absolutely agree with him.

The Bill is a shadow of what it could and should have been and fails to provide protections and safeguards on the changes the Government have introduced. It is on these grounds—the lack of protections for courts, judges and people seeking justice—that we will oppose the Bill today.

4.6 pm

**Robert Neill:** It is a pleasure to follow the hon. Member for Bradford East (Imran Hussain). We have had a constructive and civilised debate on both sides. I do not agree with all his conclusions, but none the less it has been a good debate. I particularly congratulate my hon. and learned Friend the Minister on the stellar way in which she has taken the Bill through all its stages. I am sure that it will not be the last time she does that.

I support the Bill. I would have liked a bigger Bill, and I would like not to have lost the Prisons and Courts Bill in the 2017 Dissolution, but we are where we are, and this is a valuable step forward. I particularly welcome my hon. and learned Friend's commitment to introducing further legislation. As she and the House know, this is part of the very important courts modernisation programme, particularly on the civil side, and builds on the work of Lord Briggs of Westbourne. I know that those involved in his review are most anxious that the remaining statutory underpinnings for the updating of procedure rules and other matters be introduced as a matter of urgency, and I urge her to do that as soon as the legislative timetable permits.

I think that the Bill strikes the right balance. I would take issue with the hon. Member for Bradford East over the suggestion that the judges, exercising their oath of office on the procedure rule committees, would allow themselves to be swayed by considerations of convenience or financial matters in deciding upon the appropriate scheme of delegation. There is not a shred of evidence in the history of our modern judiciary to suggest such a thing, and it does a disservice to the judiciary. We should trust the judges.

**Imran Hussain:** I want to make it absolutely clear that—as I am sure the hon. Gentleman, who is Chair of the Justice Committee, will accept—no one in the



[Imran Hussain]

Opposition is challenging in any way, shape or form the good standing of the judiciary. The point, which has been made time and again, is that certain matters are within the remit of the procedure rule committees, but there are others that this House and the other place should have scrutiny of.

**Robert Neill:** I thank the hon. Gentleman for what he has said, and I entirely accept the intentions behind it. We will have to differ on the question where the line should be drawn between which decisions are appropriate for Parliament to decide and which are appropriate for the judiciary, but I am grateful for the sentiments that he has expressed, which I am sure have reassured us all.

I am happy to proceed on the basis of recent advice from senior judges who have been referred to in the debate and on the basis of what is in the Bill. It will make savings, and at this point perhaps I can put in a plug to the Minister. It might be appropriate, for example, to use that £6 million-plus to restore the funding for the Family Drug and Alcohol Court National Unit. I particularly regret that we have lost some of the emphasis on problem-solving courts following the loss of the Prisons and Courts Bill. Perhaps, given that we now have a unified planning court, we could also consider the Lord Flight's suggestion in the other place for the establishment of a unified housing court.

Having made those suggestions for what might happen in future, I will end by saying that I welcome the Bill and will support it today.

4.10 pm

**Andy Slaughter:** Let me begin by saying that it was indeed a pleasure to serve on the Bill Committee, not least because of its brevity. I think that the Minister alluded to that when she described it as a small Bill. It is a small Bill, but I am afraid it is also a rather inadequate and unsatisfactory Bill. I am not going to repeat the excellent speech made by my hon. Friend the Member for Bradford East (Imran Hussain), but he was absolutely right to say that there were no adequate safeguards, and that the nature of the delegation of functions has not been specified sufficiently for us to feel certain that we can support it.

As my hon. Friend observed, the most disappointing aspect of the Bill is that it represents just the shards, or the remains, of the legislation on this subject that we were promised. We hear a great deal about the—is it the £1 billion programme of investment in digitisation in the courts? However, the Bill goes nowhere towards addressing this. Nor does it deal with the oft-raised concerns of Members about how that is being funded and about funding through court closures.

Let me give one brief example. You will understand why I picked this example, Madam Deputy Speaker. This week I asked the House of Commons Library for a list of court closures since 2010. It gave me a list of 156 courts and buildings that had been closed since then, but one figure stood out. Hammersmith magistrates court accounts for nearly 20% of the entire saving that the Government have made during that time. Some courts have been sold for £1, but Hammersmith magistrates court was sold for £43 million. Perhaps the Government are rubbing their hands and saying what a valuable contribution that is to the reform agenda.

Let me make these points to the Minister, if the Minister will listen. I will wait until I have her attention.

A couple of years ago, the Minister's predecessor, the right hon. and learned Member for North East Hertfordshire (Sir Oliver Heald), called me in for a tête-à-tête and showed me a planning brief for what would happen to Hammersmith magistrates court after it was sold. Apparently, it was to become a mixed housing development. The Minister may like to know that it has now been sold to the developers of an 850-bedroom hotel, who are currently awaiting planning consent.

I would like the answers to two questions, not necessarily today but at some point. First, how much did the Minister's Department spend on drawing up that detailed planning brief and marketing it for a purpose which has now gone completely by the board? Secondly, notwithstanding the large capital receipt, does she believe that it is fair recompense for a site on which, apparently, there is to be an 850-bedroom hotel? In fact, two will be built on one site. This shows the folly of the way in which the Government are conducting their programme of investment and disinvestment. When courts are closed, the detriment to communities is obvious, and in the case of Hammersmith magistrates court the closure did not take place for operational reasons; its purpose was purely to generate a capital receipt.

The Bill will no doubt be passed today, despite our assertive opposition to it, but we will return to more serious matters on a subsequent occasion. We must subject the Bill to further scrutiny, and the Government must present the House with proposals for legislation to deal with the serious questions of how that digitisation and so-called reform programme is or is not working, and what the cost to our community is of the loss of well-established and vital court facilities.

4.14 pm

**John Howell:** I spoke on Second Reading and pointed out the extent to which the courts were undergoing reform. A number of Members have commented on that today and I will not go over what I said in that earlier debate again. It is understood that we are seeing a major reform process and the work of Lord Briggs on this is well understood, but to judge the effectiveness of those reforms and this Bill we must determine whether it passes two tests. First, does it make it easier and swifter to obtain justice? Secondly, does it provide better access to justice? The Bill passes both tests.

The Bill provides better access to justice by making sure that is quicker and swifter, and achieves that by freeing up judges' time to focus on the most pressing cases. As I said on Second Reading, when I was on the Industry and Parliament Trust course I sat with judges and was able to see their enormous workload. Anything we can do to help free that up has to be a very good thing.

I echo, too, the comments of my hon. and learned Friend the Minister on the planning and housing courts. I have sat with a judge on a planning court, and I thought it achieved a tremendous amount in bringing things together. I take particular pleasure in the work Lord Thomas has done on this, as a former Lord Chief Justice and a reforming Lord Chief Justice. He went out of his way to help reform the system and I am glad he is still doing so. The comments of Lord Neuberger have also been excellent.

I assure the Minister that I support this Bill.

4.17 pm

**Julian Knight** (Solihull) (Con): I commend my hon. Friend the Member for Henley (John Howell) on his excellent speech.

It was a great pleasure to serve on this Committee. Despite the to-ing and fro-ing there was also a lot of cross-party agreement in the Committee; it must be acknowledged that there was some real working together.

The Bill opens up greater flexibility and will over time open up new technologies and the ability to deploy them in order to provide better access to justice. I had a fantastic briefing from the Ministry of Justice where officials went through all the things that will go live over the next few months and years in terms of accessing justice online. I was greatly encouraged by that. I pay tribute to my hon. and learned Friend the Minister who has piloted that and is a champion of it, and who has made real headway in that regard. It will make a real difference on the ground.

The delegation of judicial functions, as my hon. Friend the Member for Bromley and Chislehurst (Robert Neill) said, is a logical follow-on from the Briggs report. These changes will save £6 million. There will be greater access to justice and greater use of technology. I hope that that £6 million gets ploughed into some of the schemes my colleagues have spoken about. The Ministry of Justice does a fantastic job on what are, we must acknowledge, limited resources due to the financial situation we inherited.

I am happy to support the Bill, and full speed ahead.

*Question put*, That the Bill be now read the Third time.

*The House divided*: Ayes 302, Noes 233.

**Division No. 281]**

**[4.19 pm**

**AYES**

Adams, Nigel	Brine, Steve
Afolami, Bim	Brokenshire, rh James
Afriyie, Adam	Bruce, Fiona
Aldous, Peter	Buckland, Robert
Allan, Lucy	Burghart, Alex
Allen, Heidi	Burns, Conor
Amess, Sir David	Cairns, rh Alun
Andrew, Stuart	Cartlidge, James
Argar, Edward	Cash, Sir William
Atkins, Victoria	Caulfield, Maria
Bacon, Mr Richard	Chalk, Alex
Badenoch, Mrs Kemi	Chishty, Rehman
Baker, Mr Steve	Chope, Sir Christopher
Baldwin, Harriett	Churchill, Jo
Barclay, rh Stephen	Clark, Colin
Baron, Mr John	Clark, rh Greg
Bebb, Guto	Clarke, rh Mr Kenneth
Benyon, rh Richard	Clarke, Mr Simon
Beresford, Sir Paul	Cleverly, James
Berry, Jake	Clifton-Brown, Sir Geoffrey
Blackman, Bob	Coffey, Dr Thérèse
Boles, Nick	Collins, Damian
Bone, Mr Peter	Costa, Alberto
Bottomley, Sir Peter	Courts, Robert
Bowie, Andrew	Cox, rh Mr Geoffrey
Bradley, rh Karen	Crouch, Tracey
Brady, Sir Graham	Davies, Chris
Braverman, Suella	Davies, David T. C.
Brereton, Jack	Davies, Glyn
Bridgen, Andrew	Davies, Mims

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

Morton, Wendy  
 Mundell, rh David  
 Murray, Mrs Sheryll  
 Murrison, Dr Andrew  
 Neill, Robert  
 Newton, Sarah  
 Nokes, rh Caroline  
 Norman, Jesse  
 O'Brien, Neil  
 Offord, Dr Matthew  
 Opperman, Guy  
 Paisley, Ian  
 Parish, Neil  
 Patel, rh Priti  
 Paterson, rh Mr Owen  
 Pawsey, Mark  
 Penning, rh Sir Mike  
 Penrose, John  
 Percy, Andrew  
 Perry, rh Claire  
 Philp, Chris  
 Pincher, rh Christopher  
 Poulter, Dr Dan  
 Pow, Rebecca  
 Prentis, Victoria  
 Prisk, Mr Mark  
 Pursglove, Tom  
 Quin, Jeremy  
 Quince, Will  
 Raab, rh Dominic  
 Redwood, rh John  
 Rees-Mogg, Mr Jacob  
 Robertson, Mr Laurence  
 Robinson, Mary  
 Rosindell, Andrew  
 Ross, Douglas  
 Rowley, Lee  
 Rudd, rh Amber  
 Rutley, David  
 Sandbach, Antoinette  
 Scully, Paul  
 Seely, Mr Bob  
 Selous, Andrew  
 Shannon, Jim  
 Shapps, rh Grant  
 Sharma, Alok  
 Shelbrooke, Alec  
 Skidmore, Chris  
 Smith, Chloe  
 Smith, Henry  
 Smith, rh Julian

Smith, Royston  
 Soames, rh Sir Nicholas  
 Soubry, rh Anna  
 Spelman, rh Dame Caroline  
 Spencer, Mark  
 Stephenson, Andrew  
 Stevenson, John  
 Stewart, Bob  
 Stewart, Rory  
 Streeter, Mr Gary  
 Stride, rh Mel  
 Stuart, Graham  
 Sturdy, Julian  
 Sunak, Rishi  
 Swayne, rh Sir Desmond  
 Swire, rh Sir Hugo  
 Syms, Sir Robert  
 Thomas, Derek  
 Thomson, Ross  
 Throup, Maggie  
 Tolhurst, Kelly  
 Tomlinson, Justin  
 Tomlinson, Michael  
 Tracey, Craig  
 Trevelyan, Anne-Marie  
 Tugendhat, Tom  
 Vaizey, rh Mr Edward  
 Vara, Mr Shailesh  
 Vickers, Martin  
 Villiers, rh Theresa  
 Walker, Mr Charles  
 Walker, Mr Robin  
 Wallace, rh Mr Ben  
 Warburton, David  
 Warman, Matt  
 Watling, Giles  
 Whately, Helen  
 Wheeler, Mrs Heather  
 Whittaker, Craig  
 Whittingdale, rh Mr John  
 Wiggin, Bill  
 Williamson, rh Gavin  
 Wilson, rh Sammy  
 Wollaston, Dr Sarah  
 Wragg, Mr William  
 Wright, rh Jeremy  
 Zahawi, Nadhim

**Tellers for the Ayes:**  
**Amanda Milling and**  
**Iain Stewart**

#### NOES

Abbott, rh Ms Diane  
 Abrahams, Debbie  
 Ali, Rushanara  
 Allin-Khan, Dr Rosena  
 Amesbury, Mike  
 Antoniazzi, Tonia  
 Ashworth, Jonathan  
 Austin, Ian  
 Barron, rh Sir Kevin  
 Beckett, rh Margaret  
 Benn, rh Hilary  
 Berger, Luciana  
 Betts, Mr Clive  
 Blackman-Woods, Dr Roberta  
 Blomfield, Paul  
 Bradshaw, rh Mr Ben  
 Brennan, Kevin  
 Brown, Lyn

Brown, rh Mr Nicholas  
 Bryant, Chris  
 Buck, Ms Karen  
 Burden, Richard  
 Burgon, Richard  
 Butler, Dawn  
 Byrne, rh Liam  
 Cadbury, Ruth  
 Campbell, rh Mr Alan  
 Campbell, Mr Ronnie  
 Carden, Dan  
 Champion, Sarah  
 Chapman, Jenny  
 Charalambous, Bambos  
 Clwyd, rh Ann  
 Coaker, Vernon  
 Cooper, Julie  
 Cooper, Rosie

Cooper, rh Yvette  
 Corbyn, rh Jeremy  
 Coyle, Neil  
 Crausby, Sir David  
 Creagh, Mary  
 Creasy, Stella  
 Cruddas, Jon  
 Cryer, John  
 Cummins, Judith  
 Cunningham, Alex  
 Cunningham, Mr Jim  
 Daby, Janet  
 Dakin, Nic  
 David, Wayne  
 Davies, Geraint  
 De Cordova, Marsha  
 De Piero, Gloria  
 Debbonaire, Thangam  
 Dent Coad, Emma  
 Dhesi, Mr Tanmanjeet Singh  
 Dodds, Anneliese  
 Doughty, Stephen  
 Dowd, Peter  
 Drew, Dr David  
 Dromey, Jack  
 Duffield, Rosie  
 Eagle, Ms Angela  
 Eagle, Maria  
 Edwards, Jonathan  
 Efford, Clive  
 Elliott, Julie  
 Esterson, Bill  
 Evans, Chris  
 Farrelly, Paul  
 Fitzpatrick, Jim  
 Fletcher, Colleen  
 Flint, rh Caroline  
 Fovargue, Yvonne  
 Foxcroft, Vicky  
 Frith, James  
 Furniss, Gill  
 Gaffney, Hugh  
 Gapes, Mike  
 Gardiner, Barry  
 George, Ruth  
 Gill, Preet Kaur  
 Glindon, Mary  
 Goodman, Helen  
 Green, Kate  
 Greenwood, Lilian  
 Greenwood, Margaret  
 Griffith, Nia  
 Grogan, John  
 Gwynne, Andrew  
 Haigh, Louise  
 Hamilton, Fabian  
 Hanson, rh David  
 Hardy, Emma  
 Harman, rh Ms Harriet  
 Harris, Carolyn  
 Hayes, Helen  
 Hayman, Sue  
 Healey, rh John  
 Hendrick, Sir Mark  
 Hepburn, Mr Stephen  
 Hill, Mike  
 Hillier, Meg  
 Hodge, rh Dame Margaret  
 Hodgson, Mrs Sharon  
 Hollern, Kate  
 Hopkins, Kelvin  
 Howarth, rh Mr George

Huq, Dr Rupa  
 Hussain, Imran  
 Johnson, Diana  
 Jones, Darren  
 Jones, Gerald  
 Jones, Graham P.  
 Jones, Sarah  
 Jones, Susan Elan  
 Kane, Mike  
 Keeley, Barbara  
 Khan, Afzal  
 Killen, Ged  
 Kyle, Peter  
 Lake, Ben  
 Lammy, rh Mr David  
 Lavery, Ian  
 Lee, Karen  
 Leslie, Mr Chris  
 Lewell-Buck, Mrs Emma  
 Lewis, Clive  
 Lloyd, Tony  
 Long Bailey, Rebecca  
 Lucas, Caroline  
 Lucas, Ian C.  
 Madders, Justin  
 Mahmood, Mr Khalid  
 Mahmood, Shabana  
 Malhotra, Seema  
 Mann, John  
 Marsden, Gordon  
 Martin, Sandy  
 Maskell, Rachael  
 Matheson, Christian  
 McCabe, Steve  
 McCarthy, Kerry  
 McDonagh, Siobhain  
 McDonald, Andy  
 McDonnell, rh John  
 McFadden, rh Mr Pat  
 McGovern, Alison  
 McInnes, Liz  
 McKinnell, Catherine  
 McMahan, Jim  
 McMorris, Anna  
 Mearns, Ian  
 Miliband, rh Edward  
 Moon, Mrs Madeleine  
 Morden, Jessica  
 Morgan, Stephen  
 Morris, Grahame  
 Murray, Ian  
 Nandy, Lisa  
 Norris, Alex  
 Onn, Melanie  
 Onwurah, Chi  
 Osamor, Kate  
 Owen, Albert  
 Pearce, Teresa  
 Pennycook, Matthew  
 Perkins, Toby  
 Phillips, Jess  
 Phillipson, Bridget  
 Pidcock, Laura  
 Pollard, Luke  
 Pound, Stephen  
 Powell, Lucy  
 Qureshi, Yasmin  
 Rashid, Faisal  
 Rayner, Angela  
 Reed, Mr Steve  
 Rees, Christina  
 Reeves, Ellie



Reeves, Rachel	Streeting, Wes
Reynolds, Emma	Stringer, Graham
Reynolds, Jonathan	Sweeney, Mr Paul
Rimmer, Ms Marie	Tami, rh Mark
Rodda, Matt	Thomas, Gareth
Rowley, Danielle	Thomas-Symonds, Nick
Ruane, Chris	Thornberry, rh Emily
Russell-Moyle, Lloyd	Timms, rh Stephen
Ryan, rh Joan	Trickett, Jon
Saville Roberts, Liz	Turner, Karl
Shah, Naz	Twigg, Stephen
Sharma, Mr Virendra	Twist, Liz
Sheerman, Mr Barry	Umunna, Chuka
Sherriff, Paula	Vaz, rh Keith
Shuker, Mr Gavin	Vaz, Valerie
Siddiq, Tulip	Walker, Thelma
Skinner, Mr Dennis	Western, Matt
Slaughter, Andy	Whitehead, Dr Alan
Smeeth, Ruth	Whitfield, Martin
Smith, Angela	Williams, Hywel
Smith, Eleanor	Williams, Dr Paul
Smith, Laura	Williamson, Chris
Smith, Nick	Wilson, Phil
Smith, Owen	Yasin, Mohammad
Smyth, Karin	Zeichner, Daniel
Snell, Gareth	
Sobel, Alex	
Spellar, rh John	
Stevens, Jo	

**Tellers for the Noes:**

Chris Elmore and  
Stephanie Peacock

*Question accordingly agreed to.*

*Bill read the Third time and passed, with amendments.*

**Business without Debate**

**DELEGATED LEGISLATION**

*Motion made, and Question put forthwith (Standing Order No. 118(6)),*

**EXITING THE EUROPEAN UNION (COMPANIES)**

That the draft Takeovers (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 29 October, be approved.—(*Rebecca Harris.*)

*Question agreed to.*

**Diabetes: Artificial Pancreas**

*Motion made, and Question proposed,* That this House do now adjourn.—(*Rebecca Harris.*)

4.34 pm

**Mr George Howarth** (Knowsley) (Lab): I would like to begin with some acknowledgements to those who contributed towards the material that I will be using today, so let me place on record my thanks to Dr Jacq Allan from Birkbeck University and the charity Diabetics with Eating Disorders; Sandie Atkinson-Goulding; Dr Weston and Dr Zaidi from the Royal Liverpool University Hospital; the Juvenile Diabetes Research Foundation; Incisive Health; and Diabetes UK. I thank them all for sharing their expertise, briefing notes and academic work with me.

I intend to highlight the technology that is available for people with type 1 diabetes, point out some issues surrounding access to technologies and say a few words about the lack of structured education and psychological support available for type 1 diabetics. To conclude, I will make some suggestions to the Minister on what the Government can do to progress towards artificial pancreas systems.

Type 1 diabetes is an autoimmune condition, where an individual cannot naturally produce insulin. According to JDRF, this condition affects 400,000 people in the UK, of whom 29,000 are children. JDRF is leading on and funding the design of an artificial pancreas, which will change the lives of those affected by type 1 diabetes considerably. The artificial pancreas is in advanced human trials and the work in the UK is being led by Professor Roman Hovorka at the University of Cambridge, with funding from JDRF. Artificial pancreas systems automate blood-sugar management, dramatically reducing type 1 diabetes-related risks and improving the lives of people who have the condition. The artificial pancreas consists of a continuous glucose monitor, a computer programme and an insulin pump that work together to automatically control background insulin levels. These artificial pancreas systems, which may be a combination of existing or newly developed continuous glucose monitoring systems and insulin pump technology, have been termed the “artificial pancreas” because they monitor and adjust insulin levels just as the pancreas does in people who do not suffer from diabetes. Artificial pancreas systems have the potential to transform lives, particularly for those who find it difficult to maintain good blood-glucose control.

**Sandy Martin** (Ipswich) (Lab): Does my right hon. Friend agree that simple continuous glucose monitors that are already available—I believe the Prime Minister wears one—are still not being allowed to children and young people who would benefit from them because some clinical commissioning groups do not prescribe them? When I asked the Secretary of State about this affair, I was told that the Department has no intention of monitoring what CCGs measure. Does my right hon. Friend agree that that is not a satisfactory state of affairs?

**Mr Howarth:** I am grateful to my hon. Friend for that intervention. He is right in what he says, and I will be covering precisely that point later in my speech.

[Mr Howarth]

A recent JDRF-funded trial found that the artificial pancreas is better at helping people to manage their glucose levels than the best currently available technology. People who used the artificial pancreas spent 65% of time with glucose levels in range, which compares with 54% of time for people using a continuous glucose monitor and an insulin pump. Unfortunately, as my hon. Friend mentioned, there are significant regional variations in access to existing diabetes technologies, such as insulin pumps, in many parts of the country. The most recent national diabetes audit, published in July 2018, shows that although the overall uptake of insulin pumps has increased, the proportion of people with type 1 diabetes attending specialist services who are treated with pumps varies from a pitiful 5% to 40% at best.

**Steve McCabe** (Birmingham, Selly Oak) (Lab): I do not know whether my right hon. Friend is familiar with a group called #WeAreNotWaiting. They are people who are developing their own equipment, pumps, monitoring system and computers, because they are not prepared to wait for technology that could be made available to help them.

As my right hon. Friend says, the pumps are available but not widely available on the NHS, despite being a leading British technology. Of course, the other problem is that there is no push from the Government for concerted commercial development of these systems in this country.

**Mr Howarth:** I am grateful to my hon. Friend for that intervention. I am aware of the #WeAreNotWaiting group and as recently as earlier today I had an email from one of them. I will not name them, because I do not have permission to do so.

**Jim Shannon** (Strangford) (DUP): Will the right hon. Gentleman give way?

**Mr Howarth:** I will give way in a moment. I just want to finish answering the point made by my hon. Friend the Member for Birmingham, Selly Oak (Steve McCabe).

The email reads:

“As someone who has built an artificial pancreas using the open artificial pancreas system and is reaping the rewards from this technology, I just wanted to wish you good luck with this evening’s Adjournment debate. Having been a type 1 for 38 years, I can confirm that this is truly life-changing.”

Before I give way to the hon. Member for Strangford (Jim Shannon), I want to say a word about those who are manufacturing their own artificial pancreases. In some respects, we should celebrate that there are so many young people out there who have the ability to build what is in effect an artificial pancreas, while, at the same time, writing their own algorithms to link them together. That is truly amazing.

I have a background—this is a long time ago—in engineering and I cannot even conceive of doing that, so it is very encouraging that people are doing it. On the other hand, I worry. I have spoken to clinicians and one said to me, “I’ve looked at some of them and they are viable devices, but I worry about people building something that is not reliable and then relying upon it. There could

be serious consequences down the line.” But this does show what is possible when people—in their bedrooms or in their mum and dad’s garage—are effectively able to control their own diabetes.

**Jim Shannon:** I congratulate the right hon. Gentleman on securing this debate on using modern technology to deal with diabetes. I declare an interest as a type 2 diabetic. I know other Members in the Chamber have similar ailments.

Northern Ireland has some of the highest levels of diabetes in the whole of the United Kingdom. We have the highest level of type 1 diabetics among children in the whole of the United Kingdom per head of population. That gives an idea of the importance of this debate.

I am very interested in the success of the artificial pancreas given to a teenager in Leeds. Does the right hon. Gentleman agree that this revolutionises both treatment and quality of life, but that it must be available throughout the whole of the United Kingdom of Great Britain and Northern Ireland? It must not be a postcode lottery. This must be available as a matter of course for those who fit the protocol. Will the Minister tell us how we can do that across the whole of the United Kingdom of Great Britain—Scotland, Wales, England—and Northern Ireland?

**Mr Howarth:** I am grateful to the hon. Gentleman, who must be psychic, because that is the very next point I was going to make.

There have been, as the hon. Gentleman says, postcode lottery-style problems with accessing the technology. For example, with FreeStyle Libre, a flash glucose monitoring device, patients in Liverpool are able to get it on prescription if they meet the criteria. That is very welcome, but many patients from outside the area cannot get one, as up to 30% of CCGs do not fund them. There needs to be more work done on that and I know the Government have made an announcement, which I will refer to in a moment.

Thanks to Diabetes UK’s campaign on 14 November, World Diabetes Day, NHS England announced that from April 2019 the FreeStyle Libre will be made available to all who meet the clinical criteria regardless of where they live. That is a very welcome development. I do not think it will apply to Northern Ireland, but I hope a similar policy is adopted in Northern Ireland. Innovation in diabetes technology is evolving rapidly in exciting ways.

**Liz McInnes** (Heywood and Middleton) (Lab): I thank my right hon. Friend for giving way. To go back to the postcode lottery of funding, I wonder whether the Minister will talk in her winding-up speech about the work of the Scottish diabetes technology improvement plan, which was supported by £12 million of funding and has resulted in increased insulin pump usage in Scotland. I wonder whether we might emulate that scheme.

**Mr Howarth:** The common-sense approach is to look at what is going on elsewhere—in Scotland and in other parts of the world—to get the best of what is available and use it in the most effective way. My hon. Friend is quite right about that.

It is pointless giving type 1 diabetics the latest technologies, such as an artificial pancreas system, if they are not given structured education to support them

to use the technology that is available. The limited uptake of educational programmes is a matter of great concern, and I hope the Minister shares that concern. Despite guidance from the National Institute for Health and Care Excellence, in 2014-15 only 2% of people newly diagnosed with type 1 diabetes were recorded as having attended structured education courses. For some, that lack of knowledge of the key principles of self-management is a major barrier to the use of technology, because without sufficient education, type 1 diabetics are not equipped to get the best results from the technology available.

**Sir Mike Penning** (Hemel Hempstead) (Con): This is a very important debate and I am pleased we have time to listen to it. I will have to go and listen to my leader at 5 o'clock, so I apologise if I leave in the middle of the debate. With type 1 and type 2 diabetes, it is crucial to diagnose as early as possible. With type 1, which is very different from type 2, it is possible to diagnose very early on in the life of that person. Perhaps the right hon. Gentleman will allude to the differences between lifestyle issues and something that a person normally has when they are born. Surely the answer is testing early, so people can find out and have their educational needs met, and hopefully the product can be available across this great nation of ours.

**Mr Howarth:** I am glad that the right hon. Gentleman, who has a background in these matters, has drawn attention to the distinction between type 1 and type 2 diabetes. That is not to say that one is superior to the other, but they are two entirely different conditions brought about by entirely different circumstances. As I said in opening my speech, type 1 diabetes is an autoimmune condition. Nobody is entirely sure what triggers it in some people, but those in whom it is triggered have some predisposition towards the condition.

**Keith Vaz** (Leicester East) (Lab): Will my right hon. Friend give way?

**Mr Howarth:** I have not quite finished answering the right hon. Member for Hemel Hempstead (Sir Mike Penning). It is particularly important to draw the distinction for young people because, often, young people with type 1 diabetes are bullied very cruelly on the basis that their peers in school accuse them of having brought it on themselves by eating too many sweets or too much sugar. Of course, that is complete nonsense, but that does not stop that kind of bullying taking place.

**Keith Vaz:** I congratulate my right hon. Friend on securing the debate and on being a champion for those with diabetes throughout his parliamentary career. Can I take him back to the issue of structured education, which is one of the great pillars of diabetes care? We do not do it well enough and we do not give those with type 1 diabetes enough support. Does he agree that it is important to ensure that all CCGs give proper consideration to who delivers that kind of education? It should not be delivered by anyone other than those with the expertise to deliver it.

**Mr Howarth:** Yes. I pay tribute to my right hon. Friend, who does a massive amount of work as chair of the all-party group on diabetes. He is very knowledgeable on the subject and the issues involved, and he is of

course right. I think I had already said more or less the same thing as he just said, but obviously I agree with myself and with my right hon. Friend.

Let me move on to the digital solutions, such as apps, which could offer platforms to deliver education in a convenient and personalised format. I should add the rider that mobile apps need to be safe, reliable and accredited to be clinically safe. It worries me that some apps out there are produced commercially but do not contain wholly accurate information. It is unsafe to rely on apps that are not properly accredited and that have not been assessed and evaluated by experts who know what they are talking about.

In addition to the low uptake of structured education, the number of specialists working in diabetes care is falling. Between 2010 and 2012, there was a 3% fall in the number of NHS sites that employ any diabetes specialist nurses. Anyone who has any experience of dealing with young people with diabetes will know that nurse specialists are often the very best possible source of advice.

In the light of this shortage, a national network of centres—possibly between eight and 10 expert diabetes technology centres, supported by virtual clinics—could well be a potential platform for the development of more effective structured education for patients, and for professionals as well. I shall say more about that in a moment. Such a network would be helpful for training future generations of diabetes clinicians effectively to provide artificial pancreases, and in the development and evaluation of new technologies.

One of the problems that type 1 diabetes sufferers tell me that they experience is the merry-go-round of different services that they have to access. They may have a problem with neuropathy, or a foot or eye problem, but they cannot access all those services in one place. Many diabetologists, although brilliant at dealing with the diabetes side of the problem, are not equipped to deal with young people who have, for example, psychological problems. All the services need to be better integrated.

**Sir Mike Penning:** I do apologise, Madam Deputy Speaker, but I will have to slip away straight after this intervention.

One group of people the right hon. Gentleman missed out, although it was not intentional, was parents. When a child is diagnosed with type 1 diabetes, there is a journey for the parents as well as the child, so there needs to be support for them. I completely agree with the right hon. Gentleman that diabetes does not pick on certain people from certain areas; it just picks on an individual. Sometimes it is hereditary—a lot of work is being done around the hereditary route—but it is not a choice; it is something that comes on to the family, rather than just the individual.

**Mr Howarth:** The right hon. Gentleman is right, and it was an omission on my part not to have acknowledged that. Any parent of a diabetic child has to experience the disease—at second hand, but in very important ways. The younger the child, the more responsibility parents have to take, so that is important. By the way, training and other support for parents needs to be built into the system.

**Jim Shannon:** I just want to reinforce what we do for diabetics in Northern Ireland. The surgery that I belong to, in Cuan in Kircubbin, holds diabetic classes twice a



[*Jim Shannon*]

year. The staff there do tests on all the diabetics—type 1 and type 2—including for their blood pressure, feet, eyes and all the other things they need to test in the clinics. The surgery then reports back on those tests. For instance, patients will get an eyesight test a month after they have been to the clinic. That shows that there are ways of dealing with this. I am not sure whether surgeries on the United Kingdom mainland do something just as good, but perhaps they should.

**Mr Howarth:** There are centres where people can access a lot of services in one place in a similar way to what the hon. Gentleman describes as happening in Northern Ireland.

I attended an interesting conference in Vancouver three or four years ago. I found out—the Minister or one of her colleagues might want to investigate this a bit further—that some of the smaller island states tend to provide all the services in one place because they do not have the capacity or resources to do anything else. It is an accident of geography that they are forced to do that, but it seems to work very well, particularly in some of the Pacific island areas, where there is a massive problem with type 2 diabetes.

**Mr Jim Cunningham (Coventry South) (Lab):** I apologise for coming to the debate a bit late. My right hon. Friend may have touched on this; the issue affects not only families, but schools, which need to have a bigger appreciation of the difficulties that kids experience not only with diabetes, but in other areas. I had a private Member's Bill some years ago that proposed a cluster of schools having a specialist who could spot early problems with children, including diabetes and all sorts of mental health problems. Does he agree that would be helpful?

**Mr Howarth:** My hon. Friend may have been late, but he is never behind. Of course I agree with him.

In October, I tabled a written parliamentary question to the Secretary of State for Health and Social Care, asking how many patients with type 1 diabetes had been referred for psychological support, psychiatric support, and treatment for an eating disorder or diabulimia in the last 12 months. I was told that the information is not held centrally. I then took the matter up with Knowsley clinical commissioning group, but it turns out that it does not hold that information either.

The lack of psychological support for adults and young people with type 1 diabetes is a real and important issue. It was one of the key points in the national service framework for diabetes when that was first brought into being. Most patients on Merseyside, which is my part of the world, still cannot get the support that they need.

Diabulimia, which is a syndrome, rather than a condition, is an eating disorder present among those with type 1 diabetes. It involves the omission of insulin doses, which leads to high blood glucose levels and the body's cells being deprived of oxygen and energy. The available research suggests that around 40% of females between the ages of 15 and 30 with type 1 diabetes deliberately induce hyperglycaemia and diabetic ketoacidosis in order to bring about weight loss. Anyone can go on the internet and quite easily find out that if they omit to use their insulin, they can probably lose half a stone in a

week, but of course the risks in involved in doing so, including damage to vital organs, should not be taken at all.

According to the charity Diabetics with Eating Disorders, 60% of all females with type 1 diabetes will have experienced a clinically diagnosable eating disorder by the age of 25, and new research suggests that 11% of adolescent males also engage in insulin omission for weight loss. I just want to pause at this point and say a word: although I am describing something that affects type 1 diabetics, it is all part of a wider problem of body image and an obsession with a particular type of weight range. Although diabetics, because of their condition, have a different means of achieving that weight loss, it is an issue that has to be addressed nationally. I know that the fashion industry, for example, has started to make some moves in that direction, but it is a national problem, particularly for many young women who feel that they have to look a certain way to be acceptable. That is, of course, nonsensical, but, nevertheless, it is the way that some of them feel.

Sandie Atkinson, a PhD candidate at Liverpool John Moores University, believes that there is a lot more that clinics can do to reduce the psychological impact of type 1 diabetes and, as a consequence, reduce the prevalence of diabulimia. She says:

“By being empathetic to the issues that impact blood glucose level outside of the realm of an individual's ability to manage and having realistic expectations of them in light of these uncontrollable factors, individuals might feel less inclined to hide their true condition from Healthcare Professionals. The likelihood of them being more open would undoubtedly be in the best interest of the patients and the NHS at large.”

While conducting her research, those whom Sandie spoke to described the problems that they had in accessing support in clinics. One participant said:

“Eating disorders thrive on secrecy and yet people feel with diabetes they can't be honest about the expectations of where they are with control so there's two lots of secrecy there that really does a lot more damage”.

A second interviewee said:

“There's something about the way that we treat diabetes and I don't know if it's maybe because there is some internal stigma, but there's something needs to be done...I just kind of feel like we've got it all wrong...right from the off you should have a psychologist...at least for the first year. I mean the research is all there, suicide risk goes up, self-harm risk goes up, mental health declines...We know this but we're like, 'oh yeah, we'll see you in six months' time'.”

To progress towards artificial pancreas systems, there are a number of things that the Government must do. The NHS needs to establish a new national framework that encourages innovation. The framework could include some of the following elements: first, a national strategy, with allocated funding, for diabetes technology, allowing all people with type 1 diabetes to self-manage their condition by considering individual medical need and the potential to improve quality of life and psychological aspects of care.

**Steve McCabe:** If the NHS were to develop that approach, would it not, as well as giving people much more freedom, autonomy and control over their life, produce massively more data—the strongest commodity in the NHS at the moment—which would mean that we could predict this condition, and look at other possible methods of controlling or treating it?

**Mr Howarth:** My hon. Friend is right, and I did highlight earlier that I was unable to get statistics, either centrally or at CCG level. It is important that we collect more data, interpret it properly, and use it to inform policy.

Secondly, there should be mandatory funding accompanying any positive guidance from the National Institute for Health and Care Excellence as part of a technology appraisal, and a national clinical consensus pathway that covers artificial pancreas technology, with NICE incorporating that into commissioning guidance. That sounds very bureaucratic, but if it was taken seriously, it could have a major positive impact.

Thirdly, there should be progressive procurement policies that recognise the value, within the foundations of artificial pancreas policy, of innovations such as continuous glucose monitoring and insulin pump therapy. We should encourage continuous glucose monitoring with integration capacity, and insulin pumps that have artificial pancreas potential. I would also encourage continued innovation in diabetes technology. If we are to progress towards an artificial pancreas, the foundations need to be better established across the country; that is in addition to the changes I have highlighted. A 2018 audit of the use of insulin pumps showed a positive increase in usage, but also highlighted a wide disparity between specialist services, which we have already mentioned.

**Sandy Martin:** Is it not the case that in CCG areas where specialist pumps and continuous glucose monitors are prescribed regularly, the amount of emergency care needed for people with type 1 diabetes is reduced? Not investing in those things makes no financial sense whatever.

**Mr Howarth:** My hon. Friend is right. This is not just about technology, important though that is. Anyone with diabetes who manages it well—and technology will help to do that—will have fewer hospital emergency admittances. I do not have the statistics to hand—I am not even sure they exist—but those people will clearly have fewer hospital admittances and fewer complications with their diabetes, and therefore cost the NHS less. As I am sure the Minister will acknowledge, however, the NHS is not very good at doing cost-benefit analysis. It needs to get smarter at it, because the point that my hon. Friend makes is right, not only as regards the support we give to people with type 1 diabetes, but about the cost to the NHS of dealing with the consequences.

**Liz McInnes:** I want to echo the point about cost-benefit analyses and how bad the NHS is at joining up different departments' budgets. It really needs to get better at being able to identify that spend in one area leads to a huge reduction in spending in another.

**Mr Howarth:** My hon. Friend makes the point more clearly and eloquently than I did.

A new device that takes us closer to the artificial pancreas has been developed by Medtronic: the MiniMed 670G. A number of people with type 1 diabetes have started using the system in the UK in a pilot phase before it is rolled out more widely across the country. However, only 15.6% of those with type 1 diabetes are using insulin pumps, and it is potentially a concern that healthcare professionals would be unlikely to recommend an artificial pancreas if someone was not already using

a pump and continuous glucose monitoring. If the issues to do with NHS access to today's type 1 diabetes technology can be addressed, a path can be cleared towards adoption of the artificial pancreas.

We need to ensure that people living with diabetes are equipped with the skills to self-manage. That would support patients in using current technologies effectively, and ultimately in using artificial pancreas systems. Structured education is central to enabling people living with type 1 diabetes to best manage their condition through effective use of monitors and insulin pumps. The NHS can support type 1 diabetics to do that by increasing the provision and uptake of diabetes education. To do that, it needs to make diabetes education courses more accessible and convenient, possibly through digital solutions.

A recent survey by Dexcom revealed that more than three quarters of people with diabetes suffer from stress, anxiety attacks or bouts of deep depression. While healthcare teams help, and teach people how to manage their blood glucose levels, type 1 diabetes is largely a self-managed condition. The NHS needs to ensure that the resources and community support that people with type 1 diabetes require are well advertised, well recognised, well understood and well invested in. I believe we are on the threshold of being able to make type 1 diabetes not a thing of the past, but a thing that can be well and easily managed, and I hope the Minister will take these words seriously and do everything she can to advance that day.

5.11 pm

**Keith Vaz (Leicester East) (Lab):** It is an honour to follow my right hon. Friend the Member for Knowsley (Mr Howarth), who has been an hon. Friend for almost 30 years and is a great champion for those with diabetes, in particular type 1 diabetes.

I declare an interest, as a type 2 bordering on type 1 diabetic. The usual suspects are here, including my hon. Friend the Member for Heywood and Middleton (Liz McInnes) and the hon. Member for Strangford (Jim Shannon), who has popped out but I know will be back. The Government Benches are empty, apart from the Minister and the Lord Commissioner of Her Majesty's Treasury, the hon. Member for Finchley and Golders Green (Mike Freer), because Conservative Members are listening to the most famous type 1 diabetic in the world, if we discount Halle Berry and Mary Tyler Moore. I admire so much the way in which the Prime Minister does her job, with all the demands on her, as a type 1 diabetic—we do not even notice, and that is because of the technology that has been developed and the way in which she conducts herself.

**Liz McInnes:** Among the most famous type 1 diabetics, we must not forget Sir Steven Redgrave, the Olympic rower.

**Keith Vaz:** Indeed. Before anyone else jumps up with another name, I include all diabetics in what I am saying.

The Prime Minister and others such as myself talk about diabetes, and we are not cowering in corners; we are debating it openly. Because of technological advances, we are able to do our jobs and continue with our lives in a way that was not possible when diabetes was first discovered 100 years or so ago.

[Keith Vaz]

The first artificial pancreas, which was developed by Sir George Alberti through funding from Diabetes UK, was the size of a filing cabinet. Madam Deputy Speaker, can you imagine walking around with an artificial pancreas of that size? We should always acknowledge the research and innovation of which my right hon. Friend the Member for Knowsley spoke and the power of science to change people's lives.

I want to give a few examples from my own city of Leicester of the work that has been done on diabetes. There is the work done by Professor Kamlesh Khunti and Melanie Davies of the University of Leicester; my own general practitioner, Professor Azhar Farooqi, who diagnosed me with diabetes—had I not been diagnosed, I might not be standing here today, because I did not know what the symptoms were—and Professor Joan Taylor from De Montfort University, who began developing her own version of the artificial pancreas.

It was very interesting to learn from my right hon. Friend's speech about all the other clever people—probably much cleverer than all of us here—who have been able to develop their own artificial pancreas. Not all of them will be able to fly, so to speak, but it is amazing that people are putting their minds to it, and Professor Joan Taylor at De Montfort has done the same. There is also Professor Hovorka of Cambridge University who, like George Alberti, was funded by Diabetes UK in developing the artificial pancreas. These people deserve our respect and admiration for what they do, because they spend day after day trying to make the medical breakthrough that will help people and save so many lives. I want to thank them for what they have done, because their work has enabled us to get to the position we are in today.

There are also the private companies. Members do of course criticise, as we are entitled to do, the profits made by drugs companies. The Minister will know because she has to sign the cheques—perhaps she does not sign the cheques, but she sends them to the Treasury to get them signed—when the bills come through for the artificial pancreases and the metformins or Glucophages and all the other things that we take. The cost has gone up and there is no doubt that the drugs companies do make very big profits, but they should be commended for putting back so much of their profits into research and development. That is something that the Government cannot do, but it is something that those companies do every single day.

In acknowledging the huge cost of drugs, we also have to acknowledge what companies such as Novo Nordisk do. I declare an interest in relation to Novo Nordisk, because it has worked with the all-party group on diabetes, which I chair, for a number of years. Roche Diabetes Care is another such company, and there are many more. There are so many of them that I cannot name them all, but they have all been involved, and they will all invest and research until the breakthrough comes.

We know from FreeStyle Libre what Abbott has done. I remember the former Prime Minister—it is of course based in David Cameron's old constituency—telling me five years ago about Abbott and the work it was doing on FreeStyle Libre. Now, thanks to the decision of Ministers, FreeStyle Libre is available, as my right hon. Friend the Member for Knowsley has said. That is

why, when we have that breakthrough, it is vital that such a facility and such equipment is available to all, irrespective of where they live.

We did not have access to FreeStyle Libre in Leicester, even though we have so many experts at Leicester University and De Montfort, until the decision taken by the Government. Actually, we will not get access to it until next April, so my hon. Friend the Member for Birmingham, Selly Oak (Steve McCabe) and others will have constituents who still want to get FreeStyle Libre, but cannot do so. We do not want that to happen for those who need pumps and artificial pancreases, because it is vital that they get such equipment straightaway. If they do not, it will affect their lives.

What my right hon. Friend the Member for Knowsley said about wellbeing or mental health and diabetes was interesting. That is something that people very rarely recognise, and I have only myself recognised it, having been a sufferer, in for the past two years or so. They do not actually know it because they think it is part of their condition. For type 1 diabetics, it is even worse. We can just have our pills—I take six in the morning and three at night; some people take more—but the fact is that they live with the injection of insulin for this condition for the rest of their lives.

The deputy leader of the Labour party, my hon. Friend the Member for West Bromwich East (Tom Watson)—obviously, he is not in his place today, because he has other things to do—has reversed his type 2 diabetes. Anyone who sees him in the Division Lobbies will know that he looks a completely different man from the person I knew when I voted for him to be the deputy leader, because he has adopted the Pioppi diet and changed his lifestyle. He does all the things that I do not, because I do not manage my diabetes particularly well. However, people cannot do that with type 1—it is with them forever. The right hon. Member for Hemel Hempstead (Sir Mike Penning), who obviously has gone to Committee Room 14, mentioned that there is that fundamental difference. Sometimes when we talk about the thousands—or the millions, now—who have type 2 diabetes as opposed to type 1, we talk about people changing their lifestyle, their diet or their wellbeing, but that does not apply to the type 1s.

**Sandy Martin:** Does my right hon. Friend believe that it would help an awful lot of people with type 1 diabetes if we changed the name of the disease, given that it is completely different from type 2?

**Keith Vaz:** Of course. There is the possibility of doing that—as we do with cancer, for example, which is a much more emotive illness. Of course, people can die from diabetes complications. My mother died from diabetes complications. What I am noticing from the correspondence that I get as chair of the all-party group is that people are writing to say that their relatives have died of diabetes complications and that clinicians are now putting that on death certificates and, in some cases, voiding insurance. I had a very interesting meeting with an insurance company recently that wanted to void the insurance of a particular individual because they had not notified it that they had type 2 diabetes. I asked its chief executive, “If you cross a road and you are knocked down by a car, and you have type 2 diabetes but didn't know it and had not notified the company,



would you still have your insurance voided?” and he said, “Yes,” which is outrageous. The implications are huge. This is a wide area, Madam Deputy Speaker, and I do not want to try your patience by talking about the whole, global aspects of diabetes. We could be here all night. Forget about the 7 o’clock Adjournment motion—we would be here forever, but actually, we need to be specific about type 1.

In answer to the question from my hon. Friend the Member for Ipswich (Sandy Martin), perhaps there is a case for doing what he suggested, because “type 1” and “type 2” are still very technical, whereas with cancer, there is the type of cancer that someone is suffering from. People may not understand that, so it is worth exploring, and we could certainly do that at the all-party group. The vice-chair, my hon. Friend the Member for Heywood and Middleton, is here—we will be able to look at it—and my right hon. Friend the Member for Knowsley is a frequent visitor. Let us see what we can do about it in future.

I want to end with three asks of the Minister through the good offices of my right hon. Friend. We have talked about CCGs, but we do not have the capacity in CCGs for diabetes champions. We still do not know how many specialist diabetic nurses there are in regions or even in constituencies. The hon. Member for Gosport (Caroline Dinenage) is a Health Minister, so I am sure that everyone will jump about when she goes back to her constituency, but if she asks the question, “Do we have a list of specialist diabetic nurses?” the answer is no. Do we have a list of those doctors such as David Unwin and others who are doing incredible work on diabetes—even if that work is not shared elsewhere? The answer is no.

In answers to parliamentary questions, I have a list of “don’t knows” coming back from Ministers. That is no criticism of the Minister—it is just that Ministers do not know. They do not keep that information centrally. My right hon. Friend the Member for Knowsley and I, as former Ministers, know that we had to sign PQs like that, too, when we just did not have the answers, because the information is not kept centrally. However, some of this information should be—there should be information about who the specialist nurses are—so could we get the CCGs together in some way to talk to them about the issues raised by my right hon. Friend, because lives are time-limited if they do not have access to the equipment that he is talking about?

The second issue is that the Government must be prepared to make a commitment, although not to providing additional funding, because the NHS is stretched. Where private sector companies, such as Roche and others, are investing and doing research that will benefit the public, is there any way to assist them by providing them with greater capacity to research, whether through encouragement, incentives or some other means? We need to do that because we do not have the money to do the research ourselves.

The third issue concerns personnel in the Department. I was astonished to learn that the Secretary of State had still not met the diabetes tsar, Professor Jonathan Valabhji. I tabled a question asking when he last met him, and it turned out he had never met the very expert appointed by the Government to assist in these matters. He is an outstanding diabetes tsar—probably the best the country has ever had—a frequent visitor to our meetings and a

professor at St Mary’s, but he has not met the Secretary of State. Please will the Minister talk to her colleagues and ask that one of them meet with Professor Valabhji? It would be helpful if it was the Secretary of State, though, and would be of some assistance to him.

My final point concerns that made by the hon. Member for Strangford and my right hon. Friend the Member for Knowsley. Diabetics such as myself—the same applies to type 1 diabetics—have to see nine different professionals, but we see them on different days, at different times and in different places. When we have our bloods done, there should be someone to help us with structured education, which is vital—we should not be made to book another appointment for another day when perhaps we cannot make it; there should be someone to check our eyes, too; and all this at the same time.

In Leicester, we are developing the first diabetes village, where a patient can do the lot on a Saturday morning—all eight of the main functions, including wellbeing, mental health and lifestyle. If someone with type 2 diabetes goes to the doctor in Doha and gets a prescription, before they get their medication, they are sent to a gym to make sure they make the necessary lifestyle changes before their medication kicks in. They have medical centres there with the panoply of services diabetics need.

Tomorrow, we will be holding an international diabetes summit in Committee Room 14, if it is vacated in time. In that respect, my message to Conservative Members is: get on with it, as the Prime Minister would say, and finish it off tonight—I do not have a vote in that election—so that we can have Committee Room 14 back. The Diabetes Minister, the hon. Member for Winchester (Steve Brine), and people from China, Denmark and Italy, are coming to share their experiences, and type 1 diabetes will be high on the agenda. The more of these meetings we hold in this place, the better it is to keep diabetes on the agenda.

Once again, I thank my right hon. Friend for securing this debate and for making sure we talk about these issues, and I thank my hon. Friend the Member for Heywood and Middleton, too, for her last debate on diabetes. We should keep putting in for these debates to make sure this is the highest possible priority for the Government.

5.28 pm

**The Minister for Care (Caroline Dinenage):** I thank the right hon. Member for Knowsley (Mr Howarth) for his incredible work highlighting the importance of the right treatment for type 1 diabetes and of making use of technology in that treatment. I also thank him for giving us this opportunity to debate the issue. He has made some incredibly valuable suggestions, as indeed has the right hon. Member for Leicester East (Keith Vaz). I have listened with great interest and will carefully consider some of their fascinating suggestions.

Supporting the rising number of people with diabetes is one of the major clinical challenges of the 21st century, and improving outcomes and care quality for those living with, or at risk of, diabetes are key priorities for the Government. The right hon. Member for Knowsley correctly highlighted the role that modern technologies, when properly used, can play in the care of people with type 1 diabetes. Key to managing it is, of course, monitoring and controlling glucose levels, and—as he explained in

[Caroline Dinenege]

great depth—a number of different technologies are available for that purpose, including glucose monitoring devices and insulin pumps.

As the right hon. Gentleman said, artificial pancreas devices are an emerging technology that combines continuous glucose monitoring with insulin pumps. One system, the Medtronic 670G system, which he mentioned, was recently approved by the US Food and Drug Administration and a European licence is being pursued.<sup>1</sup> Large randomised clinical studies of similar systems are now beginning and several are expected to come to the market in the next five years. Teams in the UK are leading some of that work.

The right hon. Member for Leicester East talked about the funding of research on diabetes. The Department funds such research through the National Institute for Health Research. In the last five years, the NIHR has awarded just over £144 million for work on diabetes, and 346 active projects are taking place across the NIHR infrastructure. One of them involves the closed-loop insulin delivery system to which he referred.

Giving people access to diabetes technology as swiftly as possible is, of course, a priority. Simon Stevens, chief executive of NHS England, said recently:

“Tens of thousands of people with Type 1 diabetes across the country will benefit from life changing glucose monitors on the NHS.”

The announcement referred to the FreeStyle Libre, a device that the right hon. Member for Leicester East also mentioned. NHS England will ensure that flash glucose monitoring is available on prescription to all patients who qualify for it in line with current recommendations. From April 2019, all qualifying patients will be able to receive it from their local GP or diabetes team.

The right hon. Member for Knowsley talked a lot about structured education and psychological support. In line with existing NICE guidelines, structured education

should be offered to all patients within 12 months of diagnosis of diabetes. As he said, reported attendance levels at structured education courses have historically been low, but they continue to increase, and this year alone NHS England has invested £10.5 million to improve attendance by people with type 1 and type 2 diabetes.

**Keith Vaz:** May I pursue another point raised by my right hon. Friend the Member for Knowsley (Mr Howarth)? I understand that the NHS is still paying providers, even though people do not turn up. That is a big problem. We need to look at the providers. There is a reason why people do not turn up. We need to change the system in order to make them more able to do so.

**Caroline Dinenege:** That is an excellent point. The purpose of the £10.5 million that I have just mentioned is to improve attendance. It is clearly necessary to look at the way in which the service is provided and at who is providing it, and to ensure that it is provided in a way that will make people attend.

The right hon. Member for Knowsley spoke about improving care for those with diabetes and eating disorders, including what is often referred to as diabulimia. I think he will be pleased to hear that NHS England is supporting two pilots to test, trial and evaluate the effect of integrated diabetes and mental health pathways for the identification, assessment and treatment of diabulimia.

We will continue to create a health system that supports innovation, promotes the testing and development of health technology, and ensures that the best innovations are used so that patients can benefit as quickly as possible.

*Question put and agreed to.*

5.33 pm

*House adjourned.*

## Deferred Division

### 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.

*The House divided: Ayes 513, Noes 13.*

### Division No. 277]

#### AYES

Abbott, rh Ms Diane  
Abrahams, Debbie  
Adams, Nigel  
Afolami, Bim  
Afriyie, Adam  
Aldous, Peter  
Ali, Rushanara  
Allan, Lucy  
Allen, Heidi  
Allin-Khan, Dr Rosena  
Amesbury, Mike  
Amess, Sir David  
Andrew, Stuart  
Antoniazzi, Tonia  
Argar, Edward  
Ashworth, Jonathan  
Atkins, Victoria  
Austin, Ian  
Bacon, Mr Richard  
Badenoch, Mrs Kemi  
Bailey, Mr Adrian  
Baker, Mr Steve  
Baldwin, Harriett  
Barclay, rh Stephen  
Baron, Mr John  
Barron, rh Sir Kevin  
Beckett, rh Margaret  
Bellingham, Sir Henry  
Benn, rh Hilary  
Benyon, rh Richard  
Beresford, Sir Paul  
Berger, Luciana  
Berry, Jake  
Blackman-Woods, Dr Roberta  
Blomfield, Paul  
Blunt, Crispin  
Boles, Nick  
Bone, Mr Peter  
Bottomley, Sir Peter  
Bowie, Andrew  
Brabin, Tracy  
Bradley, Ben  
Bradley, rh Karen  
Bradshaw, rh Mr Ben  
Brady, Sir Graham  
Braverman, Suella  
Brennan, Kevin  
Brereton, Jack  
Bridgen, Andrew  
Brine, Steve  
Brokenshire, rh James  
Brown, Lyn  
Brown, rh Mr Nicholas  
Bruce, Fiona  
Bryant, Chris  
Buck, Ms Karen

Buckland, Robert  
Burden, Richard  
Burghart, Alex  
Burgon, Richard  
Burns, Conor  
Burt, rh Alistair  
Butler, Dawn  
Byrne, rh Liam  
Cadbury, Ruth  
Cairns, rh Alun  
Campbell, rh Mr Alan  
Campbell, Mr Gregory  
Campbell, Mr Ronnie  
Carden, Dan  
Carmichael, rh Mr Alistair  
Cartlidge, James  
Cash, Sir William  
Caulfield, Maria  
Champion, Sarah  
Chapman, Jenny  
Charalambous, Bambos  
Chishty, Rehman  
Churchill, Jo  
Clark, Colin  
Clark, rh Greg  
Clarke, rh Mr Kenneth  
Clarke, Mr Simon  
Cleverly, James  
Clwyd, rh Ann  
Coaker, Vernon  
Coffey, Dr Thérèse  
Collins, Damian  
Cooper, Julie  
Cooper, Rosie  
Cooper, rh Yvette  
Corbyn, rh Jeremy  
Costa, Alberto  
Courts, Robert  
Cox, rh Mr Geoffrey  
Crabb, rh Stephen  
Crausby, Sir David  
Creagh, Mary  
Creasy, Stella  
Crouch, Tracey  
Cummins, Judith  
Cunningham, Alex  
Cunningham, Mr Jim  
Daby, Janet  
Dakin, Nic  
Davey, rh Sir Edward  
David, Wayne  
Davies, Chris  
Davies, David T. C.  
Davies, Glyn  
Davies, Mims  
De Piero, Gloria

Debbonaire, Thangam  
Dent Coad, Emma  
Dhesi, Mr Tanmanjeet Singh  
Dinenage, Caroline  
Djanogly, Mr Jonathan  
Docherty, Leo  
Dodds, Anneliese  
Donaldson, rh Sir Jeffrey M.  
Donelan, Michelle  
Double, Steve  
Doughty, Stephen  
Dowd, Peter  
Dowden, Oliver  
Doyle-Price, Jackie  
Drax, Richard  
Drew, Dr David  
Dromey, Jack  
Duddridge, James  
Duffield, Rosie  
Duncan, rh Sir Alan  
Duncan Smith, rh Mr Iain  
Eagle, Ms Angela  
Eagle, Maria  
Efford, Clive  
Elliott, Julie  
Ellis, Michael  
Ellwood, rh Mr Tobias  
Elmore, Chris  
Elphicke, Charlie  
Esterson, Bill  
Eustice, George  
Evans, Chris  
Evennett, rh Sir David  
Fabricant, Michael  
Fallon, rh Sir Michael  
Farrelly, Paul  
Field, rh Mark  
Fitzpatrick, Jim  
Fletcher, Colleen  
Flint, rh Caroline  
Ford, Vicky  
Foster, Kevin  
Fovargue, Yvonne  
Foxcroft, Vicky  
Francois, rh Mr Mark  
Frazer, Lucy  
Freeman, George  
Freer, Mike  
Frith, James  
Furniss, Gill  
Fysh, Mr Marcus  
Gaffney, Hugh  
Gapes, Mike  
Gardiner, Barry  
Garnier, Mark  
Gauke, rh Mr David  
George, Ruth  
Ghani, Ms Nusrat  
Gibb, rh Nick  
Gillan, rh Dame Cheryl  
Girvan, Paul  
Glen, John  
Glendon, Mary  
Goldsmith, Zac  
Goodman, Helen  
Gove, rh Michael  
Graham, Luke  
Graham, Richard  
Grant, Bill  
Grant, Mrs Helen

Gray, James  
Grayling, rh Chris  
Green, Chris  
Green, rh Damian  
Green, Kate  
Greening, rh Justine  
Greenwood, Lilian  
Greenwood, Margaret  
Grieve, rh Mr Dominic  
Griffith, Nia  
Griffiths, Andrew  
Grogan, John  
Gwynne, Andrew  
Gyimah, Mr Sam  
Haigh, Louise  
Hair, Kirstene  
Halfon, rh Robert  
Hall, Luke  
Hammond, rh Mr Philip  
Hammond, Stephen  
Hands, rh Greg  
Hanson, rh David  
Hardy, Emma  
Harman, rh Ms Harriet  
Harper, rh Mr Mark  
Harrington, Richard  
Harris, Carolyn  
Harris, Rebecca  
Harrison, Trudy  
Hart, Simon  
Hayes, Helen  
Hayes, rh Sir John  
Heald, rh Sir Oliver  
Healey, rh John  
Heapey, James  
Heaton-Harris, Chris  
Heaton-Jones, Peter  
Henderson, Gordon  
Hendrick, Sir Mark  
Hepburn, Mr Stephen  
Herbert, rh Nick  
Hermon, Lady  
Hill, Mike  
Hillier, Meg  
Hinds, rh Damian  
Hoare, Simon  
Hobhouse, Wera  
Hodgson, Mrs Sharon  
Hollern, Kate  
Hollingbery, George  
Hollinrake, Kevin  
Hollobone, Mr Philip  
Hopkins, Kelvin  
Howarth, rh Mr George  
Howell, John  
Huddleston, Nigel  
Hughes, Eddie  
Hunt, rh Mr Jeremy  
Huq, Dr Rupa  
Hurd, rh Mr Nick  
Hussain, Imran  
James, Margot  
Javid, rh Sajid  
Jayawardena, Mr Ranil  
Jenkyens, Andrea  
Jenrick, Robert  
Johnson, rh Boris  
Johnson, Dr Caroline  
Johnson, Diana  
Johnson, Gareth



Johnson, Joseph  
 Jones, Andrew  
 Jones, Darren  
 Jones, rh Mr David  
 Jones, Gerald  
 Jones, Graham P.  
 Jones, Mr Marcus  
 Jones, Sarah  
 Jones, Susan Elan  
 Kane, Mike  
 Keegan, Gillian  
 Keeley, Barbara  
 Kendall, Liz  
 Kennedy, Seema  
 Kerr, Stephen  
 Khan, Afzal  
 Killen, Ged  
 Knight, rh Sir Greg  
 Knight, Julian  
 Kwarteng, Kwasi  
 Kyle, Peter  
 Laird, Lesley  
 Lamb, rh Norman  
 Lammy, rh Mr David  
 Lamont, John  
 Lancaster, rh Mark  
 Lavery, Ian  
 Leadsom, rh Andrea  
 Lee, Karen  
 Lee, Dr Phillip  
 Lefroy, Jeremy  
 Leigh, Sir Edward  
 Leslie, Mr Chris  
 Letwin, rh Sir Oliver  
 Lewell-Buck, Mrs Emma  
 Lewer, Andrew  
 Lewis, rh Brandon  
 Lewis, Clive  
 Lewis, Mr Ivan  
 Lewis, rh Dr Julian  
 Liddell-Grainger, Mr Ian  
 Lidington, rh Mr David  
 Little Pengelly, Emma  
 Lloyd, Tony  
 Long Bailey, Rebecca  
 Lopez, Julia  
 Lopresti, Jack  
 Lord, Mr Jonathan  
 Loughton, Tim  
 Madders, Justin  
 Mahmood, Mr Khalid  
 Mahmood, Shabana  
 Main, Mrs Anne  
 Mak, Alan  
 Malhotra, Seema  
 Malthouse, Kit  
 Marsden, Gordon  
 Martin, Sandy  
 Maskell, Rachael  
 Masterton, Paul  
 Matheson, Christian  
 May, rh Mrs Theresa  
 Maynard, Paul  
 McCabe, Steve  
 McCarthy, Kerry  
 McDonagh, Siobhain  
 McDonald, Andy  
 McDonnell, rh John  
 McFadden, rh Mr Pat  
 McGovern, Alison  
 McInnes, Liz  
 McKinnell, Catherine

McMahon, Jim  
 McMorrin, Anna  
 Mearns, Ian  
 Menzies, Mark  
 Mercer, Johnny  
 Merriman, Huw  
 Miliband, rh Edward  
 Miller, rh Mrs Maria  
 Milling, Amanda  
 Mills, Nigel  
 Milton, rh Anne  
 Mitchell, rh Mr Andrew  
 Moon, Mrs Madeleine  
 Moore, Damien  
 Mordaunt, rh Penny  
 Morden, Jessica  
 Morgan, rh Nicky  
 Morgan, Stephen  
 Morris, Anne Marie  
 Morris, David  
 Morris, Grahame  
 Morris, James  
 Morton, Wendy  
 Mundell, rh David  
 Murray, Ian  
 Murray, Mrs Sheryll  
 Murrison, Dr Andrew  
 Nandy, Lisa  
 Neill, Robert  
 Newton, Sarah  
 Nokes, rh Caroline  
 Norris, Alex  
 O'Brien, Neil  
 Offord, Dr Matthew  
 Onn, Melanie  
 Onwurah, Chi  
 Opperman, Guy  
 Osamor, Kate  
 Owen, Albert  
 Paisley, Ian  
 Parish, Neil  
 Paterson, rh Mr Owen  
 Peacock, Stephanie  
 Pearce, Teresa  
 Penning, rh Sir Mike  
 Pennycook, Matthew  
 Penrose, John  
 Perkins, Toby  
 Perry, rh Claire  
 Phillips, Jess  
 Phillipson, Bridget  
 Philp, Chris  
 Pidcock, Laura  
 Pincher, rh Christopher  
 Pollard, Luke  
 Poulter, Dr Dan  
 Pound, Stephen  
 Pow, Rebecca  
 Powell, Lucy  
 Prentis, Victoria  
 Prisk, Mr Mark  
 Pursglove, Tom  
 Quin, Jeremy  
 Quince, Will  
 Qureshi, Yasmin  
 Raab, rh Dominic  
 Rashid, Faisal  
 Rayner, Angela  
 Redwood, rh John  
 Reed, Mr Steve  
 Rees, Christina  
 Rees-Mogg, Mr Jacob

Reeves, Ellie  
 Reeves, Rachel  
 Reynolds, Emma  
 Reynolds, Jonathan  
 Rimmer, Ms Marie  
 Robinson, Gavin  
 Robinson, Mary  
 Rodda, Matt  
 Rosindell, Andrew  
 Ross, Douglas  
 Rowley, Danielle  
 Ruane, Chris  
 Rudd, rh Amber  
 Russell-Moyle, Lloyd  
 Rutley, David  
 Ryan, rh Joan  
 Sandbach, Antoinette  
 Scully, Paul  
 Seely, Mr Bob  
 Selous, Andrew  
 Shah, Naz  
 Shannon, Jim  
 Shapps, rh Grant  
 Sharma, Alok  
 Sharma, Mr Virendra  
 Sheerman, Mr Barry  
 Shelbrooke, Alec  
 Sherriff, Paula  
 Shuker, Mr Gavin  
 Siddiq, Tulip  
 Simpson, David  
 Skidmore, Chris  
 Slaughter, Andy  
 Smeeth, Ruth  
 Smith, Cat  
 Smith, Chloe  
 Smith, Eleanor  
 Smith, Henry  
 Smith, rh Julian  
 Smith, Laura  
 Smith, Nick  
 Smith, Owen  
 Smith, Royston  
 Smyth, Karin  
 Snell, Gareth  
 Soames, rh Sir Nicholas  
 Sobel, Alex  
 Spelman, rh Dame Caroline  
 Spencer, Mark  
 Starmer, rh Keir  
 Stephenson, Andrew  
 Stevens, Jo  
 Stevenson, John  
 Stewart, Bob  
 Stewart, Iain  
 Stewart, Rory  
 Streeter, Mr Gary  
 Streeting, Wes  
 Stride, rh Mel

Stringer, Graham  
 Stuart, Graham  
 Sturdy, Julian  
 Sunak, Rishi  
 Swayne, rh Sir Desmond  
 Sweeney, Mr Paul  
 Swire, rh Sir Hugo  
 Thomas, Derek  
 Thomas, Gareth  
 Thomas-Symonds, Nick  
 Thomson, Ross  
 Thornberry, rh Emily  
 Throup, Maggie  
 Timms, rh Stephen  
 Tolhurst, Kelly  
 Tomlinson, Justin  
 Tomlinson, Michael  
 Tracey, Craig  
 Tredinnick, David  
 Trevelyan, Anne-Marie  
 Trickett, Jon  
 Truss, rh Elizabeth  
 Tugendhat, Tom  
 Turner, Karl  
 Twigg, Stephen  
 Twist, Liz  
 Umunna, Chuka  
 Vaizey, rh Mr Edward  
 Vara, Mr Shailesh  
 Vaz, rh Keith  
 Vaz, Valerie  
 Vickers, Martin  
 Villiers, rh Theresa  
 Walker, Mr Charles  
 Walker, Mr Robin  
 Walker, Thelma  
 Wallace, rh Mr Ben  
 Warburton, David  
 Warman, Matt  
 Watling, Giles  
 West, Catherine  
 Western, Matt  
 Whately, Helen  
 Wheeler, Mrs Heather  
 Whitehead, Dr Alan  
 Whitfield, Martin  
 Whittaker, Craig  
 Whittingdale, rh Mr John  
 Williams, Dr Paul  
 Williamson, Chris  
 Williamson, rh Gavin  
 Wilson, Phil  
 Wilson, rh Sammy  
 Wollaston, Dr Sarah  
 Wright, rh Jeremy  
 Yasin, Mohammad  
 Zahawi, Nadhim  
 Zeichner, Daniel

#### NOES

Blackman, Bob  
 Brake, rh Tom  
 Clifton-Brown, Sir Geoffrey  
 Davies, Geraint  
 De Cordova, Marsha  
 Farron, Tim  
 Field, rh Frank  
 Goodwill, rh Mr Robert  
 Kawczynski, Daniel  
 Lucas, Ian C.  
 Moran, Layla  
 Skinner, Mr Dennis  
 Wiggin, Bill

*Question accordingly agreed to.*

# Westminster Hall

Wednesday 12 December 2018

[SIR HENRY BELLINGHAM *in the Chair*]

## UK Fishing Industry

9.30 am

**Mrs Sheryll Murray** (South East Cornwall) (Con): I beg to move,

That this House has considered the UK fishing industry.

I felt it was important to hold this debate in the run-up to the last Fisheries Council that the Minister, my hon. Friend the Member for Camborne and Redruth (George Eustice), will attend and have a voice in. We have heard lots of debates in this place about what will happen to fisheries policy once we leave the European Union in March 2019. As is normal, we should have a debate about what the Fisheries Council will decide this year.

Before I move on to the Fisheries Council, I would like to set the record straight. We have heard many people in recent times quote the Scottish Fishermen's Federation, implying that it welcomes the deal that is on the table. I want to quote the federation's chief executive, Bertie Armstrong:

"We have made it very clear since the referendum in 2016 that anything other than full, unfettered sovereignty over our own waters would be crossing a red line for the fishing industry.

Despite the stated wishes of French president Emmanuel Macron, which we know are shared by the other large fishing nations, Denmark, the Netherlands and Germany, we should give a clear and resounding 'No!' to the idea of guaranteeing continued access.

Access and quotas must be negotiated...not carved up in advance."

I do not think those words describe some of the things we have heard attributed to Bertie Armstrong in the main Chamber in recent times, and I wanted to set the record straight.

**Mr Alistair Carmichael** (Orkney and Shetland) (LD): I congratulate the hon. Lady on obtaining this debate. Bertie Armstrong also said, when giving evidence to the Fisheries Bill Committee last week, that the fisheries were put into the transitional arrangements because there were four or five countries that would have blocked a transitional deal otherwise. He was probably right about that, but the question for him, and—indeed, for the Minister and Prime Minister—is, if that was the attitude to the transition, what will be different come the final deal?

**Mrs Murray**: I completely agree. I think Bertie's words have been taken out of context and misquoted. He went on to say:

"The link between access and trade breaches all international norms and practice and is simply unacceptable."

When the European Union negotiated our terms of entry, it was very keen to get access to the United Kingdom's then 12-mile limit—it was not until 1976 that we had a 200-mile limit—but that must end. The weak words I have heard about us negotiating with our European partners are completely wrong, because under international law

we have control. We should decide how much surplus our fisherman, other member states and other nations—it is not just member states of the European Union—are allowed to take. British fishermen must be treated fairly.

**Brendan O'Hara** (Argyll and Bute) (SNP): I congratulate the hon. Lady on securing the debate. Does she accept that Bertie Armstrong and the Scottish Fishermen's Federation do not speak for the whole of the Scottish fishing fleet and the Scottish fishing industry? The industry is multifaceted, particularly in my constituency on the west coast of Scotland, where fishermen entirely depend on getting unfettered access to their live catch and getting that on to European tables.

**Mrs Murray**: I completely agree with and respect the hon. Gentleman's point. However, the Scottish Fishermen's Federation has specifically been used by various people in the main Chamber as a way of backing up their point, and has thus been misquoted. I felt it was right to put on record that what has been attributed to it in the past was not the full story.

**David Duguid** (Banff and Buchan) (Con): I congratulate my hon. Friend on securing this important debate. We both talk a lot to Bertie Armstrong—I spoke to him on Monday. In the quote she repeated, she is absolutely correct about what Bertie Armstrong and other members of the Scottish Fishermen's Federation have said: nobody is taking anything for granted, and we must continue to fight our case in future negotiations. Bertie Armstrong and others have come out in support of the withdrawal agreement, but only in as much as it gets us to that next phase. Does my hon. Friend agree?

**Mrs Murray**: I do not accept that. Having spoken to him myself, I know he has not said that he respects the withdrawal agreement completely. That is why I wanted to put on record that what we are hearing in the main Chamber is not the whole statement.

I do not want to focus on subjects that we can discuss in other debates, so I want to address the Council of Ministers, which is due to meet later next week—the Minister might correct me on that. We need to realise that this is a very significant Council of Ministers meeting, because it is the last time our Fisheries Minister will actually have a voice at the table. Even if there is an implementation period, although he will attend future meetings, he will not have a voice. It is extremely important that we all realise that.

Secondly, from 1 January next year, the landing obligation comes into force. There are conflicting regulations as far as that is concerned, because it opens up the whole question of choke species. In recent weeks, bass, which is not really subject to quota, but is subject to a bycatch limit, has affected the small boats in south-east Cornwall, many of which fish from the constituency of my friend, the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard). Because of EU regulations, these fishermen have to discard bass—a very high value fish—at sea, where it does not survive. That goes completely against the grain of sustainability and conservation. Once we take back control of our waters, the Minister will have the flexibility to make changes to UK legislation so that the rules fit what fishermen are actually catching.

**Dr Sarah Wollaston (Totnes) (Con):** I thank my hon. Friend for making that really important point. In Brixham, in my constituency, fishermen are very worried about choke species with cod, which they cannot avoid catching. I wonder whether she feels the same about cod fisheries?

**Mrs Murray:** Absolutely. I wanted to point out what Bertie Armstrong had said, wholly and solely because, off the south-west coast, in areas VIIId and VIIe—or VIIb to VIIk, actually, which is the whole of the south coast—UK fishermen have a tiny proportion of the EU total allowable catch. They get something like 8% of that quota, compared with 80% for our French counterparts. That is what causes the concern and the problems, because if there is cod on the ground, fishermen cannot stop the cod swimming into their nets, and many have to be discarded. What happens when fishermen catch a net full of cod? They cannot land it, but they cannot throw it away either. That is a good illustration of the problem with the landing obligation under the top-heavy bureaucratic common fisheries policy.

I have mentioned the south-west and area VIIe, but I want to point out to the Minister some of the proposals that are on the table for the North sea stocks. I understand from the National Federation of Fishermens Organisations that the proposals are for a 22% reduction in whiting, a 33% reduction in cod and a 31% reduction in haddock. What will the Minister do to rebalance that?

If all the fish, using zonal attachment, were available for the British fishing fleet to catch and land from when we leave the European Union—my right hon. Friend the Prime Minister and the Secretary of State have said that we will leave the common fisheries policy on March 29 2019 at 11 o'clock in the evening—it would certainly benefit the United Kingdom and our economy. We should look to redress the imbalance that has been heaped on the industry for more than 40 years.

Other hon. Members want to speak, and we have only a short time for the debate, so, in summary, I wish to hear what the Minister will do at the Council. Will he send a message to our European partners that when the United Kingdom leaves on March 29 2019, we will honour our obligations under the United Nations convention on the law of the sea and the United Nations fish stocks agreement—particularly article 62—and set quotas in a sustainable way, as is our obligation, but make available to other nations only the surplus of fish that the UK fleet cannot catch? It will be interesting to hear what my hon. Friend the Minister has to say at the end of the debate. I will finish now, because I promised other hon. Members who want to contribute that I would speak only for a short time.

**Several hon. Members** *rose*—

**Sir Henry Bellingham (in the Chair):** I am grateful to the hon. Lady, who introduced the debate extremely well, for being concise and for giving other hon. Members a good chance. I call Brendan O'Hara.

9.43 am

**Brendan O'Hara (Argyll and Bute) (SNP):** I, again, congratulate the hon. Member for South East Cornwall (Mrs Murray) on securing this extremely important debate. Had it not been for events elsewhere, which I fear have conspired against us, it could have made the front pages tomorrow morning.

All hon. Members who represent fishing communities know the importance of the industry—not just to those directly involved in the catching and processing side of the business, but to the overall economic wellbeing of our coastal communities. The fishing industry in my constituency has undergone great changes in the last few years and would be almost unrecognisable to someone who fished the waters of the west coast of Scotland a few decades ago. Back then, herring was the mainstay of the local industry, but changes to technology and a focus on new species has seen a move away from herring towards prawn and scallop fishing.

Today, freshly caught high-quality Argyll and Bute seafood is in demand across the world, particularly in Europe, as I said earlier. I am delighted that the fishing industry remains a mainstay of our local economy. Of course, in Argyll and Bute we also have a thriving fish farming industry, which includes award-winning halibut producers on Gigha and salmon from Argyll, which boasts the prestigious Label Rouge, awarded under the most stringent criteria by the French Ministry of Agriculture.

As well as praising and promoting the excellent produce, I want to highlight some of the issues and challenges facing boat owners, skippers and producers on Scotland's west coast. What I am about to say will come as no great surprise to attentive hon. Members, because I said it last year—and, I believe, the year before that.

Despite being raised by MPs representing the west of Scotland and Northern Ireland for many years, the issue of access to crew persists. It is a problem that only the UK Government can fix, but they have chosen not to. Once again, I ask the Government to relax the rule and allow non-European economic area crew to work on fishing vessels that operate inside the 12-mile limit on the west coast. One look at a map of the west coast of Scotland shows that the 12-mile limit extends vast distances into the Atlantic. Few inshore vessels can or will travel that distance, but they are told repeatedly that they cannot recruit professional international seafarers from countries such as the Philippines or Ghana, and can use only UK or EU nationals to crew their vessels.

Last year, I highlighted the case of Jonathan McAllister, a skipper from Oban who was struggling to find suitable crew. He eventually found a crew of EU nationals from Latvia, who worked so well as share fishermen that they were invited back this year. In May, Mr McAllister contacted me again to say that one of the Latvian crew members had been refused entry to the UK and had been detained and questioned about the non-filing of a tax return.

Those allegations turned out to be utterly baseless, but on that basis, the crew member was detained at the Dungavel detention centre, pending his deportation to Latvia. That EU national, an experienced professional seafarer who had come to work legally in Scotland, was detained for seven days before being released without charge. He was then able to join his shipmates in Oban freely, but at what cost to Mr McAllister's business?

The entire crew have already said to Mr McAllister that, regardless of the political situation in the UK, they will not return in 2019, so he will have to find yet another crew. Even when our skippers jump through the hoops the Home Office set for them, they are still penalised. It is little wonder that so many are totally scunnered and are seeking a way out of the industry.



Access to crew is just one issue affecting the west coast fishing industry. Last week, I met the Clyde Fishermen's Association, which represents 65 boats, including mobile and static vessels. We met principally to discuss the Fisheries Bill, but we also spoke generally about the health of the industry on the west coast of Scotland. Naturally, Brexit and anything that would adversely affect the association's ability to export directly into Europe was a huge concern, as over almost four decades our west coast fishermen have perfected getting their catch out of the water and delivering it fresh to some of the best restaurants in Europe in a matter of hours. Reports of six months of disruption at the ports post Brexit would be absolutely catastrophic for its members.

Another area of huge concern on the west coast is the possibility of having to work within a different regulatory framework from colleagues in Northern Ireland, who, because of the backstop protocol, would essentially retain unfettered access to the single market and the customs union. It is worth remembering that Northern Ireland is just 12 miles from my constituency, so we fish in the same waters for the same catch. Indeed, on a clear day, I reckon I could see the house of the hon. Member for Strangford (Jim Shannon) from the edge of my constituency.

**Jim Shannon** (Strangford) (DUP): It is the one with the Union flag on the chimney.

**Brendan O'Hara:** I am sure the hon. Gentleman is not alone in having that.

My constituents, who voted overwhelmingly to reject Brexit in the referendum, could face economic ruin by being placed at a severe competitive disadvantage to their Northern Irish colleagues. That is completely unacceptable. If the UK Government can arrange for one part of the United Kingdom to remain in the single market and customs union, they can do it for Scotland. It is utterly essential that the health of the west coast of Scotland's fishing industry is not sacrificed by Brexit.

**Dr Wollaston:** Does the hon. Gentleman share my concern about the catastrophic implications of our crashing out with no deal and no transition, particularly because of the extreme friction that would cause at the borders? It would certainly affect my fishermen and I wonder whether he feels the same.

**Brendan O'Hara:** The effects of crashing out are absolutely unthinkable. However, I have to say that being put at a competitive disadvantage by the current withdrawal deal would be equally catastrophic, although it might be a slightly slower catastrophe. That is why a deal that, ideally, keeps us in the European Union, but at least keeps us in the customs union and single market, is absolutely essential for the future wellbeing of the industry in my constituency.

I expect that we will hear much about the common fisheries policy during this debate. It is a ridiculous argument to say that anyone who opposes Brexit or who would choose to remain in the EU is automatically a diehard supporter of the CFP as it is currently constituted. I would say most forcibly that the UK fishing industry never required the upheaval of Brexit; all it required was for a Government of whatever hue at any point in the last 40 years to stand up for it and not cede to Europe everything that Europe asked for, simply to gain an advantage elsewhere in negotiations.

**Mrs Murray:** I am really shocked to hear that. Despite being personally involved in the fishing industry for the last 40 years, I have not been able to find a single fisherman who supports the CFP. However, what the hon. Gentleman is saying is that he wants to stay in the CFP by staying in the European Union. Does he agree? If he does not, he needs to put that on the record now. The two go hand in hand.

**Brendan O'Hara:** Let me say to the hon. Lady that the two most certainly do not go hand in hand.

**Mrs Murray:** They do!

**Brendan O'Hara:** If that is the hon. Lady's argument, then she is saying something about Ruth Davidson, the leader of the Scottish Conservative party. Ruth Davidson said on 1 October:

"I voted to remain. I fought for remain. If there was another vote tomorrow, I would still vote remain."

The extension of the hon. Lady's argument is that Ruth Davidson is a supporter of the CFP, which I think Ruth Davidson herself would argue with. There is nothing to say that remaining and seeking to reform the CFP are mutually exclusive: they are not mutually exclusive. We can remain in the European Union and we can fight to reform the CFP.

**Mrs Murray** *rose*—

**Brendan O'Hara:** I will return to the hon. Lady in a minute.

All that would have been required was for some UK Government in the last 40 years not to throw the fishing industry under a bus, but the UK Government have had no cognisance of the importance of the fishing industry. Now, the CFP is regarded as some sort of totem that people can coalesce around.

I suggest that the hon. Lady has a look at *Hansard*, because it is actually quite difficult, until the very recent past, to find a Conservative politician arguing against the CFP.

**Mrs Murray:** Perhaps the hon. Gentleman can explain to us why the previous leader of the Scottish National party, who was formerly the Member for Gordon and before that the Member for Banff and Buchan, actually put a Bill before the House to withdraw from the CFP. If what the hon. Gentleman is saying is absolutely correct, he is disagreeing with his former leader.

**Brendan O'Hara:** I do not think I am disagreeing with my former leader. What I am saying is that one can remain within the European Union and have a reform of the CFP—

**Mrs Murray:** You can't!

**Brendan O'Hara:** The CFP is a political decision and it can be reformed. If consecutive UK Governments had not sacrificed everything, including the fishing industry, to get where we are, we would not be in the situation that we are in now.

**Deidre Brock** (Edinburgh North and Leith) (SNP): I remind all Members here in Westminster Hall that in our 2017 manifesto we committed to either fundamental reform of the CFP or its complete scrapping. And it was in 2004 that the former party leader, who I think

[Deidre Brock]

was the Member for Banff and Buchan at that time, introduced a private Member's Bill calling for the scrapping of the CFP.

**Brendan O'Hara:** My hon. Friend is absolutely right. Since the 1970s, it has been the Scottish National party that has opposed the CFP. We have opposed it; we have sought its reform; and any record in *Hansard* will show that that is the case.

The fishing communities across the UK did not need Brexit to thrive and survive; they needed a Government who cared and put their interests first. I look forward, with certainty, to the day when that Government is an independent Scottish Government, who will look after the interests of all our fishermen and not throw them under a bus at the first opportunity, as has been the case in the United Kingdom throughout the years of the CFP.

Several hon. Members *rose*—

**Sir Henry Bellingham (in the Chair):** Order. It might be of interest to Members that from now onwards a limit of six minutes per speaker would be advisable.

9.55 am

**David Duguid (Banff and Buchan) (Con):** It is a pleasure to serve under your chairmanship, Sir Henry, and I will try to be as quick as I can.

I again congratulate my hon. Friend the Member for South East Cornwall (Mrs Murray) on securing this debate, which is about a subject that I know is very close to her own heart as well as being a key industry in her constituency.

Fishing at least has been, if it is not now, the lifeblood of constituencies represented by hon. Members around this Chamber today. Under the European Union's common fisheries policy, we have seen many smaller fishing constituencies—and, in some cases, not so small fishing communities—reduced to a mere shadow of their former glory. I am sure that hon. Members would agree that, regardless of how else we might feel about Brexit, the CFP is a discredit to our coastal communities that we must take every possible opportunity to redress.

My own constituency of Banff and Buchan has fared relatively well in the last few decades, Peterhead being the largest whitefish port in Europe and Fraserburgh the largest port in Europe for nephrops. Although those ports survive, overall activities are not what they once were. As we look forward to a “sea of opportunity”, it is not only those brave fishermen who go out to sea to catch the fish who stand to benefit. We must also see an expansion in our capacity to process the product. We need to improve infrastructure and transport links, and perhaps invest in chiller facilities at one of the Scottish airports to help facilitate the export of fish to countries further afield than the EU, such as in north America and the far east.

An expansion in our ability to catch more of our fish in our waters will also see a benefit to those services and industries that support the fishing sector: boat building, maintenance and servicing are just a few examples. One local fisherman told me recently that when his boat is in for annual maintenance and he berths it in dry dock, he provides work for around 40 different contractors, mostly

from around the local community and certainly from around north-east Scotland. The more fishing opportunities that we have, the more active our fishing boats will be, and the better things will be for the wider coastal communities and the economy.

**Mr Carmichael:** I think that the figure produced by the Scottish Fishermen's Federation is that something in the region of 40% of the fish in our waters are caught by the UK fleet. I think the hon. Gentleman is a supporter of the Prime Minister's withdrawal agreement and deal. What share does he expect the UK fleet will have at the end of the day if that agreement is implemented?

**David Duguid:** I thank the right hon. Gentleman for his intervention. Of course, there is nothing in the withdrawal agreement that specifically states that any shares will be given up. As my hon. Friend the Member for South East Cornwall said earlier, we should start from the default position of, “We have full access and that is our access to negotiate in the annual negotiations going forward.”

I will move on. The Scottish demersal sector has performed reasonably well during 2018, but the prognosis for 2019 is less buoyant, given the reduction in total allowable catches for some of our key commercial stocks, such as North sea haddock and cod. The TACs for the jointly managed stocks with Norway, which were set as a result of negotiations that have been concluded, have already been listed by my hon. Friend the Member for South East Cornwall.

The TACs for stocks such as anglerfish, hake and so on are due to be set at the December Fisheries Council. Such reductions, at a time when the landing obligation is due to come fully into force, could be problematic to say the least. The reduction in North sea cod could make it a choke species for the fleet. The landing obligation is explicit in the demand that catches of all regulated species must be landed ashore. Once the quota of North sea cod is exhausted, the fleet will be required to stop fishing for the other major species, such as haddock, whiting, saithe, hake and anglerfish.

There is a significant and real risk that tens of millions of pounds of fish could go uncaught as a result. I ask the Minister to give some clarity today about the action he will take to avoid early closure of our fisheries. What discussions has he had with the devolved Administrations on this matter?

There is real concern about the number of non-UK vessels operating in the Scottish sector, mostly in the waters around Shetland, as the right hon. Member for Orkney and Shetland (Mr Carmichael) will appreciate. A recent analysis carried out by the industry set the numbers of vessels catching whitefish as follows: 19 UK-based but foreign-flagged vessels; 12 Spanish vessels; 33 Norwegian vessels; eight German vessels; 27 French vessels; and 23 Danish vessels—a total of 122 vessels. To provide some scale, the Scottish fleet has only about 85 vessels targeting whitefish. Does the Minister agree that an influx of foreign vessels at this level is unsustainable for stocks and clearly unfair to our fishermen? What does he plan to do to protect our stocks from being plundered by foreign vessels?

Finally, as the hon. Member for Argyll and Bute (Brendan O'Hara) mentioned, access to non-EEA crew continues to be an issue for a number of our vessels,

given that they are prohibited from operating within 12 nautical miles of the shore. Non-EEA workers enter the country to work on a fishing vessel using a transit visa, the current definition of which allows vessels to operate out of the UK without entering a foreign port, so long as they stay outside of 12 miles while fishing. The skipper of a vessel is required to demonstrate to the overseas British embassy that his vessel has operated for the previous three months outside of 12 miles; only then will the fisherman be granted his visa.

The situation has led to a number of vessels being sold due to crew shortages, particularly on the west coast of Scotland. We have made several representations on a cross-party basis to the UK Immigration Minister for the 12-mile restriction to be removed, so that every segment of our fleet can get access to the same pool of labour. There are currently 4,900 full-time fishermen in Scotland, of which over 800 are non-EEA. Given the current plight of our vessels when it comes to finding suitable crew, I ask the Minister to push for that 12-mile restriction to be lifted.

10.1 am

**Melanie Onn** (Great Grimsby) (Lab): It is a pleasure to serve under your chairmanship in this important debate, Sir Henry, and I congratulate the hon. Member for South East Cornwall (Mrs Murray) on securing what has become a useful annual fixture in the calendar, ahead of the Fisheries Council that the Minister is now very familiar with. I will take this opportunity to remember and commemorate all of those who go out and fish for the benefit of their communities and the whole country. Those people are in what is still the riskiest occupation in the whole of the country, and they deserve our thoughts and our thanks for the work they do, as does the Royal National Lifeboat Institution. I notice that a small situation occurred off the coast of the hon. Lady's constituency in recent days, when the RNLi was required to go out and rescue a French vessel that broke down. It is not just those directly involved in the fishing industry, but all those associated with maritime activities, who deserve our thanks.

**Mrs Sheryll Murray:** I wholeheartedly support what the hon. Lady has said. Will she also recognise the work of the Royal National Mission to Deep Sea Fishermen, which provides support not only for UK fishermen, but also for those from other member states who find themselves in trouble or hardship off the coast of the United Kingdom?

**Melanie Onn:** Yes, absolutely. The hon. Lady makes a powerful point, and she is right to recognise the work of that organisation. I will also take this opportunity to remember our colleague and former Member of this House, Margaret Curran, who has been very unwell. She used to make valuable contributions when she was an elected Member, and we are the poorer for her no longer being in this House.

The hon. Member for South East Cornwall was assiduous in pointing out how important this Fisheries Council is going to be: this will be its final meeting, and will set the tone for all our future fishing relationships. The general nature of fishing lends itself to becoming quickly adversarial over territorial and quota disputes, but there is an enormous amount of room for generating

good relations with those countries that have traditionally fished alongside UK vessels. We might not like it, and the fishing industry of the UK might not like it, but even if we eventually are in the driving seat, taking back control of our waters—that is language that I do not like to use, but that is what is hoped for within the industry—so that we can decide who fishes, where they fish and how much they fish for, we will still require good relations in the future, because we do not want to see any conflict or aggression over borders or quotas. I cannot see how this House could possibly wish to encourage any kind of negativity or conflict over those issues, which is why it is all the more important that the Minister sets the tone and the boundaries of expectations going forward.

The hon. Member for Argyll and Bute (Brendan O'Hara) said that successive Governments have failed on the CFP, and have not taken a strong enough stand. I suspect that the Minister may wish to dispute that, given his endeavours in recent years, but it seems that the selling out of the UK fishing industry in the withdrawal agreement is history repeating itself a little bit. There is no guarantee in the withdrawal agreement that anything will change: the Minister has said that for the next two years, he does not expect a great deal to change, and beyond that, we really do not know. The withdrawal agreement is wholly unsatisfactory to an industry that is looking for more certainty, and for a redress—a rebalance—of the inherent unfairness that they see as having been inflicted on them for a number of years.

I recognise that other hon. Members want to contribute to this debate, so I will just touch on the east coast specifically. We have traditionally had a very different industry from that of the south-west or Scotland: we were a deep-sea area, with deep-sea fisheries that were going into Atlantic waters—although the people of Whitby and Bridlington will no doubt say otherwise, because their fleets were much more inshore and smaller. The instrumental thing for Grimsby, about which I cannot get a satisfactory answer from the Government, is our relationships with Iceland and Norway. We will still want access to those waters, so what will be the impact of the European economic area and European Free Trade Association agreements that Norway and Iceland have with the EU? How will that affect the UK once we have left the EU? That is if we actually leave—it is all looking decidedly ropery today. How will that affect those agreements? That is why I urge the Minister to continue those good relations, because we will still need good relations with those countries and with the EU if we are to continue the relationship that we have at the moment.

I am going over time—sorry, Sir Henry. I will just say that to some of those larger fleets, as UK Fisheries Limited has said, for the east coast of England, Brexit means that

“UK fishing opportunities, including access and quota, will only be traded if there is a reciprocal benefit to the UK and that there will be a fairer share of the fish in UK waters allocated to UK fishermen. This has the potential to correct the current situation where fishing vessels from the East Coast are prevented from going to sea due to lack of quota, while those from other countries can continue to fish. There are, however, a number of threats that are particular to the fleet based in the area.”

I will write to the Minister with more detail, if that is okay, to allow colleagues to make their contributions.



10.8 am

**Derek Thomas** (St Ives) (Con): I congratulate my hon. Friend the Member for South East Cornwall (Mrs Murray) on securing this debate. I also congratulate hon. Members on the way in which we have worked together to give everyone an opportunity to speak. I will do what I can to stick to the time I have.

It is good to be able to discuss this issue before next week's Fisheries Council, and there are a few things about the European Commission that I would like to raise on behalf of fishermen in and around west Cornwall and on the Isles of Scilly. First, bass has been a contentious subject for a few years now. As has been said before, bass is not the biggest share of the fish we catch, but it is a premium fish that is part of all aspects of fishing in west Cornwall. Will the Minister provide some clarity on measures to manage the recovery of bass stock? Have they been effective? Where are we today? What does he expect going forward?

The Commission's recommendations for next year appear to plan to increase the take for bass for those that target bass, but to continue to restrict the landing of dead bass caught as bycatch. That makes no sense to me. When I have had the opportunity, I have argued that if bass is caught as bycatch and is dead, it makes no sense to discard it, particularly when the Commission wants to fully introduce the discard ban next year. What can anglers expect in and around west Cornwall? What can the inshore fleet and the over-10s expect for bass next year and going forward when we hopefully have more control over how we manage that species?

The Commission's intention is to fully introduce the discard ban or landing obligation from 1 January. Is that still the commitment? Can that be achieved? Is our fleet prepared for that? It has been a tricky thing to do in recent years. We are throwing away fish that we are not legally allowed to land. What happens if that continues? Fisherman cannot avoid fish that are caught when targeting something else.

Moving on from the Commission, I want to do some blue-sky thinking for the inshore fleet. In Cornwall and my constituency, we have a number of small ports. Newlyn is the fourth biggest port for fishing in the UK, but the small ports and communities rely heavily on the inshore fleet. When we are free of the common fisheries policy and the London fisheries convention, there is a real opportunity to look at how the inshore fleet can help to revive coastal communities and sustain a supply of good-quality fish in the local community. We can also supply a training opportunity and training ground to bring fresh blood into the industry. We have heard how difficult it is to attract new people into fishing. They see no future in it, yet the inshore fleet provides a real opportunity to train safely, learn the craft and move on to a bigger vessel, if that is what they want.

It would be good to talk openly about what can be done for the inshore fleet. Because of the restrictions they already face with the weather and the size of their vessels, people are restrained in how often they can catch and what they can catch. There is a real opportunity to look away from quotas and look at how the inshore fleet can revive communities and the sector.

UK fishing is complex. We have heard today how diverse it is, but we have four key areas. In my constituency, we have the over-10s; the under-10s and the inshore

fleet; a mixed fishery—bycatch and discards are a real challenge, because they catch what they never targeted—and sea angling, which is a significant part of our local economy. As we move beyond the common fisheries policy, there is good reason to respond to the asks of the industry. In Cornwall, the fish producers have asked the Government to set up a formal advisory council to guide policy and promote collaboration from Government, devolved Administrations, regions and the industry. It is imperative that the industry sits around that table.

The hon. Member for Great Grimsby (Melanie Onn) discussed the challenges of dispute resolution. The fishing community in my community and across Cornwall has asked the Government to set up a dispute resolution mechanism to address differences across the regions, the devolved Administrations and international fisheries so that we do not have years and years of problematic disputes that prevent people from fishing for a living and from providing good nutritious food. Will the Minister give some indication as to whether those two requests—the advisory committee and the dispute resolution mechanism—are being considered seriously?

10.14 am

**Jim Shannon** (Strangford) (DUP): I thank the hon. Member for South East Cornwall (Mrs Murray), who spoke, as she often does, with authority and with knowledge and experience of the fishing sector. I thank the Backbench Business Committee for giving us the opportunity to participate in this debate and for going ahead with it—by the way, that is not something we can trust in any longer with the business of the House. The fact of the matter is that we are discussing this issue because it is of such importance. I thank all hon. and right hon. Members for their contributions this morning, and I look forward in particular to the responses of the Minister and also the shadow Minister, who has deep knowledge of the issue.

I represent the fishing village of Portavogie. It is the second largest fishing village in the whole of Northern Ireland. It used to have 130 boats in the harbour. A person used to be able to cross the harbour without touching the water, just by walking across the decks of the boats. That is no longer possible, as the number of boats has reduced to 75. Why is that? It is due to EU bureaucracy and red tape. There are other key issues, including crew. The fishermen and fisherwomen of Portavogie look forward to leaving the EU and to being unfettered and free. Boy, we cannot wait. We look forward to that occasion.

Leaving aside the fact that this will be the last EU Fisheries Council at which the United Kingdom plays a full role, it is far from business as usual. Previous EU decisions dictate that fish stocks will be managed, by 2020 at the latest, according to the principle of maximum sustainable yield. The Minister knows the issue well. Importantly, the EU's landing obligation, or discard ban, will be fully implemented from 1 January 2019.

With those factors in mind, the landscape for this December's negotiations in Brussels will be complicated enough, even without Brexit in the background. In the Irish sea, fishermen will always contend that there is room for improvement with fisheries science. We need to put on record the commitment of Northern Ireland fishermen to that science. Discussions are ongoing to

utilise the industry's assets to expand acoustic surveys of the demersal species in the area, which have been valuable in changing the perception of Irish sea herring in particular. We are working with nature, and sometimes what goes up comes down. That is a flaw in the concept of maximum sustainable yield, which argues that all stocks can be maintained at a maximum level. Nature just does not work like that. It is not straightforward by any means.

The industry has accepted the scientific advice for the most economically important fishery in the Irish sea for Northern Ireland, which is nephrops—prawns. Portavogie prawns are renowned the world over. They are exported across Europe. They are a brand name, and it is important to put that on the record. Any change to the total allowable catch should reflect the advice of the International Council for the Exploration of the Sea, which includes scientific assumptions on survivability.

To be specific, our aim should be for a TAC that reflects the landing figure plus dead discards. That principle has been accepted for other species with high survival rates. The result should mean a percentage reduction in TAC that is in the low 20s, not the 32% advocated by Brussels. Again, I express some concern. We met the Minister last week, which was most constructive and helpful, and I thank him for that. We met the Anglo-North Irish Fish Producers Organisation, the Irish Fish Producers Organisation and my hon. Friend the Member for Upper Bann (David Simpson). I look to the Minister to address the discrepancy and make a commitment on that.

The TAC for whiting is the top priority for the Irish sea in 2019. Of all the TAC issues, Irish sea whiting has some rather unique issues and is a priority. The Commission has proposed a TAC of 612 tonnes for next year, solely to cover the bycatch in the nephrop fishery. The fishing of the nephrop fishery by the UK fleet outstrips that of the Republic of Ireland by a factor of four to one, which again underlines its importance. That approach is unlikely to win support from the Republic of Ireland. Its application of the Hague preference would see it secure more than half of the quota in a fishery where it takes about 20% of the catch. We do not share the faith that some have that the Republic of Ireland would be willing to apportion the Union quota on the grounds of need without using it as a swap currency to extract other quota species from the UK. The conclusion is that we need to aim for Irish sea whiting to be treated uniquely, by making it a temporary prohibited stock—in other words, removing it from the list of TAC species.

The imposition by Ireland of the Hague preference mechanism continues to hang over quota allocations. As the United Kingdom leaves the common fisheries policy, the Hague preference will no longer apply to Irish sea stocks. That outdated quota distribution methodology will fall, and at the very least UK fishermen in the Irish sea will immediately recover the one third of their quotas for cod, whiting and plaice that they have annually handed to the Republic of Ireland, and which the Republic of Ireland has gratefully accepted, despite its feigned economic and social concern for the community in Northern Ireland.

That feigned concern extends to the hard sea border that the Dublin Government have erected and maintained against fishermen from Northern Ireland. The Minister knows the voisinage agreement very well, and I do not

need to go into the issue in any detail. It was among the issues highlighted in the report by the Northern Ireland Affairs Committee. The recommendation was clear: encourage the Dublin Government to resolve their side of the reciprocal agreement, or face the UK's withdrawal from that agreement. Interested parties in the Republic of Ireland talk about the noise coming from Northern Ireland on the issue, and they have every right to acknowledge it. However, they should not forget that about 40% of the fish and shellfish captured by the Irish fishing fleet come from UK waters.

It should be left to the United Kingdom's fisheries administrations to decide how quotas are allocated. Quotas are a massive issue within each jurisdiction, reflecting the different nature of the fishing fleets in England, Scotland, Wales and Northern Ireland. We are better together; let us work together on this matter as well. The Fishing (Access to Territorial Waters) Bill recognises the principle of equal access by UK-registered fishing fleets to all UK waters.

Increased TACs, be they as a result of decisions made at the December Fisheries Council or of a new fisheries agreement with the UK, will be pointless unless we have the ability to catch the fish. That comes back to the key issue of crews, which the Minister and Members know about. Filipino crews are consistently dependable. They come to work, do the business and commit themselves totally to it. We spoke to the Minister about that last week, and I know he shares our concerns, as does the shadow Minister. We look forward to some help in persuading the Home Office to put those fishermen into the skilled category, thus enabling them to become part of what we want for our fishing fleets across the whole of the United Kingdom of Great Britain and Northern Ireland.

As the Minister prepares to wish his EU opposite numbers "bon voyage" at the end of next week's Fisheries Council, we send him good wishes in his endeavours. He has proven himself to be a friend of the industry in Northern Ireland and the whole of the United Kingdom. His judgment, and that of his officials from the Department for Environment, Food and Rural Affairs, the Department of Agriculture, Environment and Rural Affairs in Northern Ireland, and the Departments in Scotland and Wales, is fundamental to securing a deal that is in the national interests of the United Kingdom as a whole. We look forward to a sustainable result.

10.22 am

**Mr Alistair Carmichael** (Orkney and Shetland) (LD): It is a pleasure, as ever, to serve under your chairmanship, Sir Henry. I congratulate the hon. Member for South East Cornwall (Mrs Murray) on securing the debate, but observe in passing that it is somewhat unsatisfactory that we are in Westminster Hall and limited to 90 minutes on a Wednesday morning. This debate was traditionally part of Chamber business, and happened in Government time. I understand the reasons why it was taken out of Government time, which I think were sound. However, it was always the understanding that time would be available, and for us to have to rely on a ballot for the annual fishing debate is unsatisfactory. I hope the Minister will make representations to those in charge of business management within Government to ensure that we are not put in this situation again.

[Mr Alistair Carmichael]

As I listened to the hon. Member for Argyll and Bute (Brendan O’Hara) talk about Alex Salmond’s Fisheries Jurisdiction Bill, I reflected on the fact that it was when the hon. Member for South East Cornwall was here lobbying on behalf of that enterprise that I first met her. It is worth reflecting on the fact—I say this as the last man standing who was a sponsor of that Bill—that the argument advanced by the Conservatives who supported Alex Salmond’s Bill was that it was perfectly possible to come out of the common fisheries policy while remaining in the European Union.

Times change, and arguments of a different nature seem to be advanced these days, but it is worth putting those historical accuracies on the record. Also on a point of historical accuracy, the hon. Member for Edinburgh North and Leith (Deidre Brock) said that Alex Salmond wanted to abolish the common fisheries policy. That was a tweak that I introduced; originally, Alex Salmond’s Bill was for withdrawal from the common fisheries policy. Personally, I was never persuaded that that was possible, but it is all largely academic and of historical interest these days.

The Fisheries Council, to which the Minister will travel next week, is the last that we will know in the current set-up. It will be interesting to see what we are able to do this time next year if we are out of the European Union but still part of the common fisheries policy, as the transitional arrangements would suggest. It will not be an easy Council. The Minister is aware that the scientific advice, especially in relation to North sea cod, is challenging, and that will produce a difficult outcome. I am sure he will argue with some force and vigour that the interests of our fleet should be maintained. I wish him well in that enterprise. I would be interested to hear how he anticipates advancing that argument this time next year, when we will not be at the table. As the hon. Member for South East Cornwall said, we will not have a voice.

Ahead of that, there is, today and tomorrow, the EU-Faroes bilateral in relation to pelagic stocks. The apportionment allows the Faroese fleet access to 30% of the mackerel in EU waters—something of a misnomer, because they are essentially Shetlands waters. We have been burdened with an exceptionally bad deal. It allows us access to 30% of the stocks in their waters, but frankly 30% of quite a lot can hardly be compared with 30% of very little, which is essentially what we get out of the deal. Will the Minister tell me what he has done to influence the progress of the talks and to ensure that the interests of the pelagic fleet in Shetland in particular are better treated than they have been in the past, and how he anticipates such an arrangement will work in the future?

Other hon. Members spoke about the need for visas for non-EEA nationals. I led an Adjournment debate on that on 11 July. The Immigration Minister told me that she accepted that it was something that needed

“work as a joined-up Government.”—[*Official Report*, 11 July 2018; Vol. 644, c. 1084.]

I wonder how that work as a joined-up Government has been going; it does not look particularly joined-up from where I see it today. However, it is of enormous importance. As the hon. Member for Argyll and Bute said, it particularly

affects the inshore fleet, but it also has a serious effect in relation to the bigger boats in the whitefish and the pelagic sectors.

Essentially, to get round the lack of proper working visas, fishing crews are having to come in on transit visas. The welfare issues surrounding that are well documented. The real difficulty is that it leaves fishing skippers having to fish where visa regulations allow them to, not where they know they will find fish. Eventually that will have an impact on safety—we all know that. That is why the issue cannot be kicked down the road any more. The subject commands attention on behalf of fishing communities represented on both sides of the House. I have been on delegations with the hon. Members for Banff and Buchan (David Duguid), for Na h-Eileanan an Iar (Angus Brendan MacNeil) and for Strangford (Jim Shannon). As we come to the end of the year, I say to the Minister that if he is genuinely part of a joined-up Government, we need to see a resolution to this issue.

I have had my six minutes, Sir Henry—I could talk for an awful lot longer. I leave a minute, which I hope might be given to the Minister, if the Front Benchers can maintain good discipline, so that we all have an opportunity to intervene on him when he speaks.

**Sir Henry Bellingham (in the Chair):** I am grateful to you, Mr Carmichael, for being so concise in your remarks. I call Deidre Brock.

10.29 am

**Deidre Brock** (Edinburgh North and Leith) (SNP): It is a pleasure to serve under your chairship, Sir Henry. I pay tribute to the hon. Member for South East Cornwall (Mrs Murray), whose long-standing commitment to the cause of fishing safety is a badge of honour and who is commendably tireless in her pursuit of a safer environment for people who work in the industry. She clearly has a very personal knowledge of the fishing industry; her personal loss means that she speaks with profound understanding of what is so often at stake for so many of the crews who go out to bring back fish. I cannot imagine what it takes to continue to campaign, as she does, for a better situation for them.

I speak from a less personal standpoint, but I absolutely acknowledge the nature of the task that the fleets face on each trip out to sea. I also recognise the unrelenting nature of the job and the difficult economic circumstances that face the fleets and the communities that depend on them. The uncertainties attached to working in the industry, onshore as well as offshore, must only be heightened by the chaos that dogs the Brexit process. I have to say that things are a little calmer in this Chamber today than they have been in the main Chamber over the past couple of days. Staid and sober consideration of the issues before us is certainly a better way to proceed.

I commend the hon. Lady for what she said about the comments quoted from the Scottish Fishermen’s Federation. She made the important point that those words have been taken out of context and misquoted; I commend her honesty, and I hope that when hon. Members discuss these matters in the future, they will hear her wise words. She and other hon. Members also spoke about the Fisheries Council meeting next week—the last time the Minister has a voice at the table. A very important point arising from the flawed deal that the



Prime Minister may or may not have negotiated is that the fishing industry will have lost the opportunity to influence and guide decisions made at that Council. The hon. Lady made a doughty challenge at the end of her speech for the Minister to provide clarity on the issue, particularly on aspects that relate to her constituency and its interests. Her points were well made and I look forward to the Minister's response, as I am sure we all do.

My hon. Friend the Member for Argyll and Bute (Brendan O'Hara) shared stories about the difficulty that the hostile environment approach to immigration has caused for access to crew, a point made by hon. Members across the Chamber. He also raised vital concerns about the advantages to be enjoyed by Northern Ireland under the arrangements in the current withdrawal deal and gave us some spirited discussion about the vexed issue of the CFP. I am sure that that spirited discussion will continue long into the future.

The hon. Member for Banff and Buchan (David Duguid) reiterated my hon. Friend's call to relax the tight restrictions on non-EEA crew members, which are causing big problems. The hon. Member for Great Grimsby (Melanie Onn) called for the maintenance of good relations with other countries—a really important point that I appreciate her making and heartily endorse. She also noted that there is no guarantee that anything will change under the current deal or that it will address the inherent unfairness that fishers see in the current system.

The hon. Member for St Ives (Derek Thomas) called for clarity about the details of the deal that may be negotiated as a last roll of the dice at the Fisheries Council—possibly the last deal of its kind to be struck with the EU. He also spoke about the potential for inshore fishing, although I would argue that that could be done under a willing Government whether or not the UK retains its EU membership. The hon. Member for Strangford (Jim Shannon), as always, spoke up for his constituents and raised some specific questions for the Minister, who will be very busy in his reply; I had better be as brief as possible, so that there is time for those questions to be answered.

I thank the right hon. Member for Orkney and Shetland (Mr Carmichael) for his helpful clarification of the circumstances surrounding the Fisheries Jurisdiction Bill. He also raised the issue of future deals for pelagic species and asked what the Government will do about the growing crisis in the availability of fishing crews, the resulting restrictions and their impact on safety.

It has been noted that the variety of our fleets and the differentiation around the shores and across species make it difficult to describe the industry as a single entity. Each part of it has different priorities. Scotland's creel fisher-folk, for example, tell us that their product has to get to market alive, so one of the biggest threats to their continued profitability is congestion at border control. The industry could die along with the catch if the M26 becomes a lorry park. Those concerns have to be sorted out in advance of Brexit day.

Access to the EU market is essential for Scottish fleets, which should not be in a less advantageous situation than any other part of the UK. We will be losing access advantages as it is, since we will no longer have automatic barrier-free access to the world's biggest marketplace in the world's most affluent continent. There are something like 1,800 shellfish boats in the Scottish fleets; it is a significant source of employment offshore and has significant onshore economic impact.

The concerns of pelagic and whitefish fleets may be slightly different but they, too, require open markets. Around three quarters of the fish and seafood landed is exported, while around two thirds of the fish and seafood we eat is imported. Trade with the EU is essential for the fishing industry. We should probably see whether there is some kind of organisation that we can join that would allow us free access to those markets and keep food imports at a reasonable price—if only we could think of one.

There is a cruelty for our fishing fleets in the fact that they will be trapped in the CFP after we leave the EU and will therefore still have to comply with the rules after we have lost the ability to influence them. So much of what we heard before the referendum was simply untrue, but that is one of the cruellest tricks of all.

A host of other questions about Brexit and fishing are still unanswered, not the least of which is how the European maritime and fisheries fund will be replaced. The development of the fishing industries around these islands may be hampered if we do not have a replacement ready to go. The improvements to the boats, including health and safety improvements, that such schemes fund are important, but so are the shore-based improvements, and the environmental spend is of incalculable value.

We also need to know about access to the labour market for the industry. Like agriculture, the work of onshore fisheries in Scotland depends to a large extent on EU migrant workers, so closing us off from them will damage the profitability of the industry. I know that some Members of Parliament are dead set on ending freedom of movement, but the argument is about what to replace it with.

Some have argued that we should look at the Australian system; if I can don my outback hat for a while, I reckon that there is a new Australian scheme that might just fit the bill. The Australian Minister for Immigration, Citizenship and Multicultural Affairs says that his Government

“is working to improve our immigration program to better match the needs of specific locations”.

The Northern Territory and south-west Victoria will have immigration schemes that allow in agricultural workers and hospitality workers to service the industries that desperately need them. The schemes, known as designated area migration agreements, will allow permanent residency in those areas, provided that people are willing to remain there for at least three years. I suggest that such a scheme would be helpful to the food production industries in Scotland and should be considered by any Government who value the contribution that those industries make.

We may or may not be leaving the EU soon, and we may or may not be getting a vote on it at some point, but it is high time we had a serious chat about how we want to protect our fishing communities and how we enhance them.

10.37 am

**Luke Pollard** (Plymouth, Sutton and Devonport) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Sir Henry. I thank my neighbour from the far south-west, the hon. Member for South East Cornwall (Mrs Murray), for introducing the debate so well.

[Luke Pollard]

I join in the tributes to all those fishers who have lost their lives since our last annual fisheries debate. Since I was elected last year, we in Plymouth have lost two trawlers at sea, with a death on each boat. I pay tribute to all those who risk their lives in the most dangerous peacetime activity in Britain to catch the fish that we have on our dinner plates. I also pay tribute to those who keep our fishers safe and supported: the Royal National Lifeboat Institution, HM Coastguard, the Fishermen's Mission, the Royal Navy and a group that is so often overlooked—the family and friends of fishers, who provide the support network, encouragement and understanding, and without whom the industry would not work.

I speak not only as shadow Fisheries Minister, but as an MP who represents Plymouth—a proud and historic coastal community with 1,000 jobs in fishing, both in catching and in processing. We have not said much about processing today, but it is a vital part of our fishing industry.

**Melanie Onn:** I am grateful to my hon. Friend for mentioning the processing sector, which employs approximately 5,000 people in my constituency and is intrinsically linked to the catching sector. It should not be forgotten in these debates.

**Luke Pollard:** My hon. Friend is exactly right. The question we need to ask about processing is where the fish will come from in the future. We need to ensure that fish can be imported and exported with the added value that comes from processing, creating more processing jobs in the UK rather than putting the jobs we have at risk.

Fishing was the poster child of the leave campaign. It is one of the few industries in the entire UK—if not the only industry—that could be better on day one of Brexit than before it, but only if tariff-free access and frictionless trade can be achieved, in terms of making sure that we can export to our important export markets. I am no fan of the common fisheries policy—that has been briefly discussed here—and it needs to change and reform, but whether we are in it, or without it, we need to make sure that our fishing is more sustainable, both economically and environmentally, for UK fishers.

There are big challenges for fishing, which have been discussed today. The Fisheries Bill currently in Committee smacks of legislation that has been hurried out to reach the exit deadline. It needs many amendments. The hon. Member for St Ives (Derek Thomas) spoke passionately about the advisory council and dispute resolution mechanisms, and I am grateful for that. I can see why the Whips kept him off the Fisheries Bill Committee, because, sadly, the Conservatives on the Committee voted down an amendment on the dispute resolution mechanism yesterday. More lobbying of the Minister to encourage him to bring back amendments at Lords stages will be gratefully received.

**Mr Paul Sweeney** (Glasgow North East) (Lab/Co-op): We have seen that fisheries is a fraught sector, particularly with devolved Administrations now potentially having to come to a common arrangement. Does my hon. Friend share my dismay that in Committee yesterday

both the Scottish National party and the Tories voted down or abstained on the crucial amendment on having a dispute reconciliation measure?

**Luke Pollard:** I am grateful to my hon. Friend for that point. I think it is best to create a dispute resolution mechanism before there is a dispute. We should have such a principle in the Fisheries Bill and I hope the Minister will reflect on that as the Bill progresses through its various stages.

Big promises were made to fishing by the Environment Secretary, the right hon. Member for Surrey Heath (Michael Gove)—a key Brexiteer—during the referendum. They have not been matched by delivery. There is an inherent risk behind many speeches from hon. Members here: the fear is that fishing will be further betrayed in the withdrawal agreement and what follows after. We only have to look at the promises made by Ministers, right up until they U-turned, on removing fishing from the transition period, to find good evidence on why fishing has every right to be concerned about the promises it is receiving at the moment.

I fear that decisions above the Fishing Minister's pay grade will betray fishing further as the negotiation continues. I wish him the best of luck in steeling the nerve of those people further up the Government food chain, to make sure that fishing is not further betrayed. Labour has tabled a significant number of amendments to the Fisheries Bill to make real the promises from the leave campaign and seize the once-in-a-lifetime opportunity to start afresh and create truly world-class, sustainable fisheries, following our exit from the CFP.

I turn briefly to the issue of quota, which a number of hon. Members have mentioned, including my hon. Friend the Member for Great Grimsby (Melanie Onn), the hon. Member for St Ives and the hon. Member for Strangford (Jim Shannon). Under the existing system, ownership of quota has become increasingly consolidated in the hands of a few.

**Mrs Murray:** I anticipate that the hon. Gentleman will move on to fixed quota allocations; before he does, I hope he will acknowledge that those allocations were introduced under a previous Labour Fisheries Minister. Another mess also created under the same Minister is the reason why the under-10-metre fleet finds itself in the position it does today. I will name the Fisheries Minister at the time—it was Elliot Morley.

**Luke Pollard:** I am always grateful for interventions from my neighbour. I suggest she reads the memo from the Fisheries Minister in Committee yesterday that said that this is about looking forwards, not back. Frankly, there are enough reasons to say that fishing was screwed over by a Conservative Government; I do not think it is appropriate to go into—

**Sir Henry Bellingham (in the Chair):** Order. You cannot really use such language.

**Luke Pollard:** Okay, I withdraw that—I beg your pardon, Sir Henry. Fishing may have been betrayed by Conservative Governments in the past. Let us look forward, not back.

Labour wants smaller boats to be given a greater share of quota after Brexit. Small boats are the backbone of our fishing industry. They are the small and medium-sized

enterprises of the sector. If this were any other sector, we would be talking about SMEs and multinationals, but we do not do that in fishing—we simply do not apply that phraseology. If we did, I think the tone of the debate around our fishing sector would be very different. Let us back the SMEs in the fishing sector. Let us make sure that the small-scale fleet, which generally uses low-impact gear, has a better environmental impact and, importantly, employs more people, gets a greater share of quota: 6% of quota and 49% of the workforce at the moment is not an equitable share.

In addition, we also need to make sure that more fish is landed in UK ports. Labour wants a requirement that at least 50% of fish caught under a British quota is landed in British ports, supporting the coastal communities—be they in the far south-west, the east coast or up to Scotland—and making sure that we can get the additional jobs that come with landing, processing and selling that fish, whether for consumption in the UK or for export. We want to make sure that we have more of it. It is a travesty that, at the moment, so much fish caught under a UK quota is exported immediately to foreign countries and not landed. We need to preserve that economic link.

I want to spend a moment on marine safety; we have an opportunity to talk more about that. Fishing is the most dangerous peacetime activity in the UK. We need to make sure that in any redistribution or reallocation of quota that may come from leaving the European Union, high standards of marine safety are embedded in every single quota allocation. That is precisely why we need to do more to make sure that EU and UK fishers obey the same high safety levels. Sadly, that is again something that the Minister decided to vote against in Committee yesterday.

We also need to do more to spread the best practice we already have. In Plymouth, a lifejacket scheme gives fishers better equipped lifejackets, to enable them to do manual handling in front, with a personal locator beacon. When someone goes overboard and the personal locator beacon is activated, it takes the “search” out of search and rescue. That is really important, and will help save lives when boats capsize or when people go over the side. When the worst happens, it will help with the retrieval of a body so that the family can bury that fisher. We need to be aware of just how dangerous fishing is. The Minister and I have had lots of conversations about the PLB and the lifejacket scheme and I will continue to have conversations with the Department for Transport to make sure that it happens.

I echo the comments from the right hon. Member for Orkney and Shetland (Mr Carmichael), who was passionate and correct in the view that this debate should be held in Government time. He heard me make that point yesterday, and he made it with much more force than I did in Committee. There is cross-party agreement that this annual debate should be held in Government time and in the main Chamber to give it the prominence and importance that it deserves—not only to our coastal communities, but to our politics. In many cases, fishing is about politics and identity just as much as it is about our coastal communities.

There is a great opportunity to create a better system for fishing—more economically and environmentally sustainable, safer for those people who are fishing, and adapted to the changing nature of our marine environment,

especially with the effects of climate change. It is an opportunity that we cannot afford to miss. I pledge to the Minister that if he wants to work constructively, in a co-operative, cross-party way to improve the Fisheries Bill, which needs improving, the Opposition stand ready.

**Sir Henry Bellingham (in the Chair):** I thank the hon. Gentleman for his dynamic speech. The hon. Member for South East Cornwall (Mrs Murray) has indicated to me that she does not want time for a wind-up speech, so that leaves the Minister with 12 minutes. I call the Minister.

10.48 am

**The Minister for Agriculture, Fisheries and Food (George Eustice):** Thank you, Sir Henry. I congratulate my hon. Friend the Member for South East Cornwall (Mrs Murray) on introducing our annual fisheries debate.

A number of us in this room spent a full day in Committee yesterday debating the Fisheries Bill. Immediately after this debate, at 11 o'clock, I am giving evidence on fisheries to the Lords EU Energy and Environment Sub-Committee. This afternoon, at half-past two, I am giving evidence on fisheries to the Select Committee on Environment, Food and Rural Affairs, and tomorrow we have another day of debate on the Bill. So it is very much a diet of fish for me this week, and rightly so. For our fishing industry, this is a critical time of year, when fishing opportunities are set.

Our fishing, aquaculture and processing industries are worth around £1.5 billion a year to our economy. They employ 33,000 people and have incredible significance to many of our coastal communities, not least, as the hon. Member for Great Grimsby (Melanie Onn) said, those where much of our processing is done.

Fishing is also, as the shadow Minister, the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) pointed out, one of the most dangerous occupations in the country. The risks that fishermen take to put food on our table are something that we must always acknowledge. I am sad to say that, during 2018, six fishermen from this country lost their lives in the course of their work. I am sure we all send our condolences to the families involved.

The hon. Member for Plymouth, Sutton and Devonport has campaigned on safety issues for a long time, alongside his constituency neighbour, my hon. Friend the Member for South East Cornwall, who herself was affected by a personal tragedy in this area. Partly due to my hon. Friend's lobbying, there was an announcement in this year's Budget that a new fund would be created to invest in safety equipment to improve the safety of our fishing vessels. That is an important step forward, but we must remain constantly vigilant.

The focus of today's debate is predominantly on the December Agriculture and Fisheries Council, which is taking place next week, and that is what I want to focus most of my comments on, although I recognise that it is taking place in a wider context. This is the last December Council for which the UK will be a member of the European Union. There is a live debate about the nature of the withdrawal agreement and any implementation period as we depart from the European Union. As I mentioned earlier, the Fisheries Bill is going through Parliament at the moment. The Committee



[George Eustice]

debate began yesterday, and we have another day ahead of us tomorrow. The Bill sets out all the powers the Government need in order to take back control of our exclusive economic zone, to license foreign vessels, to prohibit them from entering our waters to fish in the absence of a licence, and to set fishing opportunities and quotas. As we leave the European Union, we will become an independent coastal state again. We will represent ourselves in negotiations with our neighbours, including the Faroes, Iceland, Norway and the rest of the European Union.

I return to this year's annual negotiations. As a number of hon. Members pointed out, this year, in most of our waters, the position is undoubtedly more challenging as far as the science is concerned—in the North sea, in particular. The EU-Norway deal has now concluded, but the science was very challenging on a number of key stocks. There have been some significant reductions in the EU-Norway deal, with whiting down by 22%, cod down by 33% and haddock down by 31%. It is important to recognise that, over the past three years, there have been significant rises in those stocks, as the science was positive. Just as we will increase the fishing opportunities when the science allows it, we must be willing to take the difficult decision to reduce fishing opportunities when the science demands it.

It is not all bad news. There has been an increase in saithe, which is up by 18%, and plaice, which is up by 11%. The proposal for anglerfish in the North sea is plus 25%, western hake is plus 27%, and megrim in the wider area is up by 47%. There are some positive notes this year, but the overall background is challenging.

This year's Council will be dominated by one issue: the problem of choke species, which I want to spend most of my comments reflecting on. We are in the final year of the introduction of the landing obligation. That means that, next year, every species must be covered by the landing obligation. That presents major challenges for parts of our fleet, notably cod in the Celtic sea, for which the recommendation is for a zero total allowable catch; west of Scotland cod and whiting; and Irish sea whiting, which the hon. Member for Strangford (Jim Shannon) mentioned.

The problem we have had with the landing obligation is that, although progress has been made, lots of species have been put on and the working groups have identified survivability exemptions and other approaches, the most difficult issues of all have been left till last, for understandable reasons. We are now confronted with those difficult decisions. There have been a number of problems with the roll-out of the landing obligation. First, the original plan was to have interspecies flexibility, so if someone ran out of quota for one stock, they could use another. In practice, that can be done only when species are within safe biological limits. Paradoxically, when people most need to use interspecies flexibility, they are least able to because of that requirement.

Secondly, although the working groups have made progress, not every member state is as enthusiastic about this approach as we are. We have not made as much progress as we would have liked. For instance, the UK argued that we should have cameras on boats.

Other member states frustrated that, which has made it difficult to get reliable information about the discard uplift.

Finally, the discard uplift in the quotas for the species under the landing obligation has continued to be allocated along relative stability lines, and that has been a major problem for us. The discard uplift has not been allocated to the sections of the fleet that had the greatest problem with discards; it has been allocated along relative stability lines. As my hon. Friend the Member for South East Cornwall pointed out, relative stability gives the UK a very unfair share of fishing opportunities, and means that the problem of choke species is particularly acute for some of our fleet.

The UK Government set out in our White Paper and the Bill a new approach to tackling the issue of the landing obligation and discards, with the idea of the creation of a national reserve of quota that would underpin a system in which we would charge a super-levy on over-quota stocks and fish that vessels would land. There would be the maximum possible financial disincentive on fishermen to avoid those stocks, but if they could not avoid them, there would be a means that allowed them to land that catch, subject to a levy.

In around March or April this year, we recognised that the working groups were not going to make sufficient progress in identifying solutions to the problem of choke. I met Commissioner Vella in July, and we set out some early proposals, and officials in the Department for Environment, Food and Rural Affairs have been working with Commission officials ever since. The Commission has now proposed something akin to the British idea set out in our Bill. It calls it a "Union pool", and it is similar to our national reserve idea. It is modelled along British thinking and will create a pool of quota that can be used to support a bycatch provision on problematic stocks, particularly those with zero TACs.

**Mrs Murray:** Will access to that pool be shared equally, or will it be on the lines of relative stability?

**George Eustice:** My hon. Friend will understand that that is a live discussion. Some countries believe that it should still be along the lines of relative stability. We do not believe it should be, since that compounds the problem.

The alternative solution is to put more stocks on what is called the prohibited list. People are not allowed to target or catch them, but if they accidentally catch them, they can be discarded. For understandable reasons, the Commission is reluctant to do that. It would be preferable to find an alternative solution using bycatch provision.

I turn now to the points raised by other hon. Members. A number of hon. Members, including my hon. Friend the Member for Banff and Buchan (David Duguid) and the hon. Members for Strangford and for Argyll and Bute (Brendan O'Hara), raised the issue of non-European economic area labour, which is important to crew some of these vessels. They will understand that that is an issue for the Home Office, so if they are talking to Home Office Ministers, they are talking to the right people. I undertake to talk to my ministerial colleagues in the Home Office again after this debate to see whether we can make some progress on this issue.

**Brendan O'Hara:** Will the Minister take from this debate our strength of feeling? When he speaks to his ministerial colleagues, will he advocate on behalf of those of us who desperately need this law changed?

**George Eustice:** As I said, I undertake to talk to my ministerial colleagues about that.

The hon. Member for Great Grimsby made the important point that, although we are leaving the European Union, we will still have annual fisheries negotiations with all our neighbours, just as Norway, Iceland and the Faroes do now. We will want to maintain good relations, and will rejoin the regional fisheries management organisations as an independent coastal state. I know that trade is very important for her constituency, but there is often a misunderstanding here. Although Iceland and Norway are in the EEA, the EEA agreement itself does not cover fisheries trade. Fisheries is outside the EEA trade agreement, but there are a number of separate preferential free trade agreements and what are called autonomous tariff rate quotas to allow tariff-free fish from Iceland and Norway, and even from the Barents sea and places such as Russia, to enter the UK. We are confident that we will be able to roll those preferential trade agreements forward.

My hon. Friend the Member for St Ives (Derek Thomas) raised the important issue of bass. We have led the discussions on it for a number of years. Last year, we argued against the overly restrictive bycatch provision for trawlers, and for some provision for the recreational sector. We believe that the science has moved our way on that, and we will be arguing that again. The idea of an advisory committee is interesting. We already work with the Cornish Fish Producers Organisation, and we are looking at whether we can involve the inshore fisheries and conservation authorities in some of our thinking ahead of the December Council.

Finally, the right hon. Member for Orkney and Shetland (Mr Carmichael) raised the issue of the EU-Faroes deal. I can tell him that when we leave the EU, it will be a UK-Faroes deal, and we will not have the problem of British interests being traded away for other EU countries' interests.

*Question put and agreed to.*

*Resolved,*

That this House has considered the UK fishing industry.

## Blue Belt Programme: South Sandwich Islands

11 am

**Zac Goldsmith** (Richmond Park) (Con): I beg to move,

That this House has considered the Government's blue belt programme and the South Sandwich islands.

It is a pleasure to serve under your chairmanship, Sir Henry. Oceans cover about 71% of the earth's surface, and around 90% of the earth's biosphere. They contain about a quarter of a million different known species—and likely vastly more, given that so little of our oceans has been properly explored or understood. Today, I will speak about the tragedy of what is happening to our oceans and about what we need to do to protect them.

There was a time when our oceans were absolutely brimming with life. In 1497, the explorer John Cabot complained that his ship's progress had been hampered by the sheer volume of cod off the coast of Newfoundland. He wrote a message to his sponsor, King Henry VII, in which he said that his men

“took so many fish that this kingdom will no longer have need of Iceland, from which country there is an immense trade in the fish”.

As we now know, industrial fishing quickly put an end to that. In 1968, the registered catch was 800,000 tonnes; by 1994, the catch was just 1,700 tonnes. In Victorian England, one could have seen large pods of orcas and blue whales off the coast of Cornwall. Professor Callum Roberts has reminded us that in 1836, a shoal of sardines extended, in a single compact body, from Fowey to Land's End—a distance of around 100 miles. He notes that today, people pay serious money to travel thousands of miles to witness such scenes.

Today, we face an unprecedented loss of species in our oceans, comparable to the mass extinctions of past millennia. A year ago, the Zoological Society of London and the World Wide Fund for Nature issued a report stating that there is only half the amount of wildlife in the sea today as there was in 1970, just a few years before I was born. Between 70% and 80% of the world's marine fish stocks have either been fully exploited, overexploited, depleted or are recovering from depletion. Of the 17 largest fisheries in the world, 15 are now so heavily depleted that future catches cannot be guaranteed.

A scientific paper published in *Nature* reports that we have lost 90% of the world's big predatory fish, such as tunas and sharks. Only 5% of coral reefs are considered pristine. Despite serving as breeding grounds for 85% of commercial fish, a third of the world's mangroves have been destroyed since 1990. That annihilation is happening across the world, and is not only an unforgivable biodiversity tragedy, but a human tragedy.

About 200 million people depend directly on the fishing industry for their livelihoods. For more than 1 billion people, fish is the primary source of protein. If the fishing industry collapses, the effects will be disastrous, especially for the world's poorest people. One has only to look at what happened in Somalia a couple of decades ago: years of overfishing—mostly by vast foreign fleets—decimated the coastal economy when fish stocks ran out. Legal fishing gave way to piracy, and millions were plunged into poverty, with criminality taking over.

[Zac Goldsmith]

There are numerous causes of this loss and numerous things that we need to do to put things right, but the biggest—and the focus of the debate—is simply protection. Marine protected areas represent a broad spectrum, with everything from absolute no-take zones to areas open only to sustainable fishing. We know that they work because we can literally measure the results of protection.

When commercial fishing in the Atlantic ocean and North sea had to be stopped during world war two, there was an immediate spike in fish populations. In New Zealand's Leigh marine reserve, common predatory fish are now six times more abundant in the reserve than outside, while in its Tāwharanui marine reserve, there are 60% more species in the reserve than out. Spain has suffered massively from overfishing, but catches close to the Tabarca marine reserve were 85% higher than elsewhere after just six years of protection. The list goes on, all around the world.

There is a level of agreement about the scale of the problem, but the response—an international commitment to protect 10% of the world's oceans by 2020—is far below what is needed. To make matters much worse, we are nowhere near achieving that. The British Government get it: we have committed to pushing for the protection of 30% of the world's oceans by 2030, and despite being a relatively small nation we are in a good position to take the lead. We are, after all, custodians of the fifth largest marine estate in the world, thanks to our extensive overseas territories, which contain, incidentally, over 94% of the UK's unique biodiversity. They are scattered across the world and home to countless rare and threatened species.

**Richard Benyon** (Newbury) (Con): In the context of our overseas territories, Blue Belt is an incredibly ambitious policy. Does my hon. Friend agree that we will be judged on its success only in terms of how we support different marine protections around different archipelagos and islands? Ascension Island is a key one: people are waiting to see whether the Government are willing to pledge the means to ensure that the marine protection area there is a success, so that we can have confidence in what we are doing globally.

**Zac Goldsmith:** I thank my right hon. Friend very much for his intervention, and I agree with him 100%. I put on the record my thanks to him and my right hon. Friend the Member for West Dorset (Sir Oliver Letwin), who led the campaign in Parliament and can take a lot of credit for the Government's current position.

**James Gray** (North Wiltshire) (Con) *rose*—

**Zac Goldsmith:** May I ask my hon. Friend to hold off for a second? I know what he is going to ask me.

The overseas territories are enormously important breeding grounds for endangered turtles, a third of the world's albatrosses, a quarter of the world's penguins, and the world's largest coral atoll. In what remains to this day, I think, the biggest conservation commitment ever made by any Government ever, our Government pledged to protect over 4 million square kilometres across those overseas territories by 2020. Altogether,

that is an area bigger than India. That commitment makes us world leaders in ocean protection, and it is hard to think of a better illustration of global Britain.

**James Gray:** I remind the House that, as set out in the Register of Members' Financial Interests, I visited South Georgia at the expense of the Commissioner for South Georgia and the South Sandwich Islands last year.

Does my hon. Friend welcome the Government's announcement this morning that, partly as a result of his pressure, they are to extend the no-take boundaries around South Georgia from 12 to 31 miles; that they will extend the marine protected area around the whole of the South Georgia and South Sandwich Islands maritime zone, meaning that 173,000 square kilometres will now be entirely protected from commercial fishing; and that they intend to close the South Sandwich Islands trench region—the most important bit—to all commercial fisheries? I hope he welcomes that announcement.

**Zac Goldsmith:** Of course, I hugely welcome that announcement. I will come to that in a few moments, but my speech will first canter through some of the overseas territories and some of the work that we are doing and need to do. The move that my hon. Friend referred to puts to rest a lot of the arguments against full protection, but I will come to that, and we will no doubt have an argument in due course.

I have described a great commitment of which we can be proud, but alone it is not enough. We need to make good on it, properly, and we need go further. Before I go into detail on the Blue Belt, I hope that the Minister will confirm that funding for the Blue Belt will be assured beyond 2020. It stands at £4.8 million per year and given what we get for that, it is spectacularly good value for money.

I want to look more broadly at the actual Blue Belt commitments. In some areas where we have made promises, we have delivered spectacularly. The Pitcairn islands in the Pacific ocean, for example, are surrounded by the most pristine marine environment anywhere on earth. It is just magnificent that the Government have permanently closed those waters, which cover around 840,000 square kilometres, to commercial fishing. It is one of the largest protected areas in the world.

Tristan da Cunha, a tiny island in the south Atlantic, has waters with vast populations of seals, southern right whales and blue sharks, as well as being home to great numbers of seabirds and rockhopper penguins. The Government have committed to protecting the full 750,000 sq km of Tristan's waters by 2020. I hope that the Minister will confirm that we will make good on that commitment and that we will help the tiny local population by protecting the area from illegal fishing.

In 2016, the Government committed to a marine protected area of 450,000 sq km around St Helena in the south Atlantic ocean. It is an area bigger than Germany and has more than 40 endemic species, including whale sharks, turtles and humpback whales. The aspiration is to develop a sustainable one-by-one—one hook to catch one fish at a time—tuna fishery in its own marine protected area. At this stage, however, St Helena has yet to ban industrial long-lining from its waters. The Government clearly need to work with the local population to put that right, as a matter of urgency.



Ascension Island, which my right hon. Friend the Member for Newbury (Richard Benyon) mentioned, has 450,000 sq km of ocean and the second-largest green turtle breeding population in the Atlantic. It is a hotspot for sharks, tuna and swordfish. The Government are committed to protecting at least 50% of the area by 2019, but nothing stops them from going further and protecting the whole area. I understand that the island's Council is itself minded to back 100% protection, but they are looking for assurances from the Government that they will not then be saddled with the costs of satellite monitoring for effective enforcement. They calculate, incidentally, that it would be cheaper to protect the whole area, rather than half, so that should not be a barrier. I hope that the Minister will address that point.

Viewers of the extraordinary “Blue Planet II” series will know that the greatest gift that the Government can give the oceans lies further south in, as my hon. Friend the Member for North Wiltshire (James Gray) has just referenced, South Georgia and the South Sandwich Islands. That is why the title of this debate names the area specifically. Those tiny, uninhabited islands are a near-pristine global biodiversity hotspot. A full quarter of the global population of penguins live here, alongside recovering populations of whales and seals, and unique marine habitats.

The local Government designated the whole 1 million sq km around the islands as an MPA in 2012. However, although the fisheries around South Georgia are without doubt managed to a high standard, until this morning only 2% of the total waters were fully protected. I understand from the news today that that area has been increased from 2% to 23%, which is fantastic news, but the remaining 77% is still technically open to fishing, and that could easily change. There is a huge groundswell of opinion among scientists, non-governmental organisations and colleagues in this House behind the campaign fully to protect the waters around the South Sandwich Islands in particular, which is about 500,000 sq km, roughly half of the whole MPA.

**Luke Pollard** (Plymouth, Sutton and Devonport) (Lab/Co-op): I congratulate the hon. Gentleman on securing this important debate. The designation of those waters is an important step, but does he agree that we should not confuse designation with protection, and that we should encourage the Government to be bolder in protecting more of our fragile ocean environment, especially where the UK has involvement?

**Zac Goldsmith:** I very much take the hon. Gentleman's point; in fact, he takes the words out of my mouth.

The remaining half of the waters—not the 500,000 sq km that need full protection—would still be open to well-managed fisheries. Colleagues will have seen the case for protection powerfully made by a broad coalition in an open letter to the Foreign Secretary. It was published, I think, in the *Telegraph* last week, and went wild on social media. That is a genuine win-win proposal. The South Sandwich Islands have not been fished commercially in 25 years, so no fishing at all would be displaced. Upgrading the existing MPA to give full protection can be achieved within existing budgets and existing legislation. Politically, it would demonstrate the UK's willingness to lead by example.

**James Gray:** My hon. Friend is most generous in giving way. The point he makes is that there has been no commercial fishing in this area for 25 years. However, there is no prospect that there will be in the next 25 years, so what he is proposing and campaigning for is tokenistic in the extreme. Will he not simply take this opportunity to welcome the fact that the Government have now protected the krill fisheries for an extra two months, banned HFO—heavy fuel oil—vessels from the area and taken a variety of other environmental steps to protect it in the way that he wants? Merely calling for more and more protection in a tokenistic and campaigning way achieves nothing but the alienation of local people.

**Zac Goldsmith:** To suggest that we should not protect an area because it has not yet been destroyed is madness; the same argument could equally have been used against pretty much any one of the world's nature reserves, including the national parks that are a source of pride in this country. The fact that the area has not been exploited and that an industry has not yet been able to develop there is precisely why it needs protection. Were a fishing industry to emerge and develop in that area, the prospect of removing it would become inconceivable—vastly expensive, hugely disruptive and politically difficult—and so not happen. Because the area has not been fished and is pretty much pristine, it requires the protection for which the campaigners are rightly asking.

Politically, as I said, such a move would demonstrate the UK's willingness to lead by example, but I would go further than that. If we are not willing to protect that pristine, unfished, global biodiversity gem, how could anyone take seriously our commitment to support the protection of 30% of the world's oceans? One cannot be achieved without committing to the other. Despite great leadership on that issue, the Foreign Office seems to have hit the buffers somewhat. Those involved, on the inside and on the outside, are, frankly, scratching their heads. Whatever the block, I strongly urge Ministers to be decisive, to be bold and just to get on with it.

11.15 am

**The Minister for Europe and the Americas (Sir Alan Duncan):** I am genuinely grateful to my hon. Friend the Member for Richmond Park (Zac Goldsmith) for securing this debate. As a member of the Environmental Audit Committee and a well-regarded champion of the recent illegal wildlife trade conference, he takes a close interest in conservation and the environment.

The UK has long understood that, as custodians of the world's fifth largest marine estate, we and our overseas territories have a responsibility—indeed, a duty—to manage and protect our marine environment. The general public are increasingly aware of the importance of caring for our oceans, in many cases thanks to last year's excellent “Blue Planet II” series, and understandably they are demanding action. I am therefore grateful for this opportunity to update the House on developments in respect of the South Georgia and the South Sandwich Islands marine protected area and on wider progress on the Blue Belt initiative.

This morning, I was delighted to welcome the announcement by the Commissioner for South Georgia and the South Sandwich Islands of a suite of environmental enhancements, including additional marine protected area measures. The announced protections are based on the recommendations of the first five-year review of the

[*Sir Alan Duncan*]

territory's MPA, which has recently concluded. That review was conducted by a panel which included scientists, as well as representatives from the fishing and tourism industries, and environmental groups. The panel's conclusions were made public on 7 November. It found that the current MPA is achieving its objectives, while also making a series of recommendations further to strengthen protection of the territory's waters.

Based on those recommendations and other recent scientific work, the Commissioner today announced an expansion of the MPA to cover the territory's entire maritime zone; an extension of the seasonal closure of the krill fishery, to provide further protection for breeding wildlife; an increase of the marine areas fully closed to commercial fishing activities, to up to 23% of the maritime zone; and the banning of all commercial mineral resource extraction activities, along with prohibitions on the transport of heavy fuel oil, in line with the restrictions that apply in Antarctic waters. The measures are based on precautionary scientific advice and take into account the UK's rights and responsibilities under the convention for the conservation of Antarctic marine living resources, known as CCAMLR. Taken together, the measures will help to ensure that the UK's stewardship of the islands remains exemplary.

We welcome the engagement that we have had over the past year with many who have an interest in South Georgia and the South Sandwich Islands, in particular those environmental organisations, including WWF—the World Wide Fund for Nature—and the Royal Society for the Protection of Birds, which have supported scientific work in the territory. We do, however, recognise that some may continue to press us to go further.

As I explained to the House in a similar debate at about this time last year, although on the face of it a simple proposal to close much of that area to all commercial fishing might seem to be a complete no-brainer—not least because there has been no intensive commercial fishing around the South Sandwich Islands for more than 25 years—a variety of scientific and diplomatic factors are in play, all of which need to be considered carefully. Furthermore, the recent MPA review did not reach consensus on whether a full no-take marine reserve around the South Sandwich Islands would deliver any conservation benefits.

Of course, the commissioner's announcement today is not the end of the story. South Georgia and the South Sandwich Islands continue to change dramatically as a result of regional climate change. In partnership with the commissioner's team and the Government's Blue Belt programme, scientists will undertake further studies in the new year.

**Zac Goldsmith:** The Minister mentioned the diplomatic barriers that still exist. I wonder whether he will elaborate on that. In the light of today's news about the protection of up to 23% of the area, it seems that the arguments against full protection—displacement activity, dealing with neighbouring states and so on—are exactly the same as those against protecting 23%. Will he elaborate on what those barriers are?

**Sir Alan Duncan:** No, I think they become more complicated. I ask my hon. Friend to appreciate that we genuinely would do absolutely everything we could, but

we have to look at the diplomatic consequences of sovereignty claims, or whatever one calls them, which complicate doing straightforward things unilaterally. I will say a little more about that in the context of CCAMLR in a second.

To continue what I was saying about the Blue Belt programme, that work will further inform the management of what is a unique and precious territory, as well as contributing to an international krill survey project to gather data to inform international discussions about the future distribution of the krill fishery at CCAMLR.

**Richard Benyon:** Will the Minister give way?

**Sir Alan Duncan:** Yes, although I am about to answer my right hon. Friend's point about Ascension.

**Richard Benyon:** I am very grateful. Will the Minister give me an assurance that he will push back at scientists to ensure that they embrace the latest scientific understanding of the power of krill to sequester carbon? That may require them to change their modelling. A really high biomass of krill has a fantastic ability to lock up carbon on the seabed. I hope he pushes scientific advisers to ensure that they understand and embrace that emerging scientific understanding.

**Sir Alan Duncan:** I think I am known in the Foreign Office for challenging officials very robustly, and on the issue of science I undertake to do exactly that. There is no point in using old science if there is newer, better-informed science available. We really want to set the highest possible scientific standards. In return, I hope that my right hon. Friend accepts that where there is a scientific conclusion, that is what should guide us.

I would like to take this opportunity briefly to update the House on other recent progress through the wider Blue Belt programme. As many colleagues who take a close interest in the programme will be aware, and as my hon. Friend the Member for Richmond Park said, the UK has to date declared marine protected areas across around 3 million sq km—more than 40%—of British waters. I am pleased to confirm that we remain on course to increase that to 4 million sq km, or around 60% of our waters, by 2020. I hope the House agrees that that will be a remarkable achievement.

As for South Georgia and the South Sandwich Islands, designation of protected areas is not the end of the story. Our overseas territories are working closely with our two main Blue Belt delivery partners—the Centre for Environment, Fisheries and Aquaculture Science and the Marine Management Organisation—to ensure that each marine protection regime is well designed, well managed, monitored and enforced.

Members may have seen the Blue Belt programme annual update for 2017-18, copies of which were placed in the Libraries of both Houses in July. I will highlight a couple of examples of work that demonstrate the UK's commitment to the marine protection of our overseas territories. First, the Government's National Maritime Information Centre provides technical support to monitor and enforce protected areas around our territories, which in turn supports the global fight against illegal, unregulated and unreported fishing. Secondly, a number of scientific expeditions have been undertaken around the overseas

territories to assess biodiversity. That is crucial to ensure that we protect the right areas and the most vulnerable species or habitats.

My right hon. Friend the Member for Newbury (Richard Benyon) asked about Ascension. A commitment was made in 2016 to designate a no-take MPA across half of Ascension's waters, and considerable work has been undertaken in the territory to identify the best location for the MPA based on robust scientific understanding of those waters. It is for the Ascension Island Government to consider the options for an MPA based on the evidence available, and they are currently undertaking a consultation on a range of options, one of which may include designating Ascension as an entire maritime area. In respect of Tristan da Cunha, I can confirm that it is committed to designating marine measures across its maritime zone by 2020. We should all be pleased that so many parliamentary colleagues have recognised and engaged with the ambitious policy direction we have set through the Blue Belt programme.

**Zac Goldsmith:** I am trying to resist intervening too much, but before we move on from Ascension, my understanding is that the Island Council is willing to go for 100% protection but is looking for some kind of assurance from the British Government that it will not be lumbered with the costs. Has my right hon. Friend looked at that, and is he willing to give that assurance?

**Sir Alan Duncan:** I cannot give my hon. Friend an absolutely clear answer, because I have not engaged with Ascension on the issue of costs nor, as a Foreign Office Minister, can I make the sort of funding promises he asked for a moment ago. However, I undertake to look into that and to consult him personally to see whether the issue of costs can be properly addressed and understood in order to introduce the maximum possible certainty to reach the objectives we all share.

The announcement today by the Commissioner for South Georgia and the South Sandwich Islands is further testament to our commitment to ensuring that the UK remains a world leader on marine protection. Simply banning all fishing activity might seem a simple and obvious conservation solution, but I ask the House to appreciate that the reality is a bit more complicated. The Government will continue to work on the basis of science and evidence to deliver tangible marine protection to contribute to the health of the global ocean, while also taking into account the specific circumstances and needs of each of our overseas territories. I hope that all of us in the House from all parties can work together to do our best for the marine environment.

*Question put and agreed to.*

11.27 am

*Sitting suspended.*

## NHS Reorganisation

[MIKE GAPES *in the Chair*]

2.30 pm

**Faisal Rashid** (Warrington South) (Lab): I beg to move,

That this House has considered NHS reorganisation.

It is an honour to serve under your chairmanship, Mr Gapes. It is my pleasure to open this debate on our NHS as we near the end of the year marking its 70th birthday. In debating its reorganisation, we should not lose sight of what a great credit the NHS and its staff are to our country. Its foundation represents arguably the greatest achievement of this House. It is for precisely that reason that its reorganisation matters so greatly.

Let me set the context. Eight years of cuts and the biggest financial squeeze in its history have pushed the NHS to the brink. On all key performance measures, it is struggling to keep up with demand—A&E performance hit a record low this year, more than 4 million people are stuck on a waiting list, and cancer targets are repeatedly missed. In a speech last year, the chief executive of NHS England warned:

“On the current funding outlook, the NHS waiting list will rise to 5 million people by 2021. That is an extra 1 million people on the waiting list. One in 10 of us waiting for an operation. The highest number ever.”

As the NHS is pressurised to do more with less, it is imperative that Parliament properly scrutinises the ongoing process of its reorganisation. We should not allow the Government's shambolic handling of the Brexit negotiations to distract us from reforms that are critical to the livelihoods of millions in this country.

I acknowledge that this subject is wide-ranging and complex, so I intend to focus on a few key issues: clinical commissioning groups; sustainability and transformation plans and partnerships; integrated care partnerships; health and social care integration; and healthcare infrastructure.

Let me start with the Health and Social Care Act 2012 and CCGs. Six years on from the coalition Government's top-down reorganisation of the NHS, it is clear that that initiative has been as much of a disaster as Labour warned it would be. My hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) rightly described those reforms as having put in place

“a siloed, market-based approach that created statutory barriers to integration.”—[*Official Report*, 6 September 2018; Vol. 646, c. 176WH.]

The 2012 Act removed regional health planning by abolishing strategic health authorities and creating a complex and fragmented system of clinical commissioning groups. Strategic health authorities helped co-ordinate the provision of healthcare across an area. Subsequent NHS reorganisations have often felt like partial attempts to reverse the damage done by the 2012 Act. It is therefore unsurprising that little effort has been made to keep the public informed of those changes.

**Mr Jim Cunningham** (Coventry South) (Lab): I congratulate my hon. Friend on securing the debate. He touches on the reorganisation way back in 2012. Clinical commissioning groups were created, but they are not accountable to the public—we have problems trying to find out what their budgets are and so forth. We have the same problem with NHS England, which is another



[Mr Jim Cunningham]

very difficult organisation to deal with. As a result of all this reorganisation, we have organisations that are not really accountable to the public, and the public do not get their voices heard.

My hon. Friend touched on staff salaries. If we worked it out, we would probably find that they have had an 8% real-terms cut in wages over the past seven or eight years, on top of which they have to pay car parking charges for the privilege of serving the public. Does he agree that that cannot be right?

**Mike Gapes (in the Chair):** Order. Can I just request that interventions are not long speeches?

**Faisal Rashid:** I thank my hon. Friend for his intervention. I totally agree with him, and I will come to that point later.

The Health Secretary has not even put out a press release about his most recent set of NHS reforms. I wonder when that will happen. Despite not being locally accountable, CCGs hold more public money than local authorities. That lack of accountability is particularly concerning given the large sums CCGs handle and the potential for vested interests to benefit in ways that do not best serve local populations. For example, although GPs acting as both commissioners and providers of care are allowed to sit on local NHS boards, elected and accountable local officials are not. It is alarming that current arrangements allow for such potentially significant conflicts of interest while resisting local democratic oversight.

I turn to sustainability and transformation partnerships. Since the 2012 Act, we have seen the launch of 44 STPs, covering all aspects of NHS spending in England. That process has been characterised by Government secrecy, with little or no engagement with staff, patients, unions or the public before the publication of plans. Despite being asked by the Government to deliver changes to local health services, STPs were given no statutory status, and their meetings are held in private. In the majority of cases, councils have not been included at all, and a number have passed motions or issued statements condemning the process. Under this Government, changes have been initiated with no proper consultation or engagement locally with the public, patients or staff. Without accountability to local democracy, we cannot ensure that health and care systems are relevant to the people and places they are intended to serve.

STPs' lack of accountability is even more significant given their role in administering spending reductions. Analysis by the Nuffield Trust found that some STPs are targeting up to 30% reductions in areas of hospital activity, including out-patient care, A&E attendances and emergency in-patient care, over the next four years. Those reductions are being planned in the face of steady growth in all areas of hospital activity. Too often, such initiatives encourage short-term savings, to the long-term detriment and overall cost of the NHS.

We should not forget that hard-working frontline staff bear the brunt of these pressures. It is sadly unsurprising that hospitals report growing shortages of doctors, nurses, midwives and therapists, while these bureaucratic bodies flourish.

**Mr Jim Cunningham:** My hon. Friend is quite right. One of the things that would help, particularly among women, is reintroducing the education maintenance allowance so we can bring forward student nurses and so forth. I will give a very quick example—I know you have been a bit lenient, Mr Gapes. In Coventry, a certain facility is starting to be moved to Birmingham. That is 16 miles away, so people are going to have to travel quite a distance. We still have difficulties getting through to NHS England, which arbitrarily comes along and says, "This is going to happen." It looks as though it might happen unless we can find some alternative. Does my hon. Friend agree that that is no way to run a national health service?

**Mike Gapes (in the Chair):** Order. I remind hon. Members that they should not make lengthy speeches in interventions. I would be grateful if all Members bear that in mind in future. I will not be very kind if I get the sense that we are getting three or four speeches from one Member.

**Faisal Rashid:** Thank you, Mr Gapes. I thank my hon. Friend for his intervention. I agree with him to some extent, but I think his microphone was not working, and it was very difficult to hear what he was saying. That needs to be looked at.

The Warrington and Cheshire STP is completely unworkable. It has the second largest footprint of the 44 STPs, covering 2.5 million people, 12 CCGs and 20 NHS provider organisations. There are so many bodies involved that the STP has been almost impossible to co-ordinate. It required £755 million in capital funding to be deliverable. Against a backdrop of cuts to NHS capital budgets it is unsurprising that the STP has made little progress.

Integrated care providers represent the latest iteration of the changes. Although ICPs could drastically change health and social care provision if adopted, their implementation is taking place without a vote or a debate. The details setting out what an ICP will do were published during the summer recess, with very little publicity. An ICP can be awarded a contract to deliver a general practice for up to 10 years. Significantly, these contracts can also be awarded to private companies. One of the criteria used to assess bids will be

"whether they are able to deliver value for money,"

moving away from an emphasis on quality and choice. Does the Minister believe that these changes should be made without parliamentary consent?

Mr Gapes, forgive me for using these confusing and seemingly never-ending abbreviations. The communication of the changes has been another major flaw in the process. Indeed, I echo the criticisms in the seventh report of the Health and Social Care Committee, published earlier this year, which noted:

"Understanding of these changes has been hampered by poor communication and a confusing acronym spaghetti of changing titles and terminology, poorly understood even by those working within the system. This has fuelled a climate of suspicion about the underlying purpose of the proposals and missed opportunities to build goodwill for the co-design of local systems that work more effectively in the best interests of those who depend on services."

This unnecessary use of abbreviations and complex terminology has shut out the public and excluded them from the debate over the future of the NHS. The Government

have a clear responsibility to make the debate around NHS reorganisation far more accountable and accessible to the public.

Moving on to health and social care integration, there is broad consensus that if the NHS is to maintain levels of service provision while making the efficiency gains demanded of it, the integration of services across health and social care is vital. Demands on the NHS are becoming increasingly complex, and long-term integrated care has the potential to transform the lives of millions of patients, as well as improving the patient experience. It has huge potential to save money by cutting down on costly emergency hospital admissions and delayed discharges. However, a recent report on health and social care funding by the Institute of Fiscal Studies revealed:

“Social care is facing high growth in demand pressures, which are projected to rise by around £18 billion by 2033-34, at an annual rate of 3.9%.”

This is not something that can be done on the cheap.

For patients, the lack of integration of health and social care can be a maddening experience. I am sure many Members have heard complaints from constituents about having to constantly repeat their story to any number of different health and social care professionals. In my constituency, a community-led healthcare non-governmental organisation passed on the following patient comment, which sums up the problem well:

“When I get on a plane, there is a lounge, passport control, security, air traffic controllers—lots of separate organisations. But what I experience is a trip from A to B. In health and social care what most people experience is A to Z, B to Z etc. having to repeat their stories each time.”

This confusion is the outcome to be expected from the unnecessary complexity and fragmentation that has characterised NHS reorganisation for several years. The fear is that the next NHS reorganisation will not take into account or optimise the 80% of individuals' wellbeing impacted by the wider determinants of health—housing, employment and connectedness to the local community.

In my constituency, Warrington Together offers a potential way forward as a locally appropriate, collaborative model of care. Its rationale is a return to the principles of the NHS when it was established in 1948: a single taxpayer-funded organisation working to a single integrated plan; promoting healthy lifestyles; utilising doctors and hospitals, as well as community care, social care and mental healthcare; and striving to keep an entire population well in the most efficient way possible, with enhanced stewardship by those who are locally democratically elected.

Warrington Together offers the opportunity to stimulate a social movement to ensure that changes to healthcare are more accountable to the local population. It has established a third sector health and social care alliance, which is an umbrella group made up of 12 local voluntary health and care providers, who can act with one voice and be contracted as a single entity. That will enable a broad range of providers to come together, offering such diverse care as housing and home repairs, mental health support, and links to local leisure and cultural opportunities. While that is not without its challenges, it represents something we should try to achieve on a national scale: involving local stakeholders to provide integrated health and social care services.

My last topic is healthcare infrastructure. NHS reorganisations need to be informed by infrastructure needs. Buildings need to be more efficient and cost-effective. It is estimated that one third of GP surgeries are conversions of former Victorian terraces, 1960s bungalows or former offices. They are often unfit for purpose and cause significant waste. Innovative and modern infrastructure helps to reduce energy and utilities costs to our NHS, while also protecting our environment. The less money we spend on the maintenance of outdated NHS infrastructure, the more money we can spend on long-term care.

I have a number of questions for the Minister to answer. How can he justify the creation of ICPs without a parliamentary vote or debate? Does he acknowledge that ICPs are moving away from an emphasis on quality and choice by allowing bids to be assessed based on whether they are able to deliver value for money? How can he explain the Government's decision to keep accountable, elected local officials out of the NHS's decision-making process? Without accountability to local democracy, how can he ensure that health and social care systems are relevant to the people and places they are intended to serve? Will he now acknowledge that the Health and Social Care Act 2012 has been a disaster for the NHS, creating a fragmented and overcomplicated system that fails to meet patients' needs?

The 2012 reforms have been likened by one commentator to

“a football team reorganised in such a way that the defenders, midfielders and forwards have to contract formally with one another for a certain number of tackles, saves, passes and goals, according to a general plan laid out by the manager, even though all the money comes from the same source: the club, and ultimately the fans. To make things more complicated, on match days, fans are encouraged to swap their tickets for another game, at another stadium, with other teams.”

Is that not an effective summary of these reforms? Finally, does the Minister agree that the unnecessary use of abbreviations and complex terminology has functioned to shut out the public and exclude them from the debate over the future of the NHS?

2.51 pm

**Siobhain McDonagh** (Mitcham and Morden) (Lab): It is a pleasure to serve under your chairmanship, Mr Gapes; I love saying that, particularly to our current Chair. I thank my hon. Friend the Member for Warrington South (Faisal Rashid) for securing this important debate.

I am here today to put on record the wild west of the NHS in south-west London, which will be well known to the Minister. It is a branch of the NHS that has spent the past two decades desperately trying to close the A&E and maternity unit at St Helier hospital on the border of my constituency and move those services to leafy, wealthy Belmont in Sutton. I will describe the geography for any hon. Members unfamiliar with my constituency. St Helier hospital is based in the deprived area of Rose Hill. Further south is the Royal Marsden in the wealthy area of Belmont, and seven miles west is Epsom hospital. The local CCGs are proposing to move all their acute services to just one of those sites.

This is about accountability. Over the past 20 years a staggering £50 million has been wasted on almost identical consultations to reach the obvious conclusion: acute health services must be placed in the area where people

[*Siobhain McDonagh*]

are most deprived and most in need, and have the greatest health issues. They must be placed at St Helier hospital's current site. It does not matter how many brands or names the local NHS gives these proposals or how many marketing consultants are hired. Moving these health services would be catastrophic for my constituents, and catastrophic for south-west London.

What my local NHS fails to consider is this: if St Helier hospital loses acute services, my constituents will not turn to Belmont. The Minister will know Lavender, Cricket Green, Figges Marsh and Mitcham town centre. They will turn north to St George's or east to Croydon, both hospitals that are already under extraordinary pressure. I told the Prime Minister only today of the case of my constituent who had to queue outside St George's hospital last Monday because the A&E was simply full. Two weeks ago, St George's was on black alert. It had no beds. The managers had to cancel all meetings and walk around wards, attempting to get people discharged. Those pressures exist even before the winter bad weather starts and before the flu epidemic that we are anticipating.

I could not possibly have emphasised any more strongly to my local NHS that its statistics and suggestions that people will move from London and parts of my constituency to Belmont are simply not going to happen. In all the years I have been fighting this, nobody in the NHS has ever said anything publicly to support my view, until the week before last. I could not believe it when the chair of St George's NHS trust wrote a letter that argued:

“There is no formal requirement to take account of the impact” of its proposals on other providers.

Let me make this clear. Moving acute hospital services from St Helier to Sutton could bring St George's hospital to the point of collapse, yet those consulting on these proposals were not even taking the inevitable impact on other hospitals into account. Is there a code of guidance on consultation in the NHS? It does not seem that people in south-west London have read it. Take last year, when the same consultation was run, this time by the hospital trust itself, and was called “public engagement”. To the public, the trust portrays a neutral stance and says a suitable site will be selected across south-west London for its services. To the stakeholders in Sutton, it confesses its desire to move the services to their wealthy area. To me, it pretends that the consultation will genuinely seek the views of the public, before it happens to ignore the fact that the consultation receives six times as many negative responses as positive ones.

I was not surprised, given that—this is hard to believe—Epsom and St Helier University Hospitals Trust delivered the consultation document to most parts of Sutton and most parts of Epsom, but not a single street in my constituency; and that is called a consultation. I ask the Minister whether he thinks it is appropriate for an NHS body to run a consultation or an engagement and simply exclude part of the catchment area. Better to deliver no leaflets at all than not to include everybody.

Fast-forward to the latest attempt, where flawed consultation documents are created so that boxes can be ticked and the process can move along more and more quickly. The latest versions argue that Belmont is

the deprived area locally, but, staggeringly, the same documents suggest that Pollards Hill is outside the catchment area for the Epsom and St Helier trust—something that will come as news to Wide Way, the largest GP surgery in Pollards Hill, which sends 35% of its patients to St Helier hospital. The trust claims to be neutral about sites, but when I secured £267 million from the Department of Health and the Treasury under both the Labour Government and the coalition Government to rebuild St Helier, guess what happened? The local NHS sent the money back; it did not want to use it.

It seems that every step forward comes up with a new consultation involving closed meetings that unswervingly fails to take account of health inequalities, which I understand is a legal requirement for the NHS. The trust ignores access to the site, public transport and percentage of car ownership, and we make no progress. For me, the last 20 years as the MP for Mitcham and Morden has been like being in the film “Groundhog Day”. Every month there is something, and we can absolutely rely on the fact that every July some bit of the south-west London NHS will want to come up with a consultation to move acute services from St Helier hospital. I simply want to put a stop to it. I want the staff at St Helier to know they have a future, and I want my constituents not to be worried about how they will access an A&E.

2.59 pm

**Jim Shannon** (Strangford) (DUP): I thank the hon. Member for Warrington South (Faisal Rashid) for bringing the debate. It is a pleasure to follow the hon. Member for Mitcham and Morden (Siobhain McDonagh). The Minister will not be able to answer all my questions because, as everyone knows, health is devolved to Northern Ireland. However, I will illustrate the issues with NHS reorganisation with some stories from the Province. The Minister has a close parliamentary aide from Northern Ireland, so he knows a wee bit about Northern Ireland.

I thank the House of Commons Library for the help it always gives us. Sometimes its information is enormously helpful, and today is one of those days. I have listened with great interest to the contributions so far; it is clear that, no matter the make-up of the constituency—whether Strangford in Northern Ireland, Mitcham and Morden, Warrington South or constituencies in Glasgow, Cardiff or wherever—there are issues. The NHS is struggling UK-wide, and either the pressure goes or its ability to treat will go. We are caught betwixt those two.

I welcome the Government's commitment to spending £20 billion extra on the NHS, which is a credit to them. My constituency is on the seaside, and lots of people head that way to retire; I suspect things are the same in many constituencies. Our elderly population is growing, and the future demand on healthcare will be enormous. That is why the £20 billion that the Government have set aside is so helpful—because it gives a golden opportunity to plan ahead. The hon. Member for Warrington South was clear about where that should go.

The Library briefing—I am sure that the Minister has had chance to read it; I know that other Members have—contains six simple lessons from the Nuffield Trust, which are very helpful.

“Lesson 1: Avoid the temptations of a grand plan”.



This refers to the complex and heterogeneous nature of healthcare. We all know that it is complex; that is the very nature of healthcare. There are no one-size-fits-all policies that can address the issues. There has to be more than that.

“Lesson 2: Listen to the public—and don’t pretend you will if you won’t”.

As elected representatives, we know how these things work. When constituents come to us and tell us a problem, we listen intently and respond accordingly. This debate will hopefully be an occasion when we can do just that.

“Lesson 3: Don’t treat the workforce as an afterthought”.

It is very important that the workforce are part of a focused reorganisation plan. With the input of the workforce, there is a way forward.

“Lesson 4: Make sure the funding follows the plan”.

If funding commitments are made, they should be in there.

“Lesson 5: Don’t overrate structural reorganisation”.

In other words, it will not be sufficient to add more to the system that is operating on its own without building that structure up.

“Lesson 6: You need a plan your staff can follow”.

Create a policy and strategy that staff can get behind and support. The best way of doing that is to make sure that staff are involved in the creation of the plan, with staff values reflected in targets. All those things are vastly important, and I know that the Minister, who is a compassionate man and understands the issues well, will be able to respond even to the very generic terms that I put that in.

For *Hansard* and for the record, I will highlight an issue that I know is important across the whole of the United Kingdom of Great Britain and Northern Ireland: GP out-of-hours services. I emphasise the importance of that service, but we have particular problems with it in my constituency of Strangford. Part of any strategy or plan for NHS reorganisation should look at that.

My local health board is the South Eastern Health and Social Care Trust—clearly, not the responsibility of the Minister—which covers my entire constituency. On selected days just last month, the GP out-of-hours service in the main town in my constituency, Newtownards, had to close because it was understaffed, and there are particular reasons for that. People could either follow the advice and go to the nearest South Eastern Trust facility in Downpatrick, some 40 minutes away from Ards—for those who dare to live in Portavogie in the Ards peninsula, not that far from me, it is an hour and 20 minutes—or they could go to the A&E department, which was standing room only. The choice puts massive undue burden on an already drowning service.

I suggest to the Minister—as I have suggested at home; I think it would be helpful—that, whenever GPs commit themselves to operating an out-of-hours service, there may need to be another method of addressing the issues of those who use the service. For instance, why not have a staff nurse to treat minor ailments, taking pressure off the GPs? There are ways of doing things. There does not always have to be a GP there. GPs are predominantly overburdened; they certainly are in my constituency, and I suspect they are everywhere else as well.

I will give the example of my parliamentary aide from just last week, which I believe, unfortunately, is the tip of the iceberg. Her daughter, who has just turned three, is treated in an asthma clinic. She had an extremely high temperature that would not come down to the normal range and which had been going on for nearly two weeks. Her little body fought so hard to control the infection that it was going through that her breathing rate was double what it should have been. The out-of-hours service was rung, and four hours later the call was returned—a long time when the mother and family are getting panicky. The child was lifted out of sleep and brought to a waiting room full of other children who were equally unwell.

Had the service not been able to sound out her lungs, she would have had to travel to the Ulster Hospital, which she ultimately had to do the following week, as her ear infection burst an ear drum. Unfortunately, she is one of many. My aide met doctors who were harassed—not because they were nasty people, but because of their workload—but doing the best they could. When she asked whether there is insufficient funding to pay for out-of-hours care she was told that there is insufficient desire. How do we inspire doctors to be part of the out-of-hours service, which can only function with GPs who want to be part of it?

The new remuneration system came into operation in Northern Ireland in 2003. Although the system was designed to give GP practices much more flexibility on how they deliver services, allowing them to choose how to organise patient care and rewarding them for the quality of that care, the introduction of the new general medical services contract also allowed GPs to opt out of providing out-of-hours services, leaving the system essentially on its knees.

The fact is that the A&E in the Ulster Hospital in Dundonald simply cannot cope without the service. The fact is that nursing homes that rely on GPs coming out to drivers into patients who are in agony and pain, or to call time of death, need the service, as do parents who need someone to sound out the chest of their asthmatic child without being subjected to a four-hour wait in a room with ill, injured and drunk people in the middle of a cold winter’s night.

The service is vital. I read a report in July this year that referred to Wales as having similar circumstances and similar difficulties with their GP service. I am interested to know whether the shadow Minister or the Minister are aware of similar circumstances across the UK mainland. I suspect any MP in touch with their constituents, as we all are, will be able to replicate the stories that I am telling.

I very much respect GPs and the hard work that they do and their right to a social life. No longer do we expect the village doctor to be on call every day and night, but we need them to be available. There are no longer enforceable contracts, and I believe that, in any new NHS reorganisation or strategy, we must find another way of operating the out-of-hours service that gives the care that our constituents want at the times that they need it, which is usually out-of-hours or whenever they are under pressure.

I spoke very recently to a recently retired GP. He had been doing the night shift four nights a week, but realised that that was too much and pulled out. Perhaps if he had been asked to do only one or two nights, he

[*Jim Shannon*]

would have stayed. Too much has been asked of too few people. We need to ensure that funding and people are available.

I know he will be mortified, but I am going to name one local GP, because he is a very popular and well liked GP in my constituency. Dr Doyle has his own practice and can be found a lot more than is right, and than is probably his duty, in the out-of-hours surgery. He makes time to help his patients by writing support letters for personal independence payment and employment and support allowance applications and he genuinely cares. I am not saying that others do not care; I am picking out this man as a representative of what happens. I look at Dr Doyle and wonder how much longer he and others like him can possibly continue. We need to spread the burden through the area.

I would urge the Health and Social Care Committee here to look at what is happening with the out-of-hours service, see the good that it does and perhaps look at a different way in which the out-of-hours provision could work. The Select Committee on Northern Ireland Affairs, on which I serve as one of the members from my party, is doing inquiries into many things, and one of them is health. People from Northern Ireland with a knowledge of and interest in health are coming here to make presentations to the Committee. And one thing that crops up is the out-of-hours service.

The question is how we adjust to the demands on the health service for the future. I started my comments by saying how much I genuinely welcome the £20 billion that the Government have set aside. We will get some of that through the Barnett consequential, so we are very pleased, but I see the needs in my constituency among the elderly population. I am also very keen that there should be early diagnosis and that preventive steps should be taken in delivering a health service for the future. If we do that, we will be doing the right thing. We must not just react all the time. Let us have a strategy that looks forward and aims to prevent things happening.

I am a type 2 diabetic, and many in the House are, as it turns out. Our Prime Minister is a type 1 diabetic. We all live with our particular ailments. But how much better would it have been if I had known about my condition earlier. I suspect that I was a diabetic for perhaps a year before I was diagnosed as one. I did not know at the time what the issue was. It was only when I went for a check-up with a doctor that I suddenly realised when he told me what was wrong. That makes me wonder whether there are steps that we can take for education, awareness and prevention. That is what we should be doing.

The Northern Ireland Affairs Committee will come to a conclusion in our inquiry on the health service in Northern Ireland, but I will conclude my speech today with this point for the Minister. The problems that I have referred to are specific in some cases to Northern Ireland and to my constituency in particular, but I believe that problems exist UK-wide and therefore that the response must be UK-wide as well.

**Mike Gapes (in the Chair):** Order. I think that there will be a vote imminently. If so, we will break for 15 minutes and get back as quickly as possible.

3.13 pm

**Justin Madders** (Ellesmere Port and Neston) (Lab): Thank you, Mr Gapes. I am sure hon. Members will be keen to return for the remainder of my speech, however long that turns out to be. It is of course a pleasure to serve under your chairmanship.

I congratulate my hon. Friend the Member for Warrington South (Faisal Rashid) on securing this extremely important debate. It is also very timely as we eagerly await the NHS long-term plan. He made a powerful case about the weaknesses in the Government's approach and the disgraceful lack of parliamentary oversight of very significant changes to local and national services. I agree that the creation of the NHS was one of the great achievements of this House and this country.

My hon. Friend was right in his analysis of the Health and Social Care Act 2012. He highlighted his concern about accountability in CCGs and the potential for conflicts of interest in them. He also highlighted the lack of transparency that has characterised the STP process since its inception, and he summed up the benefits, from the patient's perspective, of good integration—of course, no one wants to have to repeat their story on multiple occasions.

My hon. Friend talked about the challenges that the NHS faces with its infrastructure. He will know that those challenges have been exacerbated by the continual capital raids on budgets. His analogy about a football team was amusing—sadly, my own team appears to be taking things rather too seriously at the moment—but it did sum up a lot of the confusion and the illogical approach that we have to healthcare in this country. He was of course right to say that the hard-working staff of the NHS bear the brunt of these many pressures. He also made the point that many of the changes that we have been talking about have not been made in the most open way.

We also heard from my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh). She followed up her question to the Prime Minister with a much more detailed, and devastating, critique of the proposals that affect her constituency. I was staggered to hear that £50 million has been spent on consultation so far. It was also disturbing to hear how bad things are at her accident and emergency department now, before we enter the real depths of winter. I was staggered to hear about the approach to consultation there. I am sure the Minister will want to address that. [*Interruption.*]

**Mike Gapes (in the Chair):** Order. We will break for 15 minutes, I hope, and come back as soon as possible.

3.15 pm

*Sitting suspended for Divisions in the House.*

3.38 pm

*On resuming—*

**Justin Madders:** Before we were interrupted by important business in the Chamber, I was referring to contributions from other hon. Members. The hon. Member for Strangford (Jim Shannon) gave his perspective from Northern Ireland, and set out clearly what a proper consultation should look like—a standard that, as we have heard, is not really being reached by the NHS at the moment. He also

raised issues with the GP out-of-hours service. That is slightly beyond the scope of the debate, but he is right to say that the issue covers the whole United Kingdom. Indeed, recently there have been numerous newspaper reports about people having to wait for many weeks to get a GP appointment.

Looking at current NHS performance, it is clear that, on all key performance measures, as my hon. Friend the Member for Warrington South said, the NHS is struggling to keep up with demand. A&E performance is at a record low this year. More than 4 million people are stuck on waiting lists, and cancer targets are being repeatedly missed. This has led to the Government effectively giving up on trying to meet the NHS's constitutional targets. As my hon. Friend said earlier, waiting lists for operations are likely to hit 5 million people within the next three years. While the eight years of a financial plan that has failed to keep up with demand have clearly been a driver of that failure, it is also clear that the 2012 top-down reorganisation has exacerbated the issues that the NHS faces.

We have been left with a fragmented, marketised system, which prevents the kind of transformation and integration of services that we would all like to see. At a time when everyone is calling for various parts of the health and social care sector to work together, we remain bound by legislation. As my hon. Friend said, it is this legislation that enforces a siloed, market-based approach, which imposes statutory barriers to integration.

Against this backdrop we have seen a whole series of acronyms encapsulating a range of reorganisations to health services, including STPs, ACOs, ACSs, ICPs, ICSs and so on—all part of what the Health and Social Care Committee has described as a culture of

“changing titles and terminology, poorly understood even by those working within the system.”

It is all clearly an attempt by NHS leadership to reverse the impact of the Health and Social Care Act 2012 by any means that do not require primary legislation or parliamentary oversight. These reforms could have wide-ranging impacts, from causing walk-in centres, cottage hospitals, maternity centres and A&Es to relocate or close altogether, to introducing a new form of 10-year contract, which raises the spectre of private companies once again running our local health services.

I know the Government are not particularly fond at the moment of testing the will of the House, but something as fundamental as transforming our most treasured asset clearly should not be taking place without parliamentary consent. Ministers and NHS leaders are tiptoeing around the 2012 Act, but if we are to have meaningful proposals and an effective integration process, we need an admission that that legislation has had its day. To all intents and purposes, the 2012 Act is no more; it has expired and gone to meet its maker. Yet the Government refuse to acknowledge that central fact.

The initial STP process was imposed from the top and was based around 44 geographical areas that were determined very quickly without recourse to the public. Although some of the areas that emerged after that initial consideration had well-established networks of co-operation, in others a vast and unwieldy network of commissioners and providers with completely different approaches was put together at very short notice. The only beneficiaries of that process seem to be the private

consultants who were drafted in to complete these hastily arranged plans. Professor Chris Ham has pointed out that

“most STPs got to the finishing line of October 2016, submitted their plans and breathed a huge sigh of relief. No further work has been done on those STPs.”

Despite the fact that plans were designed to cover the period from October 2016 to March 2021, NHS England and NHS Improvement said in a letter to local leaders last month that sustainability and transformation partnerships and integrated care systems will be expected to develop and agree their plans during the first half of 2019-20. Will the Minister update us as to how many of the 44 STPs developed as part of this process have, as NHS Providers puts it, had no further work done? What was the cost of developing those plans? Can the Minister justify forcing the entire health and social care sector to stop what it was doing and embark again on a hasty and expensive process to come up with new five-year plans, only to be asked to do the same again a few years later? In the few local areas that have proceeded to the next stages of integration, there is understandable concern among patients and staff about precisely what that will mean.

The accountable care organisation—now rebranded as integrated care provider—process has the potential to radically alter the entire health and social care landscape, but, again, it is continuing without any parliamentary legislation. One of the primary concerns about that new model is that it would be compulsory to advertise the contracts to the market, and commissioners are forbidden from discriminating between NHS and non-NHS bidders. Bids can be made by a group of organisations, so an NHS trust or a group of GPs could partner with a private company. Previous high-profile attempts to do this kind of thing in Staffordshire and Cambridge collapsed spectacularly with millions of pounds wasted. As my hon. Friend said, it is also deeply worrying that one of the criteria used to assess bids will be whether they are able to deliver value for money. That marks a significant change to the status quo, and one that I do not believe should be countenanced without new legislation.

I have heard Ministers speak on several occasions to assure those of us who have concerns that this will not see mass privatisation. However, during the debate on integration in September, the previous Health Minister, now the latest Brexit Secretary, was asked four times by Conservative, Scottish National party and Labour Members to expressly rule out new organisations being run by the private sector. He failed to do so on every occasion he was asked. Is the Minister now prepared to give that kind of assurance, and if not, why not?

It is also less clear what will happen in the event that an ICP ends up in deficit, particularly if a private sector organisation or a charity has won the contract. While the consultation document sets out that efforts will be made to ensure that ICPs are financially viable, the same assurances have been offered about the existing configurations, and almost half of all NHS providers were in deficit last year. That has led us to the disastrous situation where, according to the 2017-18 accounts published by NHS Improvement, NHS providers owed the Department of Health and Social Care more than £11 billion, up from £8.1 billion in the previous year. That sharp increase was a result of bail-outs given to trusts that ran into deficit as a result of underfunding.



[Justin Madders]

Borrowing from the Secretary of State now exceeds private finance initiative liabilities. In 2016-17, £1.3 billion was repaid from trusts to the Department, of which £161 million was interest. Can the Minister set out what will happen if an ICP reaches financial deficit or collapses?

One thing that is clear from the draft ICP contract is that if the annual budgets provided are not sufficient to deliver the current levels of service, the ICP will be responsible for “managing changes in demand.” While there are merits in a system that incentivises keeping people well, there is a clear danger that demand will be managed by rationing access to treatment. Will the Minister rule out unilateral rationing of services by ICPs if they cannot keep to their budgets? What safeguards are in place to prevent further rationing of services, and who will be accountable in the event that patients want to challenge such a situation? It is far from clear who will ultimately make these decisions and who will be accountable for them. Where the split between the legal commissioner and provider is technically maintained, it is impossible to see in practice how an ICP would not be taking on core commissioning functions.

All this raises the spectre of a new postcode lottery, where patient experiences are uneven depending on who was contracted by an unaccountable panel of commissioners. The whole approach is farcical, and none of this has come before the House for what could be described as a meaningful vote. Experts from across the health and social care sector, and even the chief executive of NHS England, have all acknowledged not only the desirability, but the inevitability of new legislation. Will the Minister commit as part of the NHS long-term plan to set out in full the direction of travel for NHS reorganisation, the Government’s objectives, the criteria that will be used to determine when those objectives have been achieved, and a timeline for the necessary primary legislation?

3.47 pm

**The Minister for Health (Stephen Hammond):** It is a pleasure to serve under your chairmanship, Mr Gapes. It is a pleasure to respond to the hon. Member for Warrington South (Faisal Rashid). I am pleased that he secured this debate, and I agree with him that the NHS is a great credit to our country. I know that the Opposition spokesman will have heard me say yesterday—I will repeat it—that the Government and I, as Minister for Health, greatly value the staff who work in the NHS. It is our absolute intention to ensure that they recognise that and that we continue to show that.

I want to start with a few facts, because having listened to what the hon. Member for Warrington South described, I think there are other things that are worth pointing out. There are 11,000 more nurses in the NHS than there were in 2010. There are 18,200 more doctors than in 2010. Almost nine out of 10 patients are seen within four hours in an emergency department. We are committed to 5,000 training places for doctors in general practice—this year saw 10% more than we aimed to achieve. Of course, this is the highest level of funding that the NHS has had in its 70 years. The hon. Gentleman raised a number of other issues, as did the Opposition spokesman, and I will try to respond to those in my speech.

The hon. Member for Mitcham and Morden (Siobhain McDonagh) made a contribution. I have immense respect for her. Anyone who knows her knows that she always argues her case passionately and stands up for her constituents, and she did that again today. She and I have occasionally shared joint endeavours on St Helier Hospital. I think we both agree that there is a substantial case for keeping the acute services there. I think we would both agree—I say this in a constituency capacity—that the infrastructure needs upgrading, and I think we have had that discussion. She rightly points that we have had another consultation this year. As a Minister, I say that we expect any significant service changes to be subject to exactly the full public consultation she has described, if it is going to happen, and that the proposals must meet the Government’s four reconfiguration tests, which are support from GP commissioners; strengthened engagement with the public; clarity on the clinical evidence; and clarity and consistency with patients’ choice. She says that there have been rounds of consultations, as I certainly saw when I was on the council—I think she was already a Member of Parliament then—under Governments of all colours over the past 20 years.

It is the same with the hon. Member for Strangford (Jim Shannon). I have had the pleasure of taking interventions from him in several debates. He is always a powerful advocate for his constituents. I listened carefully to his point about out-of-hours care, which may have been slightly out of the scope of the debate. Yesterday, I had the chance to visit the North Middlesex University Hospital. Some of its work on the integration of out-of-hours care and triaging in A&E moves along the lines that he discussed. I have seen that several times.

To address the crux of the debate, between 2016 and 2036, the UK population is expected to increase from 65.6 million to 71.8 million, which is a growth rate of about 10% in 20 years. In the same period, the number of people aged 75 and over is expected to grow by 64% from 5.3 million to 9 million. Those figures are clearly something to celebrate, showing that the NHS is doing exactly what we want it to, but they mean that more will need to be done to make sure that those years are quality years.

For the NHS to continue to deliver high-quality care in the next 20 years, as it has done for the last 70 years, we need to look at new models of care that promote more joined-up care across the NHS and social care. In the past few years, the Government have supported a number of pilots at local and national levels to test new models of care that bring together the NHS, local authorities and wider public services to develop new ways of ensuring that services are delivered in a more joined-up way. Those areas have seen some improvements in access to services, patient experience and moderating demand for acute services.

It is time for the NHS to move beyond those pilots and embrace wholesale transformational changes across the whole system in every part of the country. It is therefore developing a 10-year plan for its future, which is underpinned by a five-year funding offer. To support the NHS in delivering for patients across the country, the Government announced a new five-year budget settlement for the NHS, in which funding will grow on average by 3.4% each year to 2023-24. The hon. Member for Strangford, who has just left the Chamber, welcomed the fact that that means the NHS budget will increase

by more than £20 billion compared with today, underpinning the 10-year plan to guarantee the future of the NHS.

The hon. Member for Warrington South remarked on sustainability and transformation partnerships, and commented on his own local STP. The Government are fully committed to NHS England's vision of STPs transforming how care is delivered and putting the system on a sustainable footing for the future. We will back STPs where they are clinically led and locally supported.

The hon. Gentleman questioned some aspects of local democracy. Each partnership has to set out agreed priorities and say how they are going to be delivered, and have a strategic priority to work with partners in local authorities. The Cheshire and Merseyside STP is making some progress in building those relationships, but he is right to acknowledge—I acknowledge it as well—that it is an extremely large and diverse area.

Clearly, the hon. Gentleman and the hon. Member for Ellesmere Port and Neston (Justin Madders) will recognise that there are now nine local footprints, including Warrington Together. The idea is that they will develop some of the integration suggestions and plans, and the consultation with local authorities to which the hon. Member for Warrington South referred. The STP brings local areas together to tackle the challenges, and I think he would acknowledge that it makes sense to do that across a bigger area, so the smaller areas build into the larger area.

Last week, the Government announced that they were supporting the Cheshire and Merseyside STP with £11 million in capital spending for improving emergency department capacity at the St Helens and Knowsley Teaching Hospitals and for a 12-bed, tier-4 child and adolescent mental health services unit at Alder Hey Children's Hospital. The hon. Member for Ellesmere Port and Neston challenged me on STPs, so I will say that, in their more mature form, they are integrated care systems that promote collaboration between NHS bodies, local government and local communities. The 10-year plan will set out how they will spread the integrated care models that have been developed and tested through the whole vanguard programme.

There was also a challenge about what were formerly known as accountable care organisations and are now called integrated care providers, with several questions about that. At a small number of sites, commissioners are looking at how contractual models can support more integrated care. To support that, NHS England has developed the draft integrated care provider contract which, if introduced, will give the NHS the option of having a single lead provider that is responsible for primary, community and hospital services, with the aim of integrating services across traditional silos.

If NHS England chooses to introduce a contract for the ICPs, Parliament will have a chance to debate the regulations. I recognise that the regulations are subject to the negative procedure, so there is not an automatic debate, but as the hon. Member for Warrington South will have spotted, in those circumstances, if Parliament decides, there will be an opportunity to have that debate. NHS England has recently concluded the public consultation on the draft ICP contract and we expect a response in due course.

I want to touch on the premise that the ICP contract is privatisation. It is completely misleading to suggest that an integrated provider model is a step towards privatising the health service. The NHS will always offer free healthcare at the point of use—that is not just the Government's view. I am sure that the Library briefing that the hon. Member for Strangford challenged me to read notes the evidence from the Health and Social Care Committee, whose Chair, my hon. Friend the Member for Totnes (Dr Wollaston), said that the evidence received by the inquiry into integrated care—the report was published in July 2018—was that ICPs

“and other efforts to integrate health...and social care, will not extend the scope of NHS privatisation and may effectively do the opposite.”

That is quite powerful and I hope that the hon. Members for Ellesmere Port and Neston and for Warrington South take note.

**Justin Madders:** I know what the Select Committee said; I am interested in what the Government are saying. Is the Minister ruling out any private provision from ICPs?

**Stephen Hammond:** I am not ruling out private providers from bidding, but it has been made clear, and I say again, that we expect any ICP contract to be won by NHS bodies. As I said, the evidence to the Select Committee inquiry tends to support that that is our view and that is what is likely to happen.

The Government have made it clear that the change is not about reorganising the NHS from the centre or adding more layers to an already complex system. As the Prime Minister reiterated in her speech in June, the Government should learn the lessons of the past and not try to impose change on the NHS. To achieve that, we firmly believe that any changes to the model of care for patients need to be locally led, informed by knowledge of the population and the population need, and supported by clinicians on ground.

That is why we have asked local leaders in STPs and integrated care systems to create five-year plans detailing how they will improve local services for patients and achieve financial sustainability. Of course, this is something that we may want, but it cannot just be wished into being, which is why the Government are supporting the NHS with £20 billion of additional funding.

Local plans will build on the work of the last three years to develop new ways of delivering services and enhance collective efforts to use that additional funding to improve people's health and wellbeing. It is essential that that process proceeds in a spirit of genuine partnership and that all local partners, including local government, are fully involved from the outset.

For any significant system reconfiguration, we expect all parts of the system to be talking to the public regularly; it is vital that the public shape the future of their local services. That relates directly to the point that the hon. Member for Mitcham and Morden made earlier. To make it absolutely clear, no changes will take place without public consultation and engagement.

After all, the aim of integrating services is not an end in itself; it is to improve the patient experience and quality of care, so it is essential that the views of the public should be at the heart of local plans. Integrated care means a health and care system built around

[Stephen Hammond]

people's needs, whereby physical, mental and social care needs can be addressed together, and patients should feel as if their care is being provided by one organisation.

Integration also gives us the means to avert ill health, preventing unnecessary hospital visits and supporting patients to have happier, healthier lives into old age, and taking the pressure off NHS staff. For example, in Thanet, the Margate Task Force is an integrated service that brings staff from 16 different agencies together in a single "street-level" team.

In conclusion, integrated care provides the best opportunity to ensure that the NHS continues to deliver the highest level of quality services to people and to meet the demands of the 21st century. The Government have supported the NHS to implement the five-year forward view and to develop new integrated ways of working to meet those demands. It is now time to drive those initiatives and spread them across the whole country. That is why we are committed to those plans and it is why we have committed to increase the NHS budget, to support the national move towards integrating care.

4.2 pm

**Faisal Rashid:** First, I thank all the Members who took part in this very important debate: my hon. Friends the Members for Coventry South (Mr Cunningham), for Mitcham and Morden (Siobhain McDonagh), and for Ellesmere Port and Neston (Justin Madders); and the hon. Member for Strangford (Jim Shannon). I also thank the Minister for giving some reassurances and the answers to some of my questions.

I will make a couple of points. I have heard time after time that there are more doctors and 11,000 more nurses than there were in 2010. Clearly, the demand has been even greater, which is why there are still shortages. We really need to invest in more doctors and more nurses, to cope with the demand for them, which is quite significantly higher than the numbers from 2010 to 2018 that the Minister cited. The numbers do not really make sense. The Minister also mentioned value for money. He said that there was no privatisation as such, but he is not ruling it out. At the same time, if value for money is the criterion, one will definitely think that privatisation will happen.

In conclusion, the NHS is a very precious institution for all of us; the Minister agreed with me about that. I urge him to look very carefully at reorganisation and to get everybody involved. Let us work together to make it happen for the people of this country in the long term.

*Question put and agreed to.*

*Resolved,*

That this House has considered NHS reorganisation.

## HMY Iolaire

[MR GRAHAM STRINGER *in the Chair*]

4.6 pm

**Angus Brendan MacNeil** (Na h-Eileanan an Iar) (SNP): I beg to move,

That this House has considered the 100th anniversary of the HMY Iolaire disaster.

It is a great privilege to serve under your chairmanship, Mr Stringer.

I am grateful to the House authorities for this opportunity to speak about the Iolaire and to pay our respects to the many men who lost their lives while they were returning to their home island of Lewis and Harris on Hogmanay 1918. Tragically, in the early hours of 1919, they lost their lives just a stone's throw from their native island. I am also grateful to Poppyscotland for the creation of a badge that a number of us are wearing in Westminster Hall today: it has a poppy to mark the war and a bell to mark the Iolaire.

The Iolaire was the worst peacetime disaster at sea for the UK since the sinking of the Titanic and the worst peacetime loss in Scottish or British waters in all the 20th century; only the loss of the Herald of Free Enterprise in 1987 and the Piper Alpha oilrig disaster a year later come close in scale to what happened with the Iolaire. What compounded the tragedy was that the appalling loss of life fell almost exclusively on the one small, defined population of Lewis and Harris, as John MacLeod noted in his excellent book, "When I Heard the Bell: The Loss of the Iolaire", which was published in 2009.

About 284 men sailed on the Iolaire and it now seems that 201 of them were lost, following research for the excellent book by Malcolm Macdonald, "The Darkest Dawn", which was published this year; the public inquiry of February 1919 had recorded 205 deaths. Regardless of the actual number, about 70% of the passengers and crew lost their lives that night, 20 yards from shore. Many bodies were never recovered and only 79 men survived.

Of course, what adds to the feelings of injustice, grief, annoyance and poignancy, in the mix of emotions that the Iolaire still conjures to this day, was that many of the men on board had already been through the grimmest of years in the grimmest of global conflicts. Indeed, only a year earlier one man on the Iolaire had survived the Halifax bay explosion in Nova Scotia. He came out of the war, only to lose his life at the doorstep of his own island. The 201 men who lost their lives had been fortunate to escape the horror of world war one, but tragically they lost their lives as they arrived home.

Lewis and Harris had already suffered badly in the war, losing many of its sons, fathers and husbands. Of a population of 29,000, 6,172 were in the service of the Crown: 3,500 were in the Royal Navy; and, interestingly, about 560 men from Lewis were serving the Crown in the forces of Canada.

The loyal Lewis roll of honour described the catastrophe as the crowning sorrow for Lewis from world war one. Reprinted on that roll of honour is the following:

"At 1.55am on 1st January 1919, a naval yacht carrying sailors home on leave ran aground on rocks near the village of Holm, a mere 20 yards from the shore of the Isle of Lewis and less than a



mile from the safe harbour of Stornoway. HMY Iolaire was crowded with 280 men, mostly naval reservists returning to the safety and comfort of their homes after the horrors of the Great War. On this dark night of winter, a force ten gale was blowing from the south, hard onto the shore, and there was a heavy sea running. Men drowned as they jumped or slid into the sea from the pitching decks, were flung back into the angry foam from lifeboats awash and overloaded, were dashed against jagged rocks, or managed to swim and crawl ashore, only to die before they could reach shelter or aid. By the time the first New Year's Day of peacetime dawned, 201 men had lost their lives, 181 of them on the very shores of the island they called home.

No one now alive in Lewis can ever forget the 1st of January 1919, and future generations will speak of it as the blackest day in the history of the island, for on it 200 of our bravest and best perished on the very threshold of their home under the most tragic of circumstances. The terrible disaster at Holm on New Year's morning has plunged every home and every heart in Lewis into grief unutterable."

I will come on to that unutterableness later. The roll continues:

"Language cannot express the desolation, the despair which this awful catastrophe has inflicted. One thinks of the wide circle of blood relations affected by the loss of even one of these gallant lads, and imagination sees these circles multiplied by the number of the dead, overlapping and overlapping each other till the whole island—every hearth and home in it—is shrouded in deepest gloom. All the island's war losses in the past four cruel years—although these number fully four times the death roll of New Year's Day morning—are not comparable to this unspeakable calamity. The black tragedy has not a redeeming feature."

That was written by William Grant, the founder of the *Stornoway Gazette*, in January 1919, when the memory was of course very alive to the tragedy and its magnitude.

The Iolaire had come over specially from Stornoway to Kyle of Lochalsh to take men home for New Year. The admiralty had given English and Welsh servicemen a break for Christmas, and the Scots the new year, as was the developed custom and, indeed, the want at the time. The admiralty had known that there would be a bottleneck problem at Kyle to get the men across the Minch to Stornoway. The merchant seaman, Captain Colin Cameron, master of the MacBrayne mailboat, Sheila, knew that it could not accommodate all the extra naval reservists along with soldiers and passengers safely across the Minch, and he pressed, quite correctly, for a way to relieve the pressure of sheer numbers on the Sheila, and hence the Admiralty sent the Iolaire to Kyle. It was not a great start. When she arrived in Kyle at 4 pm, a miscalculation between the bridge and the engine room meant she hit the pier and sustained damage to 10 feet of her gunnel. That was a very inauspicious start.

For those who were to board that night, the journey to Kyle of Lochalsh involved crowded and slow railway journeys from Glasgow, first north to Inverness and then west through Dingwall to Kyle, with stoppages. The Glasgow to Kyle journey took about 13 and a half hours, arriving at Kyle at 6.15 pm on Hogmanay 1918. Many of those on board the Iolaire that night had travelled up from the south of England and had come through London before they went up to Glasgow and onwards with their cousins, neighbours, comrades and fellow islanders.

The second part of the train that had taken 13 and a half hours arrived at 7 o'clock, 45 minutes later, and the Iolaire set sail at 7.30 pm, with naval personnel from Lewis. Soldiers from Lewis who wanted to get on the Iolaire had been ordered off. They wanted to get on

because friends, cousins and neighbours had been on it. It is worth pointing out, on the circle of overlap mentioned in the 1919 writing, that those who were the friends, cousins and neighbours could be the same person, such is the nice interlinked happenstance that islands tend to have. That is true to this day and it was certainly true in 1919.

As I have noted, at 1.55 am on New Year's Day 1919, the Iolaire ran aground on the rocks at Holm—the Beasts of Holm. The weather had been blowing force eight to 10 on the shore, when she struck the rocks and listed to starboard at a 35° angle. Many of those on board thought she had hit a mine and about 50 to 60 jumped off or slid into the sea. From then on, she was hit by waves, strongly and regularly. Concern about the Iolaire's course had been spotted by a nearby fishing boat that was sailing the route as well, the Spider. Given the time of year, alcohol was of course suspected, and disputed. What is not in dispute is the loss of life. There is so much to say and it is impossible to do it justice, other than to remember, be aware and think well of those people who lost their lives 100 years ago.

**Chris Bryant (Rhondda) (Lab):** We are all delighted that the hon. Gentleman has secured this debate. Another thing that is not disputed is that John Macleod, who was my great-grand-uncle, swam ashore with a rope and probably managed to save 40 people's lives. The real sadness is that so many people who got ashore never managed to get to a home, because nobody was expecting the ship to arrive. The misery for the families the next day—finding dead bodies on the beach—was just so total.

**Angus Brendan MacNeil:** I am grateful for that intervention. I was just going to come on to John Finlay Macleod; I had not realised he was the great-grand-uncle of the hon. Member for Rhondda (Chris Bryant), and I thank him for pointing that out.

Those who lost their lives might be people we may meet ourselves someday, depending on what happens after this life. Of the 79 who survived, as the hon. Gentleman pointed out, 40 owe their lives to fellow crewman and passenger, experienced seaman and Royal Naval reservist, John Finlay MacLeod, from Port of Ness, who swam ashore with a rope after a couple of attempts. He was swept out at one point. Four followed behind him on the small rope he swam with, the heaving line, but they had the presence of mind to use that line to pull a six-inch hawser, and a further 35 were able to follow. The actions of the hon. Gentleman's great-grand-uncle saved 40 of the 79 who survived. It was quite a remarkable achievement, although it is sad to note that some were swept off the rope or sucked off the rope by the swell, and lost their lives.

John Finlay MacLeod was said to be a very daring man and, for the lives he saved, many were glad he was. There were many other heroes that night, and it is impossible in the time available to do them any measure of justice. It is worth pondering the effects of the Iolaire on the island of Lewis and Harris, the third largest of the British Isles after the island of Britain and the island of Ireland. The excellent book by Malcolm Macdonald breaks it down into areas of Lewis, because it is a big island. In the parish of Barvas, Ness lost 23 men. It is striking as we look through the names that

[*Angus Brendan MacNeil*]

there are still people—friends of mine—who have much the same names, from those areas: John MacDonald, Murdo Campbell, John MacLeod, Angus MacDonald, Angus Morrison, Donald Morrison, Donald MacLeod, John Murray and Roderick Morrison. These names are as familiar today as they were then in that area.

The parish of Barvas—Borve to Shawbost—lost 28 men. Uig parish in the east lost nine men; in Uig parish in the west, 14 were lost. In Stornoway parish, North Tolsta, 11 men were lost; in Stornoway parish, Back to Tong, nine men were lost. In Lochs parish, North Lochs, 21 men were lost; in Lochs parish, Kinloch, four men were lost; in Lochs parish, Pairc, eight men were lost. In Stornoway parish, Point, 39 men were lost. In Stornoway borough and district, eight men were lost. On the Isle of Harris, four men were lost; and on the Isle of Scalpay, one man was lost—Finlay Morrison, Fionnlagh Dhomhnaill Fhionnlaigh. One of the things that should be noted in the excellent book is the patronymics of these people, which help people reading it today to know who their relations were. Finally, in the rest of the United Kingdom, 18 men were lost; they were the crew of the Iolaire, who perished.

**Carol Monaghan** (Glasgow North West) (SNP): It is important that we remember those who were lost. Although the numbers do not seem huge, my hon. Friend will know from living in those islands that the numbers he has read out are almost an entire generation of young men. The devastation of those left behind is hard for us to comprehend. Being from a military family myself, I know the excitement that the families would have when sailors were returning from sea. To have those hopes dashed—the families left behind must have suffered a double blow, following the horrors of the first world war.

**Angus Brendan MacNeil:** Absolutely. My hon. Friend makes an excellent point. The numbers are a huge percentage of the able-bodied men in the area, and of the able-bodied men who had survived a global catastrophe. That made it doubly difficult.

**Mr Paul Sweeney** (Glasgow North East) (Lab/Co-op): The hon. Gentleman is making a very powerful speech about the unspeakable tragedy that happened to Lewis and Harris. I say it is unspeakable, but he is speaking very powerfully about this terrible tragedy. Perhaps it is hopeful that at the centenary we are able to speak and to teach the nation about the impact it had on that island community. It is the duty of this Parliament to safeguard the special cultural and historical interest of those island communities in our country, and to make sure that they are at the heart of our nation's interests and are protected in the future.

**Angus Brendan MacNeil:** I am very grateful indeed to the hon. Gentleman for pointing out that aspect. We have to remember the culture and the background that these guys came from: they were raised in difficult circumstances, in peat-smoke-filled rooms in small, dark houses. There were no amenities such as running water and electricity. They were a generation that had worked hard, and their parents had to work hard to raise them.

**Bill Grant** (Ayr, Carrick and Cumnock) (Con): I compliment the hon. Gentleman on securing this debate. I pay tribute to the memory of those who lost their lives in the Iolaire disaster, and to the islanders themselves, who secured a memorial at Holm in 1958, 39 years after the tragedy. Perhaps the hon. Gentleman would explain to those gathered here how those islands recovered from the loss of a generation of young men, who gave so much during the first world war only to lose their lives a mile from the safety of their own homes.

**Graham Stringer (in the Chair):** Order. I remind hon. Members that interventions should be short and to the point. They are tending to become a little lengthy, and I intend to call the Minister in a minute.

4.20 pm

*Sitting suspended for a Division in the House.*

4.32 pm

*On resuming—*

**Angus Brendan MacNeil:** To resume where we left off, I was asked a question by the hon. Member for Ayr, Carrick and Cumnock (Bill Grant) about how people recovered. From the Iolaire, 67 women were left widowed and 209 children had lost fathers. A woman I met in her mid-90s who was known as Mòr Bhrù—her name was Marion MacLeod, née Smith—was asked by the author John MacLeod what her mother had said of that night years after it had happened. He wrote:

“‘We never spoke of it,’ says Mòr calmly. ‘I never once asked her.’”

That indicates the silence of which the hon. Member for Glasgow North East (Mr Sweeney) spoke. The tragedy of the Iolaire in many ways is the pain and the silence, and people not wanting to relive that awful moment.

In finishing, I want to highlight a couple of things. This Friday, I will be in Stornoway in the Nicolson Institute for a dileab event. It is a memory in song and poetry to the loss of the Iolaire and the men who were on it. It is worth highlighting that in Sheshader and Point, a former principal teacher of English—he was in the Nicolson Institute when I was there; he was also a principal teacher of rugby, incidentally—and local resident Mike Shailes are making a point of marking the Iolaire by going round and putting stones and marks in the 10 houses. There were 10 men from Sheshader on the Iolaire and all 10 drowned that day. The village had already lost 10 in world war one. There were 300 people living in Sheshader and Point. There are now 120. Incidentally, six were lost in world war two. The two people I mentioned have gone around and marked the ruins and houses where people lived. That is a commendable effort of memory.

Finally, I asked in my office yesterday whether anyone had a relative involved in the Iolaire. One of my staff, Cathy Macinnes, said that her uncle Malcolm MacLeod—Calum Mhurachaidh Phadraig Choinnich—was 18 when he was lost. Thinking back, I knew Cathy's father quite well. He was active in the Scottish National party when I was not and was working for the BBC. It is notable that because of Malcolm's young age, his family, like those of every other young servicemen who died, did not receive any war gratuity or compensation from the

Ministry of Defence at the time. Times were hard and people were lost, but sometimes things were compounded further.

We do remember them. We think of them, and we think of the long shadow they have cast over Lewis in particular and Harris. All of us who have come into contact with or lived in Lewis have known about the Iolaire and what it caused. We cannot do it justice here, but we can remember them and think well of their lives and of them.

4.36 pm

**The Parliamentary Under-Secretary of State for Defence (Mr Tobias Ellwood):** It is a real pleasure to respond to this debate from the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil)—I hope I pronounced that right. It is a poignant reminder, given what else is happening around the Palace today, of the extraordinary events that took place 100 years ago and how we should reflect on them.

In the past month or so, I think we all paused to pay gratitude to what a nation did 100 years ago. An entire nation stepped forward to defend our values and our way of life beyond our shores. It began and confirmed a trend for our nation to step forward in defence of the international standard of liberty and to make our mark and help influence the world around us as a force for good. In reflecting on what happened 100 years ago, we can get lost in the sheer scale of the event. The third battle of Ypres took place on what is now the location of Tyne Cot cemetery. In a period of just 100 days, there were 500,000 casualties—so many individuals, each of them with a name and a family. Many of them did not return.

What happened 100 years ago on the other side of new year and its impact—particularly as it took place after the war itself—are so tragic. I congratulate the hon. Gentleman on raising the matter so that we can reflect on the bravery of those returning home from service in the armed forces.

As the hon. Gentleman has touched on, His Majesty's Yacht the Iolaire was so close to getting home those who had served. I will go through, as he has, some of the tragic events that took place on 1 January 1919. Just seven weeks after the end of the first world war, hundreds of servicemen from the highlands and islands of Scotland arrived on trains at the Kyle of Lochalsh. They were going home for the first new year of peace. HMY Iolaire set off expecting to arrive. In the early hours of new year's day, as she approached Stornoway harbour, she foundered on the infamous rocks, the Beasts of Holm, within half a mile of Stornoway pier, where relatives were eagerly waiting to welcome their loved ones home from the war.

As the hon. Gentleman said, the numbers have now been updated. In all, 201 of the 284 men—mostly maritime reservists—onboard the Iolaire were lost. I join him and others in paying tribute to all those who tragically lost their lives that night. Of them, 174 were men from the Isle of Lewis who tragically drowned literally within sight of their home. A further seven were from the Isle of Harris. A further 18 crew and two passengers were also lost. The loss widowed 67 women, and at least 209 children lost their fathers. The loss of the ship is considered to be Britain's worst peacetime

disaster at sea since the sinking of the Titanic in 1912, and the worst peacetime loss in British waters in the 20th century. No comparable event has fallen exclusively on one small population.

While a third of the bodies of those lost were never recovered, others were washed up on the shoreline and found by their families. The village of Leurbost, for example, with 51 houses, lost 32 men in the war with a further 11 lost on the Iolaire. There were 25 sets of brothers on board, and only one set survived without a loss. Although the first world war affected all communities, this was a devastating blow to the island community. The sailors had come through a global conflict, only to be washed up dead on their own island shore. There are so many deeply personal tragedies and stories to tell that I cannot recount them all.

**Peter Grant (Glenrothes) (SNP):** I am grateful to my hon. Friend the Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) for securing the debate—I am sorry that I missed the first couple of minutes of what was a powerful speech. I vividly remember first hearing about the Iolaire when I was 27 years old, which tells us something about the gaps in what we teach ourselves about the history of where we come from.

Does the Minister agree that, although the casualties of the Iolaire had survived the horrors of war, they and others who were killed in peacetime activities during a time of war deserve to be remembered in the same way as those who were killed in enemy action? In some cases, they died in the water 20 feet from shore. It was no comfort to their families to know that they died so close to home; the loss was just as great as it was for those who lost loved ones at Ypres, the Somme, or on other battlefields.

**Mr Ellwood:** The hon. Gentleman makes a pertinent point. It is difficult for any of us to place ourselves in the shoes of the families who lost someone in the first world war, or indeed in any conflict. It is extremely painful to have survived a horrific war such as world war one, to be returning home and then to die literally within eyesight of one's final destination.

I was just touching on the make-up of those who were onboard the vessel itself. Not all the maritime reservists served at sea; some served in the trenches on the western front in the Royal Naval division. Two friends who evaded capture in Holland went on to serve in the Mediterranean together, travelling back home on the Iolaire, only for one of them to be tragically lost.

One story that was particularly pertinent was that of 23-year-old John Macaskill from North Sandwick. His body was washed up by the cemetery wall. His home was on the other side of the cemetery itself, so after four years of conflict—four years of being away—the sea literally brought him home. It is only fitting that, leading up to the centenary of this tragic loss, we are taking the opportunity to remember those who lost their lives within sight of their home, their families and their island communities.

It is important to remember that the loss of the Iolaire is not only a significant matter for the communities on the isles of Lewis and Harris. It is also appropriate that we take the opportunity to highlight this tragic story to the nation. I understand that events to



[Mr Ellwood]

commemorate the loss will be held at the Kyle of Lochalsh and in Stornoway at the Iolaire memorial overlooking the site of the disaster, and a service will be held at sea, near the Beasts of Holm.

The Ministry of Defence has agreed to a significant level of naval support for those events in the form of the attendance of the flag officer of Scotland and Northern Ireland, a guard of honour and the Royal Marine band contingent. That is commensurate with the support given to other first world war commemorations in recent years. The Royal Marines band service and a Royal Navy guard will formally attend the commemoration ceremonies. The naval personnel selected to deliver that support will represent the finest traditions of the Royal Navy, ensuring that we pay due respect to those sailors who did not return home.

I recognise the significance of the loss of the Iolaire to the island communities, and I thank all those involved in the considerable work that has been undertaken to raise awareness of this tragic loss, and to ensure that there is a fitting commemoration of this centenary event. I thank the Royal Navy and Royal Marines personnel for supporting those commemorations over the Christmas and new year period. I also thank the hon. Member for Na h-Eileanan an Iar for bringing this matter to the attention of the Palace of Westminster and the House of Commons, as we reflect not only on what happened 100 years ago, but on the devastation to his community.

*Question put and agreed to.*

## Thames Water Reservoir at Abingdon

4.45 pm

**Mr Edward Vaizey (Wantage) (Con):** I beg to move,

That this House has considered plans for a Thames Water reservoir at Abingdon.

I am grateful for the opportunity to appear before you, Mr Stringer, and to raise this important subject. Obviously, it is the perfect day for a Conservative MP to open a debate about digging a very large hole.

It may interest Members to learn that, for the last 20 or 25 years, there has been a proposal to build a large reservoir in my constituency. It is known as the Abingdon reservoir, which reflects the name of the constituency of my neighbour, the hon. Member for Oxford West and Abingdon (Layla Moran). However, it would be situated in my constituency, near the villages of Steventon, the Hanneys and Drayton. This is a very large piece of land—probably one of the largest pieces of open land in the south-east of England. There have been various thoughts about what might be built on that land, including, amazingly, an airport and a garden city. However, the reservoir has been the most enduring proposal.

I am neutral about whether the reservoir should be built. On the one hand, I am a nimby, and it would make my life a lot easier if a reservoir was not built in my constituency; on the other hand, I recognise that it is potentially a large and important piece of infrastructure for the south-east of England. One thing that I am firm about is that the reservoir should not go ahead unless the need for it has been properly examined. I was successful the last time construction of the reservoir came close to happening, in 2010. I called for a public inquiry, which we secured, and which rejected the need for a reservoir. For me, it is unarguable that there should be a second public inquiry if Thames Water, which is behind the proposal, comes up with a proposal for a reservoir.

At the moment, Thames Water is developing its statutory water resources management plan, which the regulator requires of water companies to allow them to put forward proposals that will ensure a secure water supply and protect the environment. The reservoir is being presented by Thames Water as a solution for long-term water shortages. I will rehearse some of the arguments for and against the reservoir, and then ask the Minister a number of questions.

I do not think anyone would disagree with Thames Water, or indeed other stakeholders, that there is severe pressure on water resources in the south-east. As I am sure many people in this room who are knowledgeable about this subject know, it is a great irony that we live in quite a rainy country but that we still have great pressure on water resources and do not have as much rainfall as required. Thames Water estimates that by 2045—in another quarter of a century—it will need to find an extra 350 million litres of water per day to supply the population in London and the south-east. It is working with other companies as part of the Water Resources in the South East group to look at the long-term needs of the wider region and the best options for strategic water supply. According to Thames Water, the reservoir option will improve its resilience and that of Affinity Water by creating a regional storage and transfer hub.

Thames Water bases its estimate of the extra 350 million litres a day on a population increase forecast of 2.1 million over the next 25 years, which translates into an extra 1.3 million houses, and on climate change projections—for the avoidance of doubt, I am not a climate change denier, and I accept that climate change will absolutely have an impact on water supply in the south-east. Thames Water forecasts that, by 2050, our summers may be an average of 3° hotter and 18% drier. The Environment Agency's welcome tightening of regulatory oversight also makes it harder to extract water from rivers and underground sources.

There is perhaps a slight contradiction: on the one hand, there is great concern about a reservoir in my constituency, but on the other hand, my constituency is home to some of the chalk streams of south-east England, including Letcombe brook. I have two little-known facts for hon. Members about chalk streams. One is that 85% of the chalk streams in the world are in the south-east of England, while the other 15% are in Normandy because they are part of the same chalk ridge that was once fused together when we were members of the ice age version of the European Union. My other little-known fact is that somebody who is passionate about chalk streams is the former lead singer of the Undertones, Feargal Sharkey, whom I got to know when he was head of UK Music and I was the Culture Minister responsible for music. I spoke to Feargal this morning and he made a point that I will bring up in my conclusion: a reservoir has not been built in the south-east since 1976.

To make a wider and less reservoir-focused point, there has not been investment in water storage for some 40 years. Increases in housing and population, climate change and tighter environmental regulation will result in average daily consumption per person rising from 1,300 litres to roughly 1,400 in the next few years. I should also say that one of the arguments that came up when a reservoir was debated almost 10 years ago was the desire to see Thames Water do more to tackle leakage. London suffers from having Victorian infrastructure; we lose an enormous amount of water through leakage. I am pleased to see that Thames Water wants to reduce leakage by 15% by 2025 and 50% by 2050, but that will still not be enough to supplant the increase in demand for water.

Thames Water says that it has looked at several options, including water transfer from the River Severn; making more water available from the remaining power station at Didcot, where the coal-fired power station has been closed down; water transfer from the midlands via the Oxford canal; and a reuse scheme at the Deepham sewage works. However, it has reached the conclusion that the reservoir is the best option and that the site in my constituency is the best of the 50 sites it claims to have surveyed.

Obviously, Thames Water wants to emphasise some of the benefits that might come to my constituents, including nature conservation, new natural habitats, opportunities for recreation such as fishing and walking, and the opportunity to reduce abstraction and save our vulnerable chalk streams. It is also keen to lay to rest the accusation that it is undertaking this infrastructure scheme in order, frankly, to line its own pockets. Apparently, any reservoir would be constructed under the same financial arrangements as the Thames sewer, with a

separate company and additional money on our bills for some 40 years until the construction cost has been paid off.

My constituents, particularly those local to the site, have certainly not taken Thames Water's proposals lying down. I pay tribute to Brigadier Nick Thompson, who led the Group Against Reservoir Development in its first battle when there was a public inquiry, and to Derek Stork, who now leads GARD. Given that this is happening in my constituency, I am pleased to say that the average resident has quite a bit of ammo behind them; Derek is the former head of technology at the UK Atomic Energy Authority, so he is no slouch when it comes to looking at the issues with his colleagues.

GARD points out that filling the reservoir would take three years and cause immense damage to the local community, the landscape and archaeology. The reservoir would have walls 25 metres high and would take 30 days to drain in an emergency. Building it would be enormously disruptive to the local community and would take something like 10 years, with all the resulting lorry traffic and disruption.

My constituents have already been affected by the very serious matter of planning blight. For example, many landowners have not modernised their buildings in the past 20 or 30 years; their land is still being used mainly for farmland because the threat of a reservoir has been hanging over them. They require certainty. Last year, a constituent was unable to sell their home, and I had to bring Thames Water to the table to purchase it. Many others who live near the site find that it is having an impact on their house prices and the opportunity to sell, and some of them face negative equity.

What concerns my constituents is not just the building disruption, but whether the case has genuinely been made. They have taken on some of Thames Water's assumptions: they think that its population forecast and usage projections per person are unrealistically high and, although they are certainly not climate change deniers, they challenge its forecast of the impact of climate change on water availability. The data shows that water availability in London has increased over the past 70 years by about 200 litres a day. My constituents are not necessarily making the case that there should never be a reservoir, but they certainly do not believe that one is needed now; in fact, they argue that if there is ever a case for one, it will not be needed until at least 2100.

**Jon Cruddas** (Dagenham and Rainham) (Lab): Given what the right hon. Gentleman says about the degradation of the river system, especially the chalk rivers, the clock is ticking and there is an imminent crisis, as Feargal Sharkey would say. I do not want to bring the debate back to Europe, but it is 45 years since we have been in Europe and 42 years since we built a reservoir. Does the right hon. Gentleman not conclude that the clock is ticking for us to save our river system in the south of England, especially the chalk stream system?

**Mr Vaizey:** The hon. Gentleman makes a valuable point. Obviously I am focusing on the specific proposal for a reservoir, but there is a lot more to say about managing water resources in the south-east. GARD is not saying that we should not build any more infrastructure

[Mr Vaizey]

to make more water resources available; it is saying that the Severn transfer option is viable and cheaper, and there is also the possibility of the Teddington abstraction scheme. Thames Water itself acknowledges that water transfer is an option, although it argues that it is not as good an option as a reservoir. It also claims to be looking at the Teddington scheme.

I want to give other hon. Members a chance to make the points that need to be made, but I want to ask the Minister about a number of points. I would be grateful for her insight into what work the Department has done with Thames Water to assess not just its proposal for a reservoir but its overall water resources management plan. Will she assure me and my constituents that, as this journey continues, Thames Water, her Department and other stakeholders, such as the Environment Agency, will fully involve my constituents in their deliberations and consultations? I hope she will support me, my constituents and Oxfordshire County Council in calling for a public inquiry to ensure this process is conducted in an open and proper manner.

I will draw my remarks to a conclusion by making the following points. When I sat firmly on the fence about the reservoir a decade ago, I must confess that I was not entirely confident that a public inquiry would lead to the reservoir being dismissed. I was pleasantly surprised that the inquiry concluded that a reservoir was unnecessary. It is sometimes easy to dismiss local campaign groups as nimbys or as people who will find almost any way to stop any kind of development near where they live, but, as it turned out, the campaign group defeated Thames Water in a sort of David and Goliath battle with the power of its arguments. The planning inspector found that Thames Water had not made its arguments effectively. I do not think that a lot has changed since 2010 or that the alternative options have been explored fully, and they need to be.

On the point the hon. Member for Dagenham and Rainham (Jon Cruddas) made about chalk streams and the environment, I have one other element of frustration, and it is partly directed at the Minister—her post, as opposed to her personally, because she is obviously a very good friend of mine. It seems slightly odd that Thames Water, a private company, is being left, to a certain extent, to its own devices to come up with a solution to a potential water crisis in the south-east over the next 10 or 20 years. It would be much better if this whole debate were led by the Government. They should say, “This is the need over the next 25 years. This is our best guess—made on all the available expertise, in a dispassionate fashion. These are the best ways to combat water shortage. They are about not just tackling leakage and more efficient home use, with water meters and the like, but realistic infrastructure that provides the best access to water resources with the minimum disruption to communities.”

I am delighted, at what I think is still quite an early stage in this process, to have had the opportunity to raise these issues at the highest level.

5.2 pm

**Layla Moran** (Oxford West and Abingdon) (LD): It is a pleasure to serve under your chairmanship, Mr Stringer. I thank the right hon. Member for Wantage (Mr Vaizey)

for securing this debate on an incredibly important local issue. Like him, I have had much correspondence from my constituents about it. Although the proposed reservoir lies in his constituency, my constituents—in and around south Abingdon, in particular—are understandably very interested in these proposals, and I hope to raise their concerns today.

I absolutely recognise the need to ensure a safe, secure water supply for the future, but as a local MP it is also my job to stand up and speak out on behalf of my constituents, who have justified worries about these proposals. Given the large size of the scheme, we have to make sure we take them with us if needed.

As has already been mentioned, we have been here before. In 2010, the community campaigners, led by GARD and supported by my Liberal Democrat colleagues, were successful in their campaign to the Planning Inspectorate, which determined that there was “no immediate need” for a reservoir on this scale. We have gone into the future since then, but not that far into the future. As the right hon. Gentleman asked at the end of his speech, what has changed so materially in those eight years?

I thank GARD for its longstanding campaign, hard work and tenacity. In many ways, it has brought the band back together to fight this again. I also thank Councillors Catherine and Richard Webber, who have been keeping me updated and involved in the fight.

In 2010, the project was the subject of a public inquiry, which found that Thames Water’s plan was not fit for purpose, as it had not properly evaluated the alternative options. That is critical. What has changed? The proposal is now 50% bigger. It is the size of Heathrow airport, and will hold 150 million tonnes of water. It has also been moved forward: the intention is to build it by 2037. This is not just the same campaign run again; it is a campaign looking at a proposal that is even bigger and therefore requires even more scrutiny than the first time round.

The objections in my postbag and email inbox have focused on whether there is a need for the reservoir at all, the plans themselves and—this is where the right hon. Gentleman and I are absolutely on the same page—the need for the public to have their say on the proposals. I will take each of those in turn.

On the need for the reservoir, I shall not build on the right hon. Gentleman’s speech, although I thank him for educating me about the lesser-known facts about chalk streams. I dare say I did not know that. Every day is a learning day, so I thank him very much. I am keen for this debate to be a chance to raise residents’ concerns. I will start with my colleague, Debby Hallett, councillor for Botley and Sunningwall and deputy leader of the Liberal Democrats. She said that she would like to see the priority being given to fixing leaks elsewhere in the system. She speaks to residents, and they are all concerned that the water is not even for our area.

That is echoed by another resident, who wrote to me ahead of this debate. I said in a tweet and on my Facebook group, “What do you think? We are raising this today.” She said:

“The water from the reservoir is not, in any case, for use within the area supplied by Thames Water, but is to be sold elsewhere for the profit of Thames Water. It will be paid for by the customers of Thames Water but they will not benefit from it.”



There is disquiet that the bill payers will be the ones funding the new reservoir, which will become a major asset on Thames Water's balance sheet. I thank the right hon. Gentleman for his clarification about the nature of the company that might be set up. There is concern about who will pay, at least in monetary terms, and not least for building the thing in the first place. Many questioned the need for the development at all, and put forward alternatives including installing more desalination plants along the Thames, transferring raw water from the River Severn to the Thames, reducing water consumption, and addressing leakage.

The National Infrastructure Commission's recent "Preparing for a drier future" report states that strategic inter-regional water transfers are needed, but water companies are failing to plan for them properly. As I understand it, Thames Water has pushed back the option of a Severn-Thames transfer until 2080, which is a very, very long way away and, frankly, ignores the current problems. Instead, it says that a reservoir is cheaper than a transfer, which is counter to what the National Infrastructure Commission said. There needs to be some joined-up thinking.

On the issue of leaks, is Thames Water doing enough elsewhere in the system, and are its targets for tackling leakages ambitious enough? One of GARD's central arguments is that Thames Water, after discussions with Ofwat, will reduce its leakage by half by 2045, and has revised its population projections. The campaigners suggest that those two actions remove the need for the reservoir in the immediate term—that was the reason why it was rejected by the 2010 inquiry. They were surprised to see the proposal re-emerge with the earlier delivery date of 2037.

My first question to the Minister is: has the Department made an assessment of Thames Water's plans, proposals and forecasts? If not, will she commit to doing so? Have there been any independent analyses of the costs to Thames Water of rectifying leakages and saving water loss in that way? Unfortunately, residents simply do not trust Thames Water on this issue, so we need some independence in the assessments. We need an evidence base on which to build the case to the public—not just about leakages, but about the whole thing: negatives and positives.

I did not receive only negatives in my inbox; some were a little optimistic. Rachel in Abingdon wrote to me to say that she

"supports the reservoir for future generations",

and that she does not want the decision to keep being put off, but would rather just get on with it. She also made the very good point that developers—a lot of housing development is happening in Oxfordshire at the moment—need to look at greater use of grey water for the likes of toilet flushing. Has the Minister discussed that with colleagues in the Ministry for Housing, Communities and Local Government? As ever, cross-departmental working could help to solve the wider issues.

Rachel says that if the reservoir does go ahead,

"we need to make sure that Thames Water builds this reservoir with amenities and leisure, and not just an inaccessible reservoir."

I completely agree with her, and it could well be a great opportunity for our area. I say that with an element of caution however, because of my experience of the £100 million Oxford flood alleviation scheme. We were

promised leisure facilities such as a cycle path that would go all the way through and which, I am sorry to say, was omitted from the final plans. I therefore remain gently sceptical about some of the promises that might be made at this stage. As that is also in the Minister's brief, will she continue to encourage Oxfordshire County Council and the Environment Agency to think again about that cycle path, which we had been promised at the outset of the plans?

That brings me to the plans and the sheer scale of the reservoir, which is going to be the size of Heathrow. If one took a map of the reservoir and overlaid it on a map of Abingdon, it covers it. That is extraordinarily large, and one of the biggest reasons why residents have raised concerns. Sharron wrote on my Facebook page to say she was concerned that this would not be a valley-type reservoir that could enhance the area and provide leisure and tourism facilities. Instead, she was worried that the design would end up like "a massive tank" and the

"tallest structure in the vale".

We all love Didcot power station—don't get me wrong. Big structures in our area can be a cause of love, but having said that, if the reservoir is as Sharron described, it would be a blight on what is otherwise an incredibly beautiful landscape.

The environment is equally important. Many residents who contacted me were seriously concerned about the displacement of species. As the RSPB parliamentary species champion for the skylark, it would be remiss of me not to raise concerns about the potential impact of the proposals on many bird species, including the skylark. David, who is involved with Abingdon Naturalists Society, says that he is particularly concerned about the destruction of an

"undisturbed area of countryside that presently hosts breeding curlew, lapwing, grey partridge, skylark, all of which are red listed species."

Other terrestrial wildlife might also be eliminated.

Richard Harding, a trustee of the Campaign to Protect Rural England, says:

"It will obviously have severe consequences to the environment and communities in Oxfordshire. The loss and damages to land, resources, heritage and communities would be substantial. The proposed area of flooding is a massive, hugely significant multi-period historical and archaeological landscape—the reality of what is there has not been grasped."

That brings me to flooding which, I hope the Minister is aware, is a major concern for residents of the area. There were huge floods in Abingdon not very long ago. Marion wrote to me to ask for a second public inquiry into the proposals. She also raised the increased risk of flooding, particularly on the south Abingdon flood-relief land. Can the Minister indicate what assessments have been carried out on how the plans might affect the flood plain? There are schemes in place, but from what I understand, they were conceived after the first reservoir had been rejected. Do they now include space for the new reservoir?

My primary concern is to make sure that residents are heard. In Oxfordshire, where there is massive development going on everywhere, there are countless examples of residents from all over feeling that their voices have not been heard, not least on the elephantine Oxford to Cambridge expressway, from which they have felt totally frozen out. That is the main reason why we

[*Layla Moran*]

feel that we need a public inquiry now. I raised that with the Department and the response that I received from the Minister's private secretary stated that

"it would not be appropriate for the Government to direct Thames Water to carry out further consultation on its water resources management plan"

until it responds to its latest consultation.

Will the Minister, as previous Governments have done, commit to insisting on a public inquiry on what will be a massive infrastructure project for our area?

We must be clear—local Liberal Democrats and I are absolutely clear—that we will fight for people to be able to have their say. People in Oxfordshire are reasonable; they will listen to the evidence. As my constituency neighbour, the right hon. Member for Wantage, said, people simply want to know that the proposal is the only option left and that all others have been looked at. I believe that the residents of Abingdon and elsewhere would listen to evidence, but we need a public inquiry to ensure that we have all the facts to hand before we make any decisions.

5.15 pm

**Jon Cruddas** (Dagenham and Rainham) (Lab): I was not going to speak this afternoon; I came to listen. There is a little bit of time left so I will say a few words, but I will not take up too much of Conservative Members' time: they obviously have urgent meetings on the Estate to get to over the next couple of hours, as their party disintegrates.

The two speeches that have been made were very thoughtful and contained nuanced arguments about the case for and concerns about the reservoir. I came to listen because, although this is primarily a local matter, it throws up a lot of issues about ways in which we can achieve new water; the supply, distribution and quality of new homes; the role of the water companies themselves; and patterns of regulation—to name but a few.

I congratulate the right hon. Member for Wantage (Mr Vaizey) on securing the debate. I know something about it because of my interest in chalk streams. As I understand it, Thames Water announced its new plans to start construction on the reservoir in 2025. I totally understand the local concerns that have been registered about the proposal, because it was rejected in 2010 at the public inquiry. There is a general concern that, to satisfy growth in London and the south of England—another consultation is ongoing—the Thames Water plan for the reservoir suggests a storage and distribution hub for the south-east.

Objectively, it seems clear that we need new water and new infrastructure, including reservoirs. I accept, however, that there are other suggestions for bringing new water into the stressed south-east, including transfers from Wales and the River Severn, or water re-use and desalination. There are a whole number of other proposed remedies.

One point I want to flag up that has been mentioned in the debate but which is often overlooked in the case for any new supportive water infrastructure, is the degradation of the river systems in England—specifically, of the chalk streams. As the right hon. Member for Wantage mentioned in his speech, England has a unique

concentration of chalk streams—160 of the 210 that exist globally—and they are disproportionately in the south of England. Yet they are in an appalling state; no water is moving in many of them and there is no flow. More generally, I recently saw data that estimated that only 14% of the rivers across England are considered to have reached good ecological standards. At the same time, demand for water, especially through new house building in the south of England, has dramatically increased.

Those two apparently separate issues are intrinsically related. A policy failure to provide new water means that our water companies extract water from our rivers, which cannot cope and subsequently die. At the same time, excess sewage is discharged into the rivers by those same companies, further undermining their quality and sustainability. Time and again, the water companies have been fined, but they take the hit—there are notorious cases of discharge by Thames Water. In effect, they free-ride their ecological responsibilities.

The situation has to be sorted out via public policy making because, as a consequence of all this, it has been 42 years since we have built a reservoir. The right hon. Gentleman, when introducing the debate, intimated that he was moving closer to Labour's policy on water ownership and frustrations with the current system. Responsibility lies with a number of different authorities: the Environment Agency, the National Rivers Authority, the Government and the subject of today's debate, Thames Water.

I repeat that I do not want to stray into local planning consultations, and I respect the contributions to the debate so far, which have made powerful cases, but an overall case needs to be made on consumer demand and preserving our unique English river systems, especially in the south of England: new infrastructure is needed. That does not mean that I am in the pocket of the water companies, but consequential environmental issues are involved, and the clock is ticking. New build, or the start of the build, in 2025 is being talked about, but any cursory look at the English river system tells us that we need urgent action now.

5.20 pm

**Luke Pollard** (Plymouth, Sutton and Devonport) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Stringer.

I congratulate the right hon. Member for Wantage (Mr Vaizey) on securing this debate, which is a superb opportunity to talk about how the voices of local residents must be heard when addressing the genuine water crisis that the UK faces. He mentioned that we live in a damp country, and indeed we do, but according to the Environment Agency, we are actually in the lower quartile globally of available water resources per capita, which means that we need to value every drop—much more than we do at the moment.

Climate change is real and happening to us here in Britain. No single measure can tackle it, but no single measure of water policy is mitigating it. That is why we need a number of separate buckets of action, including: action on leakage, which was mentioned by the hon. Member for Oxford West and Abingdon (Layla Moran), to lower the amount of lost water, including the 30% lost on customers' properties, not just on the public network;

a focus on reducing per-person water usage from the national average of about 130 litres a day—some people use considerably more—and increasing grey water use, which was mentioned earlier and could contribute to that; building and supporting the construction of more water transfers; and the Severn option, which is important in this context. On that, we should focus on the use of canals as an option, instead of a big pipe, and the date that was mentioned, 2080, seems far too far away.

Other actions include a necessary look at how to build more water storage in areas of water stress. Although as a nation we have not built any new reservoirs, we have certainly provided additional water storage, sometimes using quarries and mines—nothing on the size and scale envisaged at Abingdon. Only then, at the very end of the scale, should we look at water desalination, which itself has a huge climate change effect.

The right hon. Member for Wantage talked about population change. When looking into the future, it is important for us to take a best guess at how many people will be using water. The latest statistics show that the south-east of England will have 4.1 million more people by 2045. To put that in a currency that we might all understand in this place, an additional 54 MPs would be required to represent that population. By 2080, that could be an extra 10 million, or 133 more MPs—heaven help us all! That will put pressure on an already water-stressed region.

With climate change, we have to recognise that we will not only have problems of water shortage at certain times of the year—we will also have problems with too much water at other times of the year. That issue was mentioned earlier in the debate.

I have to admit that I was not an expert in chalk rivers or streams before today, but I feel that I have learned an awful lot. The issue of over-abstraction from our watercourses and rivers is of importance because as our communities become more water-stressed and as the pressure to reduce per-capita consumption is applied, the temptation, sadly, is to abstract still more water from our precious river environments. We need to avoid that, to ensure that we preserve those fragile and precious natural wildlife habitats, whether of aquatic life, birds or mammals.

Before I was elected, I advised people on how to build controversial buildings, mainly skyscrapers and football stadiums. The same principle applies to reservoirs: the case must be clearly set out right from the start. To be honest, I do not think that Thames Water has put the argument for the Abingdon reservoir that well, and it needs to do better. Increasing supply, of course, has to be done alongside demand management, which also needs a conversation with water bill payers. If there is to be such huge investment, however—a carbon-intensive investment—the case must be put clearly.

The right hon. Gentleman said that it is important to be neutral in this debate, and that is how the Opposition come to it. We think, however, that a number of principles should apply in this case as we go forward, especially as the decision might well be taken out of the hands of local councillors and made at the national level through the NSIP—nationally significant infrastructure project—process. That is why genuine consultation and the voice of local people must be heard much more in the debate than perhaps it has been to date.

We need to ensure that the concerns about the new reservoir involve not only the size and scale but the construction, and the impact of that over many years, as well as the impact of many years of operation. Thames Water needs to make proposals, focused by genuine and intensive consultation. Such consultation should not just ask, “What do you think of our plans?”, but involve genuine engagement that listens to affected communities.

There is also a challenge for Government to look at what resources we need. At present, the water resource plan of each company sits as an island apart from the areas alongside. There is a clear case for joining up those plans into a national water resource plan so that we can understand the impacts, especially if we are to have more water transfer into areas of greater water stress. We need to understand the national picture.

I hope that Thames Water is listening to this carefully. If it is to make the case for the Abingdon reservoir, it needs to do so clearly, engaging local people and taking them with it. At the moment, my concern is that that conversation is not as full and as thorough as it could be.

5.25 pm

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey):** It is a pleasure to respond to my right hon. Friend the Member for Wantage (Mr Vaizey), who secured the debate, and to the other Members who contributed.

Water is essential for everything we do. It is also essential for a healthy environment and a prosperous economy. A reliable water supply is taken for granted but, despite its reputation for rain, which has been mentioned many times, England risks water shortages, in particular in certain areas. Climate change and increasing population, especially in the drier south and east, as well as the need to protect the environment—including chalk streams—bring further challenges. A water company's job is to take account of those factors and to provide a reliable supply of safe drinking water. The Government and the water regulator's job is to check that they are doing that effectively.

Thames Water supplies water to about 10 million household customers and 215,000 businesses in London and across the Thames valley. Its existing plan shows a one-in-four chance over the next 25 years that large numbers of households and businesses will have water supplies cut off for extended periods because of drought. That is a lower protection than most other water companies provide. We must expect Thames Water to act on customers' need for a more resilient supply, to manage other pressures of a growing population and changing climate, and to protect the environment that we treasure and on which we rely.

Thames Water has engaged with regulators, stakeholders and customers throughout the development of its draft water resources management plan. In February 2018, Thames Water published its draft plan for consultation, which explains how the company plans to provide a secure and sustainable supply of water for its customers for the next 80 years, from 2020 to 2100. In October and November this year, Thames Water provided a further opportunity for comment on the changes and revisions made to the draft plan as a result of the first consultation. That further consultation closed on 28 November. Thames



[*Dr Thérèse Coffey*]

Water sought stakeholder and customer views on its draft plan through a variety of channels, including public meetings, an online survey and written submissions.

I hope that my right hon. Friend appreciates that, as Thames Water has just completed its consultation process on the draft plan, it is now preparing its statement of response to the consultation, which the Environment Agency will assess in due course. It will provide advice to the Department for Environment, Food and Rural Affairs in the new year. That process is ongoing, so officials and Ministers at DEFRA have not yet had the opportunity to consider the advice from the Environment Agency. As such, the Government cannot comment on any proposals suggested through the water resources management plan process.

The Government and the water regulator issue detailed guidance to water companies that sets out the Government's expectations that companies should: first, take a long-term strategic approach to protecting and enhancing resilient water supplies; secondly, consider every option to meet future public water supply needs; thirdly, protect and enhance our environment and act collaboratively; and, fourthly, promote efficient water use and reduce leakage.

If a water company forecasts a water supply deficit, it should appraise all the options available to it and should justify its preferred solution in its water resources management plan. The Environment Agency and Ofwat are both statutory consultees to the water resources management plans. As I mentioned, the Environment Agency will also advise the Secretary of State on the draft plan. As part of its current price review, Ofwat has set out clear measures to ensure that the proposals companies bring forward, and the costs of delivering them, are subject to appropriate scrutiny to protect customers' interests in the long term.

In the business plan that Thames Water submitted to Ofwat, it proposed costs for work to develop the reservoir proposals further, rather than the infrastructure costs themselves. If the proposals go forward, the infrastructure costs will come forward in future plans, which will be scrutinised, possibly at the price review in 2024 if construction were to start in 2025 or 2026. In the plans as they stand, the reservoir is expected to come online for use in 2037. I hope hon. Members have been assured that there are processes in place to assess whether water company plans are robust.

Leakage and other options were mentioned. The National Infrastructure Commission estimates that by 2050, around an additional 3.5 billion litres of water per day will be required to maintain current levels of resilience to drought in England. At least a third of that—1 billion litres—needs to come from new infrastructure, and the other two thirds from water efficiency and leakage reduction. To put that in context, 3.5 billion litres per day is almost enough water to fill Wembley stadium every day. Thames Water's proposed reservoir would provide about 300 million litres per day.

The Government recognise that to meet our future water needs, we require a twin-track approach that combines demand reduction, including leakage reduction, with long-term investment in supply infrastructure. With respect to leakage, the Government have made their view clear and the industry has responded. The water

companies' business plans are on track to meet Ofwat's challenge to reduce leaks by at least 15% by 2025. Over the long term, the industry has committed to working to an ambitious target to reduce leaks by 50% by 2050. We will hold it to account on that.

The need for new infrastructure is set out in the draft national policy statement for water resources infrastructure, which was recently laid under the Planning Act 2008. That statement sets out that, alongside demand reduction and tackling leakage, a mix of water infrastructure schemes will be required to meet our future water supply needs, including reservoirs, water transfers, desalination and reuse. The statement applies to nationally significant infrastructure projects, and I expect that the proposed Abingdon scheme would qualify as such a project.

I assure my right hon. Friend that extensive pre-application consultation and engagement will need to be undertaken by applicants using the Planning Act 2008 regime. Members of the public can participate in the examination process by registering their interest, thus ensuring that local views can be heard. I think it is fair to say that the planning process will be different from last time, because in the past month Parliament has voted in favour of a new process for infrastructure projects that are deemed nationally significant. Consideration of a development consent order application at a public inquiry would start on the basis that the most appropriate option for meeting water supply needs had been selected through the resource management plans. As I pointed out, Ofwat will also scrutinise the proposed costs for the full project if they come forward in future plans.

Hon. Members asked whether the water would be used just for the Thames Water area. It is fair to say that Thames Water has been working with Water Resources in the South East—an alliance of the six south-east water companies—to ensure that a more collaborative approach is taken to water resources planning, and its reservoir proposals would benefit other companies in the south-east. The Government and regulators expect water companies to collaborate at a regional level with other companies and sectors to produce plans that work for that region. That allows water companies to consider the most efficient and economically, socially and environmentally beneficial solution for the whole region, allowing customers, business, society and the environment to benefit from economies of scale. We expect such collaboration to be reflected in companies' water resources management plans.

The preferred programme that Thames Water has set out for full consultation includes water transfers. I believe considerations will be made for desalination, and there are elements of water trading, with things such as Didcot power station. I understand that Thames Water considered more than 50 sites for a new large reservoir and considered that only one of those sites was viable. As I said, other water companies may be involved. It has been brought to my attention that Affinity Water is considering and working alongside Thames Water on this matter.

On demand reduction, targets are already set for water companies. I hope hon. Members are aware that planning regulations require a target of 125 litres per day for new developments, but councils can, in planning permissions, reduce that to 110 litres per day if the development is in a water-stressed area.

On the flood alleviation scheme in Oxford, I say gently to the hon. Member for Oxford West and Abingdon (Layla Moran) that I recognise that people would like additional cycle paths and so on, but if the costs of the scheme have gone up, it is fundamental that taxpayers' money needs to be spent on delivering the scheme. I am conscious that there may be other opportunities to develop the additional benefits to which she referred.

The good Feargal Sharkey is a friend of many people in Parliament. He used to be chief executive of UK Music, but now pushes passionately for chalk streams, to which the hon. Member for Dagenham and Rainham (Jon Cruddas) in particular referred. He also mentioned the pollution challenges at Thames Water. He will be aware that Thames Water received a record fine after being prosecuted by the Environment Agency. This is exactly the kind of project we need to reduce the pressure on other sources of water. Although I am conscious of the scale of this reservoir, it appears at least to be a viable option. However, it needs to be considered carefully.

I appreciate that the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) raised a number of issues. I hope that I have been able to cover Members' key questions. Overall, I really hope that my right hon. Friend the Member for Wantage sees that there are transparent and robust processes in place to ensure that water companies continue to provide reliable water

supplies efficiently and economically, and that any plans that are put forward will be scrutinised appropriately and decided on objectively.

5.37 pm

**Mr Vaizey:** I am grateful for the chance to wind up the debate. I thank the Minister for her comprehensive response to the points I made and to those made by the hon. Member for Oxford West and Abingdon (Layla Moran), by the Opposition spokesman, the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard), and by our guest star, the hon. Member for Dagenham and Rainham (Jon Cruddas). I am not getting a rise out of him. That is very annoying. He is staring at me. I am being affectionate here.

This is the second time I have raised this very important issue in the House. I raised it last month in a Statutory Instrument Committee, and I will continue to raise it with Ministers in the Department for Environment, Food and Rural Affairs. I am glad to see that the Department has such a comprehensive overview.

*Question put and agreed to.*

*Resolved,*

That this House has considered plans for a Thames Water reservoir at Abingdon.

5.38 pm

*Sitting adjourned.*





# Written Statements

*Wednesday 12 December 2018*

## BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

### Competitiveness Council

**The Minister for Universities, Science, Research and Innovation (Chris Skidmore):** My noble Friend the Parliamentary Under-Secretary for State for the Department of Business, Energy and Industrial Strategy (Lord Henley) has made the following statement:

The Competitiveness Council took place on 29 and 30 November. The UK was represented by the right hon. Lord Henley, Parliamentary Under-Secretary of State, on day 1 (internal market and industry); and by Katrina Williams, deputy permanent representative to the EU, on day 2 (research and space).

*Day 1 (Internal Market and Industry)*

The Council agreed a general approach on the platform-to-business regulation and to entering into inter-institutional negotiations with the European Parliament; these are anticipated to begin later this month. The UK welcomed the evidence-based approach taken by the Council; we consider that the compromise text meets the demand from business users for transparency without stifling development and innovation of online platforms. Others indicated that they could support the general approach but had hoped for more ambition for further regulation. Other member states urged the presidency to uphold the Commission's light-touch approach in talks with the Parliament, with some underlining that it was too soon to consider stricter rules. The UK joined the Czech Republic, Estonia, Finland, Latvia and Poland in signing a joint statement to the minutes expressing reservations about new provisions for public enforcement.

The Council adopted a partial general approach on the single market programme. The UK noted that, while it generally supported the programme's aims, it retained a parliamentary scrutiny reserve over this dossier and therefore abstained. The Council also adopted a general approach on the general safety of vehicles regulation.

The Council adopted conclusions on "A Future EU Industrial Policy Strategy". The Commission highlighted the link to its long-term strategy on climate, published on 28 November.

Commission Vice-President Katainen presented the Commission's recent communication on the future of the single market. He urged member states to adopt outstanding legislation in the remaining months of this legislature. Some member states noted a recently published report on trade in services as evidence of the persistent barriers in this area. Member states also noted the potential of digitalisation and cross-border data flows to boost the competitiveness of EU services and manufacturing. The UK noted the important economic links that would continue between the UK and EU after the UK's exit, and the shared challenges we face, particularly around digitalisation. Other member states highlighted the role of social, environmental, regional and transport policy in the functioning of the single market.

Ministers received information on the recently agreed changes to the state aid enabling regulation, and on the negotiations on supplementary protection certificates for medicinal products where the UK advocated maintaining the scope of the original Commission proposal. The Council

noted the annual report of the SME envoy network and received information from the incoming Romanian presidency about its priorities.

*Day 2 (Research and Space)*

The Council began with a progress report and an exchange of views on the regulation establishing the space programme of the Union. The discussion focused on governance, and in particular on the importance of clearly defined roles and responsibilities for all actors involved in delivering the programme. Access to space and how to maximise the competitiveness of the European space sector were also discussed.

The Council agreed on the conclusions on the governance of the European research area. The Council then discussed the Horizon Europe package—the framework programme for research and innovation 2021-27. The debate centred on four outstanding issues: the overall structure of the programme; return grants for Skłodowska-Curie actions; capping for partnership budgets; and the European Innovation Council. The Austrian presidency redrafted the regulation text following member states' interventions and the UK was content with the final version. The Council then agreed a partial general approach for the framework programme and its rules for participation and dissemination. The Austrian presidency also presented a progress report on the specific programme implementing Horizon Europe.

During any other business the Austrian presidency provided information on the conference "Evolution of Europe's space activities: Long-term perspective" held in Graz, 5 and 6 November 2018. The Romanian delegation then concluded the Council by outlining the work programme of the incoming presidency.

[HCWS1171]

## HEALTH AND SOCIAL CARE

### NHS Overseas Charging Regulations Review 2017

**The Minister for Health (Stephen Hammond):** On 16 November 2017, the Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Winchester (Steve Brine) announced to the House that my Department would be conducting a review into the impact of amendments made to the NHS charging regulations in 2017, with particular regard to any impact on vulnerable groups and those with protected characteristics.

The review is now complete, and the evidence received demonstrated that there is no significant evidence that the 2017 amendment regulations have led to overseas visitors being deterred from treatment or that the changes have had an impact on public health.

I am pleased that the review has shown that the 2017 amendment regulations are largely working in the way they were intended. These changes were, amongst other things, made to enshrine in law that overseas visitors not eligible for free care must pay for any non-urgent treatment upfront, to help reduce the need to chase up charges, and to remove the anomaly whereby the healthcare setting or provider type could determine whether services would be charged for or not.

Some case studies presented did reveal that there is more to do to ensure some groups of vulnerable overseas visitors understand their entitlements and treatment options, and that providers of NHS care consider fully

when a patient can be reasonably expected to leave the UK before deciding if treatment should be safely withheld if payment is not provided.

We will continue to work to ensure that these issues are addressed, so that the charging regulations are implemented in as fair a way as possible. We will improve information and support for NHS staff and patients and work with stakeholders and interest groups to ensure that key messages and safeguards are understood by all.

To ensure clinicians, NHS and community care staff fully understand our guidance and how it should be implemented in practice, we will revise and relaunch our focused e-learning training programme, and work with NHS Improvement's support teams to promote it. This will ensure that all relevant aspects of overseas visitors' personal circumstances are taken into consideration when clinicians decide whether treatment is immediately necessary.

To combat any misconceptions around how the cost recovery regulations affect access to care, the Department and NHS Improvement will continue the close partnership with community groups and stakeholders representing vulnerable individuals to develop user-friendly, culturally-appropriate guidance, and ensure this reaches those who may be impacted by this policy.

Finally, we will continue to work closely with NHS Improvement and frontline staff to keep the impact of the regulations and these further actions under very close review, and to provide additional support and guidance to organisations implementing the regulations in different settings in the best interests of patients.

[HCWS1174]

## HOME DEPARTMENT

### EU Internal Security Fund: Opt-in Decision

**The Minister for Policing and the Fire Service (Mr Nick Hurd):** The Government have decided not to opt in (under the UK's JHA opt-in protocol) to a proposal establishing an internal security fund (2021-27). The intended fund would not come into operation until the start of the next multiannual financial framework (2021), after the UK has exited the European Union and after the currently envisaged end of the proposed implementation period. As such, the UK would not be able to benefit from the fund as a member state.

In addition, the UK did not opt in to the previous iteration of the ISF as it provided no benefits to the UK beyond our own domestic capabilities. There is no evidence that this situation has changed, and that the ISF would remain a poor fit for UK policing needs. The benefits are unlikely to outweigh the cost of UK participation, and there was therefore no practical reason to opt in.

Until the UK leaves the EU it remains a full member, and the Government will continue to consider the application of the UK's opt-in to EU legislation in the area of Justice and Home Affairs on a case by case basis, with a view to maximising our country's security, protecting our civil liberties and enhancing our ability to control immigration.

[HCWS1173]

### Police Custody: Deaths and Serious Incidents Review

**The Minister for Policing and the Fire Service (Mr Nick Hurd):** On 30 October 2017, the right hon. Dame Elish Angiolini DBE QC's independent review of deaths and serious incidents in police custody was published, alongside the Government's substantive response.

As part of their response, the Government commissioned the Ministerial Council on Deaths in Custody to play a leading role in considering Dame Elish's most complex recommendations. Today, as co-chair of the Ministerial Board on Deaths In Custody—alongside Jackie Doyle-Price MP and Rory Stewart OBE MP—I report on the progress made in delivering this work programme.

We have made good progress in addressing Dame Elish's recommendations, although, of course, there remains more to do. First, we have focused on support for families, which includes work on the provision of legal aid for bereaved families, making inquests more sympathetic to their needs and improving the information available immediately after an incident. Secondly, we have worked to ensure that organisations are held to account when a death in police custody occurs. We have reformed the Independent Office for Police Conduct to strengthen its independence and improve the timeliness of its investigations, and we have introduced reforms to strengthen the police discipline regime. Thirdly, and above all, we are committed to preventing deaths in police custody. We have significantly restricted the use of police stations as places of safety, the National Police Chiefs' Council is driving progress in national training and assessing the health of detainees, and the Government are investing record levels in mental health, among other measures.

Every death in police custody is a tragedy. The impact is devastating on their loved ones. Dame Elish's report has been a catalyst for change, and in my role as co-chair of the Ministerial Board on Deaths in Custody, I am determined that we sustain momentum in addressing the difficult issues at hand.

We will deliver a year two work programme which will continue to prioritise preventing deaths in police custody and in the tragic instances that they do occur, holding organisations to account and improving support for families.

I would like to thank Dame Elish again for her far-reaching contribution to this important issue, and Deborah Coles, who advised Dame Elish's review, for her continued passion to enact change. Most importantly, I would like to thank the families who contributed to Dame Elish's review and who continue to share their experiences so that we can learn from them.

I am placing a copy of our progress update in the Library of the House and on [www.gov.uk](http://www.gov.uk).

[HCWS1172]

### Anti-corruption Strategy

**The Minister for Security and Economic Crime (Mr Ben Wallace):** Today, I am publishing the first annual update on the UK anti-corruption strategy 2017 to 2022. The Government committed to providing an annual written update to Parliament on progress. The UK anti-corruption

strategy provides a framework to guide Government anti-corruption policies and actions and this update highlights the action we have taken since its launch in 2017. It details the significant progress we have made, including actions taken to meet the commitments that were due by the end of 2018.

The UK has a good track record in combatting corruption. We are ranked as jointly the eighth least corrupt country by Transparency International and, last week, we received the highest ever ranking from the Financial Action Task Force for our efforts against money-laundering and counter-terrorism. We recognise, however, that there is more to do. Corruption undermines confidence in our institutions, threatens our security and damages our business interests, making it harder for our companies to compete internationally. This is

why we have committed at least £48 million over the next 18 months for the serious and organised crime strategy, which consists of a package of capabilities to tackle economic crime and illicit finance, including the launch of the national economic crime centre. In addition, the £45 million prosperity fund global anti-corruption programme, approved in October 2018, will work with partner Governments to promote inclusive sustainable growth and increase global prosperity through tackling corruption. The Government will continue to combat corruption and to promote integrity and transparency at home and overseas, working with international allies and at international forums to raise standards and to promote collective action.

A copy of the report will be placed in the Library of the House and will be available on the gov.uk website.

[HCWS1170]





# Ministerial Correction

*Wednesday 12 December 2018*

## EDUCATION

### Improving Education Standards

*The following is an extract from a speech on Improving Education Standards on 29 November 2018.*

**The Minister for School Standards (Nick Gibb):** At Downhills Primary School in Haringey in 2011, just

63% of pupils were achieving the expected standard in the old SATs in reading, writing and maths combined, compared with the national average at the time of 79%.

*[Official Report, 29 November 2018, Vol. 650, c. 442.]*

*Letter of correction from Nick Gibb.*

An error has been identified in my opening speech.

The correct wording should have been:

**Nick Gibb:** At Downhills Primary School in Haringey in 2011, just 63% of pupils were achieving the expected standard in the old SATs in reading, writing and maths combined, compared with the national average at the time of **67%**.





# ORAL ANSWERS

Wednesday 12 December 2018

	<i>Col. No.</i>		<i>Col. No.</i>
<b>NORTHERN IRELAND</b> .....	263	<b>NORTHERN IRELAND—continued</b>	
Armed Forces Veterans .....	272	Legacy Consultation .....	270
British Service Personnel Memorial .....	263		
Business Promotion .....	264	<b>PRIME MINISTER</b> .....	273
EU Withdrawal Agreement.....	266	Engagements.....	273

# WRITTEN STATEMENTS

Wednesday 12 December 2018

	<i>Col. No.</i>		<i>Col. No.</i>
<b>BUSINESS, ENERGY AND INDUSTRIAL STRATEGY</b> .....	13WS	<b>HOME DEPARTMENT</b> .....	15WS
Competitiveness Council.....	13WS	Anti-corruption Strategy.....	16WS
<b>HEALTH AND SOCIAL CARE</b> .....	14WS	EU Internal Security Fund: Opt-in Decision .....	15WS
NHS Overseas Charging Regulations Review		Police Custody: Deaths and Serious Incidents	
2017 .....	14WS	Review .....	16WS

# MINISTERIAL CORRECTION

Wednesday 12 December 2018

	<i>Col. No.</i>
<b>EDUCATION</b> .....	1MC
Improving Education Standards.....	1MC

No proofs can be supplied. Corrections that Members suggest for the Bound Volume should be clearly marked on a copy of the daily Hansard - not telephoned - and *must be received in the Editor's Room, House of Commons,*

**not later than  
Wednesday 19 December 2018**

STRICT ADHERENCE TO THIS ARRANGEMENT GREATLY FACILITATES THE  
PROMPT PUBLICATION OF BOUND VOLUMES

Members may obtain excerpts of their speeches from the Official Report (within one month from the date of publication), by applying to the Editor of the Official Report, House of Commons.

---

## CONTENTS

Wednesday 12 December 2018

**Oral Answers to Questions [Col. 263] [see index inside back page]**

*Secretary of State for Northern Ireland*  
*Prime Minister*

**Institute for Statecraft: Integrity Initiative [Col. 285]**

*Answer to urgent question—(Sir Alan Duncan)*

**International Trade and Development Agency [Col. 298]**

*Motion for leave to bring in Bill—(James Cleverly)—on a Division, negatived*

**Courts and Tribunals (Judiciary and Functions of Staff) Bill [Lords] [Col. 307]**

*As amended, considered*  
*Read the Third time and passed*

**Diabetes: Artificial Pancreas [Col. 348]**

*Debate on motion for Adjournment*

**Independent Parliamentary Standards Authority [Col. 363]**

*Motion, on a deferred Division, agreed to*

**Westminster Hall**

**UK Fishing Industry [Col. 93WH]**

**Blue Belt Programme: South Sandwich Islands [Col. 118WH]**

**NHS Reorganisation [Col. 126WH]**

**HMY Iolaire [Col. 144WH]**

**Thames Water Reservoir at Abingdon [Col. 152WH]**

*General Debates*

**Written Statements [Col. 13WS]**

**Ministerial Correction [Col. 1MC]**

**Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]**

---