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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES
(HANSARD)**

Monday 18 March 2019

House of Commons

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The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

WORK AND PENSIONS

The Secretary of State was asked—

Welfare Support

1. **Bob Blackman** (Harrow East) (Con): What comparative assessment her Department has made of the levels of financial support available through (a) universal credit and (b) the legacy system. [909829]

3. **Huw Merriman** (Bexhill and Battle) (Con): What comparative assessment her Department has made of the levels of financial support available through (a) universal credit and (b) the legacy system. [909831]

23. **Luke Graham** (Ochil and South Perthshire) (Con): What comparative assessment her Department has made of the levels of financial support available through (a) universal credit and (b) the legacy system. [909851]

The Secretary of State for Work and Pensions (Amber Rudd): When fully rolled out, universal credit will be £2 billion per year more generous than the support it replaces. As a single system that integrates six legacy benefits, universal credit will enable 700,000 households to access approximately £2.4 billion of welfare that previously went unclaimed. Our welfare reforms are about targeting support at those who need it most.

Bob Blackman: At the Budget, additional funds, which are to come into effect in the new financial year, were allocated to pay for work allowances. Will my right hon. Friend update the House on when those work allowances will come in, how much they will be, and how much extra the working people in my constituency who receive universal credit can expect to receive each week?

Amber Rudd: My hon. Friend is right that an extra £1.7 billion a year will be put into work allowances to increase them by £1,000 from April 2019. That will provide a boost to the incomes of the lowest paid that will result in 2.4 million families keeping an extra £630 per year of what they earn.

Huw Merriman: It is not just the financial support that is key, but the support provided by jobcentres in getting people work-ready. One of my constituents was

languishing on benefits for a decade with no interventions. Now, under universal credit, she is being helped and supported to become job-ready. Will my right hon. Friend ensure that we continue this approach, and that we reach out and support the work coaches in jobcentres?

Amber Rudd: I thank my hon. Friend and near parliamentary neighbour for pointing out the excellent work done by work coaches. The defining difference between universal credit and the legacy benefits that it replaces is that tailored, personal approach, which really helps individuals to get back into work.

Luke Graham: What support is being given, through not only universal credit but schemes such as Access to Work, to those who experience mental ill health?

Amber Rudd: I thank my hon. Friend for pointing out this important element of universal credit. We are determined to make sure that universal credit really supports the most vulnerable. We are piloting a new scheme in Milton Keynes in which people with mental health difficulties are given an early referral to make sure that their needs are dealt with early on, so that they can be given the appropriate, personal, supportive care that they need.

Stephen Timms (East Ham) (Lab): The five-week wait for universal credit assumed that everybody would have their last month's pay cheque in the bank, but reality is not like that. Most claimants have to take an advance—a debt to the Department—the repayment of which often forces people to use food banks, as the Secretary of State has rightly acknowledged, or go into rent arrears. Will she scrap the five-week delay?

Amber Rudd: I thank the right hon. Gentleman for raising this important issue; we have addressed concerns about the five-week wait by putting in additional measures. One measure now in place relates to the receipt of legacy housing benefit over two weeks. All universal credit applicants can get an advance, and we now find that 60% of applicants take up that opportunity. That obviates the need for concerns about the early amount of cash that people get.

Liam Byrne (Birmingham, Hodge Hill) (Lab): I spent most of Saturday collecting a third of a tonne of food for our local food banks as part of our Winter of Compassion campaign. It is already clear that we will have to run such food-bank collections all year round. When will the Secretary of State join us in Birmingham to help collect the food needed to end the hunger that her policies are causing?

Amber Rudd: I totally reject the right hon. Gentleman's assumption and comments. The issue with food banks is partly that the early roll-out of universal credit had some difficulties. We now know that 85% of applications for universal credit are paid on time and, as I said in answer to an earlier question, 60% of people get advances. I hope that that combination will enable people to access the cash that they need straight away.

Jo Swinson (East Dunbartonshire) (LD): Despite the recent funding, the levels of work allowances have still not recovered from the cruel cuts made to them back

in 2015. Does the Secretary of State recognise that although the principle of simplicity behind universal credit is a good one, if universal credit is to have credibility, it needs to be funded properly?

Amber Rudd: It is because universal credit needs to be funded properly that my right hon. Friend the Chancellor has, since 2016, put another £10 billion into different areas of it, to ensure that it does what it sets out to do, which is support the most vulnerable and help others into work.

Alison Thewliss (Glasgow Central) (SNP): The UK Government have removed the higher rates in universal credit for lone parents under 25. In answer to a question from my hon. Friend the Member for Airdrie and Shotts (Neil Gray), the Minister for Employment had the audacity to claim that under-25s have lower living costs, and that

“this reflects the lower wages that younger workers typically receive”

as a result of state-sanctioned age discrimination, including through this Government. Will the Secretary of State tell me in what way it costs a 24-year-old less to be a single parent than it costs a 26-year-old?

Amber Rudd: I point out to the hon. Lady that we have made available more childcare that is both better and lower-cost. A person can now have 85% of their childcare costs paid under universal credit. We have also made sure, as I said in a recent announcement, that work coaches have the wherewithal, through the flexible support grant, to give that money to people who need it early on in the process.

Mike Amesbury (Weaver Vale) (Lab): Ministers may like to claim that nobody will be worse off on universal credit, but people transferring through natural migration get no protection against loss of income, even though they may just have moved home. Will the Secretary of State tell the House what the Government will do to ensure that nobody is left worse off?

Amber Rudd: I ask the hon. Gentleman to engage with the change that is universal credit. People were left to languish on previous legacy benefits, and were not helped into work at all. We now have a system where the money is focused on trying to help people into work. That is why we have seen the changes with the work allowance, and why we have seen additional support from the Chancellor. It is a different system from that point of view.

Universal Credit

2. **Mary Robinson** (Cheadle) (Con): What steps she has taken to ensure that universal credit is tailored to individual claimants' needs. [909830]

12. **Matt Warman** (Boston and Skegness) (Con): What steps she has taken to ensure that universal credit is tailored to individual claimants' needs. [909840]

The Minister for Employment (Alok Sharma): Under universal credit, our work coaches provide vital one-to-one support to all claimants. Work coaches receive appropriate training to ensure that they can offer support to claimant groups with a variety of characteristics.

Mary Robinson: I am grateful to the Minister for that answer. Will he say what support he is giving to people in my constituency to help them back into work?

Alok Sharma: I thank my hon. Friend and her parliamentary office for engaging with their local jobcentre in Stockport. I know that she has visited it and seen the one-to-one support provided. She asked for a specific example; in the past week, Stockport jobcentre has been working with claimants to prepare them for a sector-based work academy opportunity with the NHS, which will lead to 20 guaranteed interviews.

Matt Warman: I have seen the positive effect that the roll-out of universal credit has had in the jobcentres in both Boston and Skegness, but it remains the case that some applicants' assessment is overturned on appeal. Does my hon. Friend agree that we need to get this right first time more often, and can he tell me what he is doing to make that happen?

Alok Sharma: My hon. Friend makes a very important point. He will know that earlier this month, the Secretary of State announced a range of measures to better support people with disabilities and health conditions, which of course included exploring whether we can improve the mandatory reconsideration process to reduce the volumes of cases going to appeal.

Frank Field (Birkenhead) (Ind): When I last read the claimant commitment, it was like a prison manual. The duties were all on the claimants' side, with none on the Department's. Will the Minister meet me and community groups that have designed a fairer commitment, in which there are duties on the Department to make a success of universal credit, as well as duties on claimants?

Alok Sharma: Of course I am always happy to meet the right hon. Gentleman. I would say, though, that claimant commitments are agreed with claimants. It is work that is done together; that is what is important.

15. [909843] **Chris Ruane** (Vale of Clwyd) (Lab): In 2015-16 in Wales, 22,000 households were eligible for homelessness assistance. In 2017, universal credit was introduced. By the time the roll-out finished in 2018, the figure was 28,000—a 30% increase. Will the Minister acknowledge the harm that universal credit has done in promoting homelessness in Wales? What immediate help can he give to those people who are suffering?

Alok Sharma: The hon. Gentleman will know that, across Government, we have a strategy to tackle homelessness. He will also know that we have introduced measures such as the landlord portal, so that payments for rent can be paid directly to social landlords, and that, just a few weeks ago in January, the Secretary of State announced a further change that will allow rents to be paid to private landlords much more easily. We are keen to make sure that this works for everyone.

Robert Halfon (Harlow) (Con): I thank my hon. Friend and the Secretary of State for both coming to my Harlow jobcentre to see how universal credit works in practice. May I ask the Minister specifically what he is doing to help single parents who are moving on to universal credit?

Alok Sharma: My right hon. Friend is a huge champion for his constituents. He is extremely well regarded in the jobcentre, interacting with constituents and indeed with those working there. The Secretary of State has already referred to the fact that, from 1 April, we will be increasing work allowances by £1,000.

Margaret Greenwood (Wirral West) (Lab): Four single mothers won a legal challenge against the Department for Work and Pensions in January because their universal credit payments did not take into account the way in which their incomes changed from month to month, yet the Government decided to apply for permission to appeal. This was turned down, with the judge saying that the way in which the Secretary of State had interpreted and applied the legislation

“was not only wrong as a matter of language, it produces absurd results”.

Why did the Government choose to spend public money seeking to appeal the original decision, and what are they going to do now to address this grotesque injustice?

Alok Sharma: As the hon. Lady will know, we are considering this case, so it would not be appropriate to comment at this stage.

Universal Credit: Disabled People

4. **Vicky Foxcroft** (Lewisham, Deptford) (Lab): What assessment her Department has made of the financial effect of universal credit on disabled people. [909832]

20. **Paul Blomfield** (Sheffield Central) (Lab): What assessment her Department has made of the effect of the introduction of universal credit on disabled people. [909848]

The Parliamentary Under-Secretary of State for Work and Pensions (**Guy Opperman**): More people who are severely disabled will receive higher payments under universal credit. This means that around 1 million disabled households will gain on average around £100 more per month on universal credit than on legacy benefits. The universal credit rate for the most disabled people is up to £328.32, which is up from the employment and support allowance level of £163.15.

Vicky Foxcroft: I have a constituent with a severe brain injury who applied for universal credit in August 2018 and immediately lost his severe disability premium. Since then, he has lost over £1,500 in benefits. What are the Government doing to ensure that extremely vulnerable claimants who have lost their severe disability premium are given the back payments to which they are entitled?

Guy Opperman: If the hon. Lady writes to me personally, I will ensure that officials sit down with her and go through what seems to be a very difficult case. I have suffered from a brain injury, so I know the difficulties involved. The hon. Lady will be aware that the transitional payment and the gateway are available for those receiving the severe disability premium, and that these elements provide protection long-term. Over 1,200 staff are working to ensure that repayments are made.

Paul Blomfield: Our experience in Sheffield is that many people with learning disabilities cannot manage digital applications and are not easily granted access to

non-digital routes, and that others who start on digital applications with support, but struggle once they are on their own, are not allowed to return to non-digital routes. Will the Minister therefore agree to assess demand for non-digital applications, and to publish clear guidance for jobcentres to make it easier for people with learning disabilities to be granted access to non-digital claims?

Guy Opperman: It is a pleasure to answer this question, because both the hon. Gentleman, who is a friend of mine, and I have suffered from the disabling effects of brain tumour. The House will be aware that this is Brain Tumour Awareness Month and that it is Wear A Hat Day on Friday. I will ensure that the points he raises are addressed. He will be aware of the help to claim service, which is already in existence, and of the work that we are doing with Citizens Advice, which will come up to speed in April. A great deal of effort is also going into home visits for vulnerable claimants. However, he raises a legitimate point that we will most definitely look into.

Richard Graham (Gloucester) (Con): The Employment Minister will recall the case of my constituent Ben Seaman, who received a payment following underpayment of ESA; his parent was concerned that as a result, he would be unable to receive ESA in future. I am very grateful for the letter that the Secretary of State has written to me, which arrived today. Will the Minister confirm that those transferring from ESA to universal credit, who have to log this collection of underpayment within a month, will be told in advance of transferring?

Guy Opperman: I am delighted to hear about the very welcome development that has been communicated by the Secretary of State today. I can confirm what the Employment Minister has set out today, and I am delighted that this progress has been made.

Andrew Bridgen (North West Leicestershire) (Con): I am glad that 145,000 more people with disabilities have found work in the last 12 months, leading to a total of 930,000 moving into work in the last five years. Does the Minister agree that the Government's declared target of helping 1 million people with disabilities into work could be rather more ambitious than it is?

Guy Opperman: One million is a great start, but I believe that there is capability for more. I encourage all employers up and down the country to consider the many talented disabled people who want to join the workforce. The numbers are up all over the country already, as my hon. Friend outlines, but there is a lot more that can be done.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): Those with disabilities have been contacting me from across the United Kingdom in my position as chair of the all-party parliamentary group for disability, telling me that they still find it extremely difficult to access home assessment for benefits, and that they are then being penalised by having to provide GP letters, for which they are charged. Will the Minister respond to this situation and ensure that these people are not being penalised twice for their disability when accessing the benefits system?

Guy Opperman: I am happy to assure the hon. Lady that her concerns will be taken up by the Department; a Minister will meet her to go through her complaint.

Vicky Ford (Chelmsford) (Con): I was recently visited by a constituent who was very distressed during his personal independence payment assessment because he felt that the assessor had not understood his case or his records and did not have the full facts. When will we introduce video recordings, so that our assessors can be held to account?

Guy Opperman: My hon. Friend raises a legitimate point. Video recording is an important step forward introduced by this Government. The pilot from last November appears successful, and we are looking to do a full roll-out later this year.

Universal Credit: Telephone Applications

5. **Rosie Cooper (West Lancashire) (Lab):** Which criteria her Department uses to decide whether people can make an application for universal credit by telephone. [909833]

The Minister for Employment (Alok Sharma): Any claimant may claim universal credit by telephone. Each request will be considered on its merits, through discussions between the Department and individuals to see which method of claiming is most suitable and beneficial. After those discussions, phone claims are available to any individual who wishes to proceed with one.

Rosie Cooper: What efforts are made to engage by telephone with those who are considered to be in need of making a claim, who may include elderly, disabled or rural claimants with poor or no internet access?

Alok Sharma: There is a freephone line. Last month, in February, 1.2 million calls were received on the universal credit full service line, and for those who are particularly vulnerable, home visits are also available.

Sir Desmond Swayne (New Forest West) (Con): How fast will the fast track be for cases of mental disability?

Alok Sharma: We are starting on this work; I made reference to the speech that the Secretary of State made earlier this month. However, if my right hon. Friend has a specific case to raise, we will be very happy to take it up.

Welfare Support: Kettering

6. **Mr Philip Hollobone (Kettering) (Con):** How many people in Kettering constituency receive (a) personal independence payment, (b) employment and support allowance and (c) universal credit. [909834]

The Secretary of State for Work and Pensions (Amber Rudd): I am pleased to say that since 2013 the number of people claiming unemployment-related benefits in Kettering has decreased by over a third. The latest published statistics show that there are 3,520 people on PIP in Kettering, 35% of whom are getting the highest

rates, compared with 14% of working-age disability living allowance recipients in the area when PIP was introduced.

Mr Hollobone: It is taking too long for those who are refused PIP to successfully appeal against the decision. Across the country, it takes 190 days, and the worst 10% of cases in the east midlands now take 300 days. What percentage of PIP refusals are successfully overturned on appeal?

Amber Rudd: I share my hon. Friend's concern that it is taking too long, and that too many appeals are indeed overturned. That is why I committed in my most recent statement to making sure that we look again at mandatory considerations to make them more effective, so that we can start to reverse this. I share his concerns and I am addressing the issue.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op) rose—

Mr Speaker: By his deployment of the words, "Across the country", the hon. Member for Kettering (Mr Hollobone) has helpfully enabled the hon. Member for Huddersfield (Mr Sheerman) to come in on this question, as it now refers to a wider area, and not simply to Kettering.

Mr Sheerman: The Secretary of State is a fair-minded person. This morning, I have been looking at her constituency stats, the Kettering stats, and my stats in Huddersfield. However, I appeal to her to raise her vision beyond just the stats and the data, and to look at the evidence from children's charities such as Action for Children, which will tell her that in her patch, in Kettering and in my patch, child poverty has not diminished.

Amber Rudd: I am very mindful of what we are delivering on the ground to individual constituents, families and children. We attempt, we hope, to protect the vulnerable and help people into work, but I know that my Department has a part to play in reducing poverty, and I am focused on that.

Employment: Hampshire

7. **Mr Ranil Jayawardena (North East Hampshire) (Con):** What recent assessment her Department has made of the number of people in work in Hampshire. [909835]

The Minister for Employment (Alok Sharma): There are more people in work across our country than ever before, wages are growing at the joint-fastest rate in a decade, and Office for National Statistics data estimates that in the year to September 2018 there were 938,400 people in work in the great county of Hampshire.

Mr Jayawardena: I thank my hon. Friend for that answer. That is great news, but what more will the Government do to help people who find themselves out of work into new jobs?

Alok Sharma: Under universal credit, as we have noted before, work coaches provide that vital one-to-one support and advice to help people into work. The disincentives of the legacy system are gone, and the reforms are working. In my hon. Friend's constituency of North East Hampshire, the number of claimants is down by 42% over the past five years.

Poverty

8. **Brendan O'Hara** (Argyll and Bute) (SNP): What recent assessment she has made of the effect of her Department's policies on levels of poverty. [909836]

19. **Drew Hendry** (Inverness, Nairn, Badenoch and Strathspey) (SNP): What recent assessment she has made of the effect of her Department's policies on levels of poverty. [909847]

The Parliamentary Under-Secretary of State for Work and Pensions (Justin Tomlinson): Household incomes have never been higher. In 2016-17, there were 1 million fewer people living in absolute poverty than in 2010. In Scotland, whichever way we look at poverty—relative or absolute, and before or after housing costs—in the three years to 2016-17, no measures are higher than in the three years to 2009-10; in fact, three are lower.

Brendan O'Hara: A few weeks ago, a young family with a newborn baby appeared at my constituency office in Helensburgh. They were halfway through their four-week universal credit assessment period. This was a family in crisis. They were penniless, and the father had not eaten for three days. They did not even have enough money to buy baby milk and had been refused healthy start vouchers because they ticked the wrong box. Is that not the reality of the poverty being created by the Government?

Justin Tomlinson: I am sorry to hear about the circumstances of that case, and I am happy to look into it further. One of the recent announcements we have made is that there will be Citizens Advice support within every jobcentre from April onwards. That is the sort of case where Citizens Advice can step in and provide independent support and advice, to ensure that people get their full entitlement.

Drew Hendry: Be it universal credit, the benefit freeze or Brexit, the poor are being hit the hardest at the moment, yet according to research from the Resolution Foundation, overall tax and benefit changes will take £100 from families in the bottom fifth of income distribution and give £280 to those in the top 10. Does the Minister think that that is fair?

Justin Tomlinson: That is not something I recognise. Through the additional money being put into universal credit, record employment, the changes to the income tax personal threshold and rising wages, the poorest fifth in society are now £400 better off in real terms than in 2010.

Stephen Kerr (Stirling) (Con): Does the Minister agree that, with employment at record levels and wages rising in real terms, the best approach to helping people out of poverty is the one that this Government are delivering?

Justin Tomlinson: My hon. Friend is spot on. Only 5% of children whose parents work full time are in poverty, against 63% for families where there is only part-time work, which is why our delivering record employment in all regions of the UK is making a real difference.

Margaret Greenwood (Wirral West) (Lab): Next year, the benefit freeze will leave the poorest 20% of families with children £900 worse off on average. In January, the Secretary of State said that the benefit freeze was the right policy at the time, but both she and the Chancellor have signalled that it will not be renewed in 2020. If it is not the right policy now, why are the Government continuing with the freeze for another year?

Justin Tomlinson: The hon. Lady continues to object to any measures to restore fairness to the benefits system. Under the last Labour Government, we saw welfare spending increase by £84 billion and an additional tax burden of £3,000 per hard-working household. This is about fairness and supporting people, while having a good safety net for those most in need.

Universal Credit: Debt

9. **Heidi Allen** (South Cambridgeshire) (Ind): What assessment she has made of the effect of the five-week wait to receive universal credit on claimants' levels of debt. [909837]

The Secretary of State for Work and Pensions (Amber Rudd): No one has to wait five weeks for the first part of their benefit because, as the hon. Lady is aware, they can get an advance of up to 100%, and 60% of people do that. We have also introduced a two-week run-on of housing benefit, and from next year a further two-week run-on of employment and support allowance, jobseeker's allowance and income support will be available. Those payments are in addition to each claimant's universal credit benefit award.

Heidi Allen: I am afraid to say that the five-week wait issue is not going to go away until the Government recognise that it is driving some people to food banks. I was in Glasgow on Friday with the Chair of the Work and Pensions Committee, the right hon. Member for Birkenhead (Frank Field), and we will continue on our tour of the UK, taking a camera crew with us and shining a spotlight on poverty until the Government change their mind on this. For the most vulnerable in society who have zero financial resilience, the four-week assessment period makes no sense at all—they have to wait four weeks to prove they have no money. I have suggested that there is a need to identify the most vulnerable claimants—those with no financial resilience—and hand-hold them through the system, and either make the assessment period start at minus four weeks or make those advance payments non-repayable grants, not for everyone but for the vulnerable.

Amber Rudd: I am always willing to look at suggestions for how to improve universal credit. The hon. Lady is well known for bringing forward a lot of suggestions for us to look at. However, we need to be careful not to create incentives that are counter to our intention to help people into work. I do believe that advances work well, and the work coaches I talk to—I also go around the country talking to people about it—do tell me that they make a significant difference.

Joanna Cherry (Edinburgh South West) (SNP): A constituent of mine, a working mum with two little girls, had to wait the five weeks for her universal credit

claim and then a further month for assistance with childcare costs because the Department insists on paying childcare in arrears. We all know that, in the real world, nurseries have to be paid in advance, so why cannot the system recognise that simple reality?

Amber Rudd: We have acknowledged that issue. I have announced that work coaches now have access to the flexible support fund so that they can give that money in advance and do exactly what the hon. and learned Lady is suggesting—giving that money to the people who need it when they are ready to pay for childcare to get into work.

Benefit Cap

10. **Ms Karen Buck** (Westminster North) (Lab): What assessment she has made of the financial effect of the benefit cap on claimants who are not required to undertake a work search. [909838]

The Parliamentary Under-Secretary of State for Work and Pensions (Justin Tomlinson): An evaluation of the cap, covering these groups, is expected to be published in spring 2019. Some claimants might not be required to look for work, but they are expected to undertake activities designed to help them prepare for and move closer to the labour market. Those needing additional help adjusting to the cap can apply for discretionary housing payments.

Ms Buck: But this is really missing the point. As the Work and Pensions Committee report made absolutely clear, the benefit cap should not apply to people who are not required to undertake a work search. Why are constituents such as mine having to find £50 out of their child benefit and child tax credits when they are in homeless accommodation and have no say over where they are accommodated and how much rent they are paying, or when they are exempted from a work search, including, in one case, when a mother had been fleeing domestic violence?

Justin Tomlinson: There are automatic exemptions for claimants on DLA, PIP, carer's allowance, guardian's allowance, working tax credits when working over 16 hours a week, universal credit when earning over £542, ESA support or the UC higher rate. Where they are not covered by that, discretionary housing payments can be used, and in that case they certainly should have been looked at favourably.

Kate Green (Stretford and Urmston) (Lab): On 29 January, the Minister told me in a written answer that the Department does not know how many resettled refugee families may be subject to the benefit cap. Can he give me an assurance on the Floor of the House that the Government will start to look at that data and guarantee that no such family will be left unable to access the financial support they need?

Justin Tomlinson: I thank the hon. Lady. I have met a number of stakeholders to discuss this issue and wider issues connected to refugees. It is an area of priority for the Department, and I would be happy to meet her to discuss this further.

Older Pensioners

11. **Mr Laurence Robertson** (Tewkesbury) (Con): What steps she is taking to increase the income of older pensioners; and if she will make a statement. [909839]

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman): This country spends £121 billion on pensioners every year, with an increasing budget. My hon. Friend will be aware that the state pension is up well over £1,000 per annum in cash terms since 2010. In addition, there are 12 million winter fuel payments, at a cost of about £2 billion, specifically for the over-80s, with a payment of £300 a year to the individual.

Mr Robertson: I thank the Minister for delivering that good news to the House. While automatic pension enrolment will certainly help people as they move into retirement, can we make sure that we do not take our eye off the ball with older pensioners, with particular reference to fuel poverty, because there is still a problem?

Guy Opperman: My hon. Friend makes two points. The first is that auto-enrolment is a massive success in Tewkesbury, with 23,000 men and women now saving up to 5%—going up to 8% in April—for their long-term retirement. In addition, on fuel poverty, he will be pleased with the warm home discount scheme, which supports over 2 million low-income and vulnerable customers each year with direct assistance with their costs. However, I accept that there is always more that we can do.

Rachael Maskell (York Central) (Lab/Co-op): According to the Joseph Rowntree Foundation, one in six pensioners now live in poverty. Last year, 46,000 pensioners died prematurely, and the winter fuel allowance has not been increased for 15 years, so what is the Minister doing about that? The Government are cutting pension credit for couples at the same time.

Guy Opperman: The reality is that pensioner poverty is at an historically low level. The hon. Lady will be aware of the 12 million winter fuel payments, at a cost of £2 billion, with £200 for households with someone who has reached state pension age and £300 for households with someone who is over 80. In addition, there is the warm home discount support I just outlined.

Paul Masterton (East Renfrewshire) (Con): I welcome the Government's response this morning to the collective defined-contribution scheme consultation. What does it mean for posties in East Renfrewshire, a number of whom are looking forward to meeting the Minister when he comes up to Barrhead on Friday?

Guy Opperman: We believe that collective defined-contribution schemes are a positive step and a welcome innovation to help postmen and women up and down the country to have a sustainable long-term retirement. I welcome the support of the Communication Workers Union and Royal Mail, and the role my hon. Friend has played in the House of Commons. I look forward to meeting some of his posties early—very early, I believe—on Friday morning.

Hannah Bardell (Livingston) (SNP): My constituent Christine Paris is a vulnerable 60-year-old women, who has a rare birth defect causing severe learning disability. She has never been able to work and she cannot even travel alone, yet she is being placed in the work-related activity group and forced to face yet another humiliating fit for work assessment. Will the Minister look into her case personally? Does he agree with the Centre for Health and Disability Assessments, which says that the assessment process is unfit for people with learning difficulties, and will he conduct an urgent review?

Guy Opperman: If the hon. Lady sends that case to the Department, I and the Minister concerned will look into it specifically.

Jack Dromey (Birmingham, Erdington) (Lab): In legislating to allow 140,000 Royal Mail workers to benefit from the CDC scheme, will the Government also legislate as soon as possible to compel employer contribution with the pensions dashboard and to strengthen powers and criminal penalties available to the regulator, to provide a better pension for tens of thousands of workers, to help all workers to plan for their retirement, to protect workers and to send an unmistakeable message to the Philip Greens of this world that those who rob workers of their pension security will end up in the dock?

Guy Opperman: The hon. Gentleman and I are united in our desire for a Bill that addresses collective defined-contribution, compulsion on dashboards and the defined-benefit reforms that we all agree are both required and necessary. I am confident that with a constructive, cross-party approach, over the next few months, with the hon. Gentleman and other political parties, we can introduce those measures very soon.

Universal Credit: Food Banks

13. **Helen Hayes** (Dulwich and West Norwood) (Lab): What assessment her Department has made of the effect of the roll-out of universal credit on the level of referrals to food banks. [909841]

18. **Lilian Greenwood** (Nottingham South) (Lab): What assessment her Department has made of the effect of the roll-out of universal credit on the level of referrals to food banks. [909846]

The Parliamentary Under-Secretary of State for Work and Pensions (Justin Tomlinson): Our own evidence does not show a direct link between the increase in food bank use and the roll-out of universal credit. As the Trussell Trust has said, it is impossible to identify one single cause. Universal credit spends £2 billion more than the system it replaces, and it incentivises work, providing a pathway out of poverty.

Helen Hayes: In my surgery on Friday, I met a family with very young children who have been without benefits to which they are entitled since before Christmas, due to mistakes by the DWP. They are already in housing rent arrears and reliant on the local food bank. Without resolving those errors, the DWP is now moving them on to universal credit, where the terrifying prospect of a five-week wait and no funds to repay an advance pose a

real risk of homelessness. I want the Secretary of State not only to look into this case but to deal with the incompetence and cruelty in her Department, which are causing such misery for far too many people.

Justin Tomlinson: First, I give a commitment that, yes, I am very happy to look into that specific case. It highlights the problems with the legacy benefits, whereby £2.4 billion a year of benefits were missed. It was a complex, bureaucratic process where mistakes could happen and claimants—particularly vulnerable claimants—did not take what they were entitled to. Under universal credit, with personalised, tailored support, mistakes can be rectified more quickly.

Lilian Greenwood: Rent arrears are deducted from jobseeker's allowance at £3.70 a week, but for universal credit the deduction is £31 a month, while overpaid benefits and advance payments are deducted at even higher rates. Some of my constituents are having over £100 deducted from their monthly universal credit payments, forcing them to dip into their rent money and use food banks just to get by. They would not find themselves in this position if they were not waiting up to five weeks to receive their first payment. The Secretary of State says she has put in measures to address that, but they clearly are not working. When will Ministers face the facts and scrap the five-week wait?

Justin Tomlinson: Those transferring from legacy benefits would get two weeks' housing benefit run-on, no strings attached, in addition and would automatically be offered the advance payment. We have lengthened the time over which that would be repaid and lowered the rate at which it would be claimed back.

Employment

16. **Royston Smith** (Southampton, Itchen) (Con): What assessment the Government have made of trends in the level of employment since 2010. [909844]

The Minister for Employment (Alok Sharma): The number of people in employment has never been higher, with a record 32.6 million people in employment. That is up by more than 3.5 million since 2010. The UK's employment rate is at a joint record high of 75.8%.

Royston Smith: More people in Southampton, Itchen are in work than has been the case for years, but many of them are in jobs with poor prospects and low pay. What are the Government doing to create jobs with higher pay and better prospects, not just in Southampton, Itchen, but across the country?

Alok Sharma: Well, 75% of the jobs that have been created since 2010 are permanent, full time and in high-level occupations that attract high wages. Of course, my hon. Friend is right that we need to do even more to upskill people and help them enter better-paid work. That is why, across the Government, we are investing in higher level apprenticeships, technical skills and a national retraining scheme.

Mike Amesbury (Weaver Vale) (Lab): Last month's unemployment figures showed rises in six areas, including the north-east. There are more than 800,000 people on

zero-hours contracts and wages are £9 a week lower than in 2008. Will the Minister describe how he intends to address job insecurity, low pay and the clear failure of the Government to tackle regional inequalities?

Alok Sharma: The hon. Gentleman will, I am sure, be aware that since 2010 employment has gone up in every region and country of the United Kingdom. As I have pointed out, 75% of the new jobs are in high-level occupations. He talked about zero-hours contracts. He will know that there has been a drop in the number of zero-hours contracts over the past year. Ultimately, he talked about failure. The only failure we recognise is that absolutely every Labour Government have left unemployment higher than when they entered office.

Sir Peter Bottomley (Worthing West) (Con): We are glad to hear that employment has gone up in every region of the country. Will the Minister at some stage, if not today, put out a written statement on why it is thought that unemployment always rises with a Labour Government and employment increases with a Conservative Government?

Alok Sharma: We can all have our theories, but my hon. Friend is absolutely right that that is precisely what happens. What the Labour party should be doing is congratulating the Government on the work we have done over the past nine years to get employment up.

Health Assessments

17. **Diana Johnson (Kingston upon Hull North) (Lab):** What recent assessment her Department has made of the (a) accuracy and (b) efficiency of contracted-out health assessments for (i) employment and support allowance and (ii) personal independence payment. [909845]

25. **Mr Paul Sweeney (Glasgow North East) (Lab/Co-op):** What recent assessment her Department has made of the (a) accuracy and (b) efficiency of contracted-out health assessments for (i) employment and support allowance and (ii) personal independence payment. [909853]

The Parliamentary Under-Secretary of State for Work and Pensions (Justin Tomlinson): We are committed to ensuring that individuals receive high-quality assessments. Providers are closely monitored against a range of measures, including through independent audit, to improve the accuracy of the advice they provide to decision makers. We continually look to improve the efficiency of the assessment process by working closely with our providers.

Diana Johnson: Quite apart from the problems with and maladministration of work capability and PIP assessments, I have requested that Ministers consider the passporting of people who were affected by the contaminated blood scandal, so that the benefits they are currently on are passported on to the new benefits. I do not understand, when there is a public inquiry into the scandal, why these people are still having to go through the assessments.

Justin Tomlinson: I know that the hon. Lady has campaigned for a number of years on this incredibly important issue, and I pay tribute to the diligence of her work. I would be very happy to meet her to discuss the matter further.

Mr Sweeney: Some 72% of personal independence payment appeals were successful in the first three months of last year, which is an appalling failure rate. It is my understanding that Scottish Ministers have had power over the administration of personal independence payment since the Scotland Act 2016 came into effect, and that they would have the power to usurp the failed system and adopt a new one. Why is it taking so long to do it?

Justin Tomlinson: From my former role as Minister for Disabled People, I know that Scottish Ministers had the opportunity to take that forward. We are willing to work with their officials to make that possible if they wish to proceed. The ball is very much in their court.

Mr David Davis (Haltemprice and Howden) (Con): I declare a family interest in the answer to my question. The undoubted problems with health assessments are causing delays in the appeal process right across the board, not just with PIP and others, but with disability living allowance and mobility allowances. Will the Minister agree to see me and discuss how we can accelerate the process, because some appeals take more than 39 weeks to come to fruition, with the effect that children have to wait over a year before they get their proper allowances?

Mr Speaker: I am sure that the Minister will agree to see the right hon. Gentleman. It would be extraordinarily reckless and foolhardy to refuse to do so, and I am sure that the Minister would never be reckless or foolhardy.

Justin Tomlinson: It will be a pleasure to meet my right hon. Friend. We have been working very closely with the Ministry of Justice to improve the capacity within the tribunal system, to speed up the process. The Secretary of State has set out ambitious plans to improve the mandatory reconsideration stage to reduce the number of decisions that are going on to the independent appeal part.

Rachel Maclean (Redditch) (Con): Will the Department and Ministers join me in paying tribute to Disability Support Project in Redditch, which does some great work to help disabled people to navigate the bureaucracy surrounding the system? Will the Minister outline when we will see a difference on the ground from some of the measures that he is putting in place to improve the transparency of the assessment procedures?

Justin Tomlinson: I thank my hon. Friend for highlighting the fantastic work that her local organisation does. Those with that frontline experience have to be at the heart of the improvements that we take forward. We engage very proactively and constructively with stakeholders, national and local, and they are helping to shape the improvements.

22. [909850] **Marion Fellows (Motherwell and Wishaw) (SNP):** In a written answer, the former disability Minister, the hon. Member for Truro and Falmouth (Sarah Newton), said that DWP auditors can grade

health assessment reports as amendments required and that the DWP is not prescriptive in how changes should be made to health assessment reports. Will the Minister confirm that while changes are not prescriptive, the auditors, who are not present during assessments, can mandate required sweeping changes that can drastically affect a person's claim?

Justin Tomlinson: We are always reviewing that process and we work very closely with stakeholders, with their wealth of experience, to make sure that we continue to deliver improvements.

Domestic Abuse Victims: Welfare

21. **Will Quince** (Colchester) (Con): What steps the Government are taking to support victims of domestic abuse through the welfare system. [909849]

The Secretary of State for Work and Pensions (Amber Rudd): Domestic abuse is a devastating crime and my Department will always do what it can to support victims of domestic abuse. Departmental training and awareness is now better than ever, but I can confirm that, by the summer of this year, we will ensure that we have domestic abuse specialists in every jobcentre to help everybody who needs it.

Will Quince: What steps are the Government taking to increase the provision and quality of supported housing for such vulnerable people?

Amber Rudd: I thank my hon. Friend for raising this issue. Of course, supported housing is essential for vulnerable groups, including those fleeing domestic abuse, which is why we announced in August last year that we will maintain funding for all supported housing and housing benefit. I am going to work closely with the Secretary of State for Housing, Communities and Local Government, the Chancellor and local authorities to ensure that quality and value for money are always available in supported housing provision for domestic abuse victims.

Ruth George (High Peak) (Lab): Making sure that the system prevents domestic abuse, including financial abuse, is as important as supporting those, rightly, who are affected by it. The Secretary of State made a statement a few months ago regarding single payment of universal credit. What progress has she made on that to make sure that women and the children they support as main carer can directly receive the support that they so rightly need?

Amber Rudd: I thank the hon. Lady for raising this issue. She is right and I announced recently that I want to make sure that it is the main carer who receives the benefit. I am working with jobcentres to ensure that we have a new approach so that there is effectively an early question in their process where they find out who the main carer is, who is usually a woman, so that we can ensure that potential victims of domestic abuse are more likely to have access to the overall funds.

Mr Speaker: Patience and the City of Chester are alike rewarded. I call Mr Christian Matheson.

Universal Credit

24. **Christian Matheson** (City of Chester) (Lab): What assessment she has made of the effectiveness of the roll-out of universal credit. [909852]

The Minister for Employment (Alok Sharma): Universal credit is now available in all jobcentres across the country and is helping people into work. The universal credit claimant survey published last year showed that, under universal credit, the likelihood of being in work almost doubles between the point of making a claim and nine months into the claim.

Christian Matheson: Of the claimants who have been transferred from legacy benefits on to universal credit, what proportion are now receiving more money than they were under legacy benefits, what proportion are receiving the same and what proportion are receiving less money than they were?

Alok Sharma: The hon. Gentleman is referring to where people have a change in circumstances. That is not anything new under universal credit: changes in circumstances exist within the legacy benefits system. People get a different calculation in terms of the amount of money, and that has not changed under universal credit.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): The Minister will know that universal credit uses Her Majesty's Revenue and Customs real-time information to determine the amount of money a claimant will receive each month. Late submissions by employers have led to claimants having reduced or cancelled payments because of money they earned a long time ago. Does the Minister not agree that this issue needs to be looked at if universal credit is to be an effective system that does not increase poverty?

Alok Sharma: The hon. Lady raises an important point. We make sure, working with our colleagues in Her Majesty's Treasury, that employers are made aware of the fact that they need to get the right date into the RTI system.

Topical Questions

T1. [909854] **Jack Brereton** (Stoke-on-Trent South) (Con): If she will make a statement on her departmental responsibilities.

The Secretary of State for Work and Pensions (Amber Rudd): Today I can announce that this Conservative Government will deliver on their promise to legislate to create a new type of pension scheme: collective defined-contribution schemes. These schemes will help improve retirement outcomes for members, while also benefiting employers. Savers' contributions are paid into a pooled fund, which is invested to achieve a target benefit. At retirement, savers receive a regular pension income. This is a major promise delivered. It shows this Government are meeting their objective to protect private pensions and provide security for hard-working savers in retirement.

Jack Brereton: I thank my right hon. Friend for updating us on her Department. Will she comment on how the Government are helping young people in my constituency into work?

Amber Rudd: I thank my hon. Friend for raising this important matter, and I thank him particularly for the great work he does in his constituency for young people. I have looked into this, and there are many different initiatives taking place in his constituency, but I particularly commend the Prince's Trust, which does such great work across country, and which attends the jobcentre fortnightly to provide targeted support for 18 to 24-year-olds.

Marsha De Cordova (Battersea) (Lab): Shocking reports have emerged today that ill and disabled people are being left without vital social security, as the Department for Work and Pensions has sent misleading letters to GPs advising them that they no longer need to provide fit for work notes to patients who are refused employment and support allowance. Patients need those notes to access the assessment rate of ESA if they are appealing the decision, and this obviously results in many being left close to destitution and in rent arrears. Will the Secretary of State commit today to reword these letters and immediately prevent any further harm to any ill and disabled people?

Amber Rudd: I thank the hon. Lady for giving me the opportunity to set the record straight. These letters simply inform GPs when a claimant has been found fit for work, and are not intended to dissuade them from issuing fit notes for ESA appeal purposes. To claim otherwise is inaccurate. We are committed to ensuring our communication is clear, which is why the wording of this letter was cleared by both the British Medical Association and the Royal College of General Practitioners. However, we will of course consider feedback when revising the letter.

T7. [909860] **Mr Marcus Jones (Nuneaton) (Con):** Several constituents have arrived at the disability assessment centre in Coventry only to find that they are not able to access their appointment because the centre is on the first floor. Will my right hon. Friend look at this issue to see what more can be done to make sure all these assessment centres are on public transport routes and are completely accessible to disabled people?

Amber Rudd: Of course. My hon. Friend is right. I will take a careful look at that issue to ensure that is the case. We care enormously about making sure there is correct access for disabled people. If I may say so, nobody cared more than my hon. Friend the Member for Truro and Falmouth (Sarah Newton), who did such great work for everybody with disabilities and who will be sorely missed in the Department.

Alison Thewliss (Glasgow Central) (SNP): My SNP colleagues and I have been seeing a growing number of constituents who are EU and European economic area nationals and who were previously entitled to social security payments but who are now seeing their universal credit claims rejected because they have failed the habitual residence test. Can the Minister tell me categorically

whether DWP guidance has been issued or changed on this matter, and whether this is just an extension of the hostile environment?

The Minister for Employment (Alok Sharma): The hon. Lady may have written to me about this previously, but let me just make it clear that the right of EEA nationals under freedom of movement is not an unqualified one. EEA nationals who stay in the UK beyond the initial three months must be exercising treaty rights, and this means they must be working, studying, self-employed or self-sufficient.

Andrea Jenkyns (Morley and Outwood) (Con): A mother in my constituency is struggling due to a lack of financial support from the father of her children. The woman's ex-partner is not in work, but he gets considerable income from several properties he owns. However, that income is not considered by the Child Maintenance Service when calculating maintenance for his children. What can the Minister do to make sure the Child Maintenance Service focuses on not only salaries but other forms of income?

The Parliamentary Under-Secretary of State for Work and Pensions (Justin Tomlinson): I will be very happy to look personally into this case and to report back. Actually, we do have powers to investigate further—these powers were opposed by the Labour party in January. We believe that everything should be done to help the receiving parent get the support they are entitled to.

T2. [909855] **Lilian Greenwood (Nottingham South) (Lab):** Like many WASPI women, my constituents Jane Yates and Glenys Daly have worked hard for 45 years and still cannot get the pensions for which they have paid. They feel robbed of their hard-earned money, not to mention the loss of benefits such as the winter fuel allowance and bus passes. The Secretary of State often talks about her support for the economic empowerment of women. When will she give WASPI women the pensions that they have paid for?

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman): The Government will not be revisiting the state pension age arrangements for women born in the 1950s who are affected by the Pensions Act 1995, the 2007 Act, introduced by the Labour Government, or the 2011 Act, introduced by the coalition. A High Court ruling on this matter will proceed to a full hearing on 5 and 6 June, so further comment would be inappropriate.

Stephen Kerr (Stirling) (Con): Is my right hon. Friend's Department holding up the transfer of welfare powers to the Scottish Government?

Amber Rudd: Absolutely not. We work closely with the Scottish Government to ensure that their proposals, which sometimes differ from ours, are met, and we are bending over backwards to ensure that we assist them. We are still waiting to receive further information so that we can deliver on their ambitions.

Several hon. Members rose—

Mr Speaker: I call Jim Cunningham. Get in there, man! Your moment has arrived.

T4. [909857] **Mr Jim Cunningham** (Coventry South) (Lab): Thank you very much, Mr Speaker; I did not quite hear you at first.

In the west midlands, workers involved in the administration of universal credit recently voted to strike over an oppressive workplace culture and understaffing. Does the Minister believe that the roll-out of universal credit has been affected by understaffing, and is there an oppressive workplace culture coming from the top?

Alok Sharma: Our frontline staff deliver vital support to more than 20 million people across the country, and of course we are committed to supporting them in their roles. That includes monitoring staff levels and ensuring that their caseloads are indeed manageable.

T5. [909858] **Stephen Timms** (East Ham) (Lab): When Bright Blue surveyed claimants for its new universal credit report, it found that the five-week wait was their biggest concern. According to the report:

“Only a handful of interviewees said they had enough...to cover their expenses in this period.”

The Secretary of State cannot justify the five-week wait. Will she scrap it?

Amber Rudd: As the right hon. Gentleman knows, we are introducing measures to help people gain early access to money so that that eventuality does not occur. They can receive benefit advances of up to 100%, which 60% now access, and can access the housing benefits run-on, which is additional money, and, from next year, other legacy benefits, which are also additional money and which will be paid within that two-week period.

T6. [909859] **Drew Hendry** (Inverness, Nairn, Badenoch and Strathspey) (SNP): Council tax payers in the highlands are continuing to bear the burden of additional administration expenses amounting to many hundreds of thousands of pounds as a result of universal credit. The Minister met me in January, and his officials have subsequently met council officers. The situation is clearly unfair. When will it be sorted out, and the money reimbursed?

Alok Sharma: I thought that we had a constructive discussion. As the hon. Gentleman says, my officials have also talked to the council, but I am always happy to have another discussion. I should add that the total amount of new burdens funding is increasing from £14 million to £18 million in 2019-20.

T8. [909861] **Alex Norris** (Nottingham North) (Lab/Co-op): Disability Direct, an advocacy organisation in my constituency, has a staggering 89% success rate at tribunals where its clients appeal against judgments on employment and support allowance and personal independence payments. Do Ministers really not accept that when they are losing nearly 90% of the time, their system is not working?

Amber Rudd: That, of course, applies to 4% of the overall decisions that are made. However, I acknowledge that we need to do better, for the hon. Gentleman's

constituents and those of the rest of us. That is why I have already announced that we will look again at the mandatory reconsiderations to ensure that fewer people proceed to the necessary tribunal reviews.

T9. [909862] **Ms Marie Rimmer** (St Helens South and Whiston) (Lab): Given that 72% of PIP assessments are overturned, and that, as we have heard, many of those who are assessed are vulnerable or have learning disabilities, what support is available to them when they are faced with highly paid DWP lawyers at legal tribunals?

Amber Rudd: I have just answered that question, in terms of making sure that we do better and that the mandatory reconsiderations will have additional support to ensure that a greater proportion of those reviews do not have to go forward and so are not overturned.

Patricia Gibson (North Ayrshire and Arran) (SNP): George Osborne said in his 2015 summer Budget that the welfare system should always support the elderly and the vulnerable. Does the Secretary of State agree? If so, why are we seeing stealth cuts to pension credit for mixed-age couples—a loss of £7,320 to some of our poorest and most vulnerable pensioners?

Guy Opperman: These changes were introduced in the Welfare Reform Act 2012. We have always made it clear that mixed-age couples already claiming pension credit or housing benefit for pensioners immediately before 15 May will not be affected for as long as they remain in receipt of either benefit after that date. Just to be clear, there is no impact or effect on their state pension.

Helen Goodman (Bishop Auckland) (Lab): Were the Secretary of State to get a tax rebate she would be very surprised if she was taxed on it, but my constituent saw an abatement by 63%. Will the Department sort out the reductions to universal credit when people get tax rebates?

Alok Sharma: I am very happy to look at the individual case the hon. Lady raises, but, as she knows, under UC we have a taper that works: it incentivises people to take on extra hours because they get to keep more of the money that they earn.

Mrs Madeleine Moon (Bridgend) (Lab): Like the Secretary of State, I will miss the hon. Member for Truro and Falmouth (Sarah Newton); she was working with me on my Access to Welfare (Terminal Illness Definition) Bill—a critical Bill at a time when the Scottish Government are consulting on new standards for clinicians to decide when someone is terminally ill. Will the Secretary of State meet me to discuss the Bill and move it forward?

Amber Rudd: I am aware of the good work that my hon. Friend the Member for Truro and Falmouth was doing with the hon. Lady; I am aware of the campaign and how important it is, and I will be delighted to meet the hon. Lady to see how we can move it forward.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): My constituent received a UC sanction for accompanying her younger sister, who has severe cerebral palsy and for whom my constituent

cares, to an appointment at the children's hospice at Loch Lomond. Surely that is an inhumane way to treat young carers under the UC system.

Alok Sharma: I am very happy to look at the individual case that the hon. Gentleman raises. Of course, he will be aware that easements are available in the system, but I will be very happy to talk to him about that specific case.

Louise Haigh (Sheffield, Heeley) (Lab): My constituent has a connective tissue disorder that has left her bedbound for three months because she regularly dislocates her joints. Despite evidence from her GP and chiropractor, the Centre for Disability and Health Assessments has refused a home assessment because she takes taxis to her GP appointments. Does the Secretary of State think that decision is fair? If not, will she look into it to overturn it?

Amber Rudd: It sounds to me like the hon. Lady's constituent should have had a home visit, but I hope that the hon. Lady will have received the email I sent out inviting Members of Parliament to an open hour that I am having tomorrow so that they can bring any individual cases. Sometimes it is best to have a one-to-one over individual cases, rather than deal with them on the Floor of the House.

Christine Jardine (Edinburgh West) (LD): I would like to press the Secretary of State further on the assurances she gave to the Opposition Front Benchers. As part of the review, will she be prepared to ensure that the original wording is reinstated so that claimants are not left without benefits while appeals are pending?

Amber Rudd: I am always willing to look at new ideas on how to improve the offer we have, and I will certainly take a look at what the hon. Lady sends to me.

Speaker's Statement

3.33 pm

Mr Speaker: I wish to make a statement to the House. There has been much speculation over the past week about the possibility of the Government bringing before the House a motion on Brexit for another so-called meaningful vote under the statutory framework provided in the European Union (Withdrawal) Act 2018. On 13 March, however, the hon. Member for Wallasey (Ms Eagle) asked on a point of order, at column 394, whether it would be proper for the Government to keep bringing the same deal back to the House ad infinitum. I replied that no ruling was necessary at that stage, but that one might be required at some point in the future. Subsequently Members on both sides of the House, and indeed on both sides of the Brexit argument, have expressed their concerns to me about the House being repeatedly asked to pronounce on the same fundamental proposition.

The 24th edition of “Erskine May” states on page 397:

“A motion or an amendment which is the same, in substance, as a question which has been decided during a session may not be brought forward again during that same session.”

It goes on to state:

“Attempts have been made to evade this rule by raising again, with verbal alterations, the essential portions of motions which have been negatived. Whether the second motion is substantially the same as the first is finally a matter for the judgment of the Chair.”

This convention is very strong and of long standing, dating back to 2 April 1604. Last Thursday, the hon. Member for Rhondda (Chris Bryant) quoted examples of occasions when the ruling had been reasserted by four different Speakers of this House, notably in 1864, 1870, 1882, 1891 and 1912. Each time, the Speaker of the day ruled that a motion could not be brought back because it had already been decided in that same Session of Parliament. Indeed, “Erskine May” makes reference to no fewer than 12 such rulings up to the year 1920.

One of the reasons why the rule has lasted so long is that it is a necessary rule to ensure the sensible use of the House's time and proper respect for the decisions that it takes. Decisions of the House matter. They have weight. In many cases, they have direct effects not only here but on the lives of our constituents. Absence of Speaker intervention since 1920 is attributable not to the discontinuation of the convention but to general compliance with it; thus, as “Erskine May” notes, the Public Bill Office has often disallowed Bills on the ground that a Bill with the same or very similar long title cannot be presented again in the same Session.

So far as our present situation is concerned, let me summarise the chronology of events. The draft EU withdrawal agreement, giving effect to the deal between the Government and the EU, was published on 14 November and the agreement itself, together with the accompanying political declaration on the future relationship, received endorsement from the European Council on 25 November. The first scheduled debate on what I will hereafter refer to as “the deal” was due to take place on 11 December. However, on 10 December the vote was postponed after 164 speeches had already been made over three of the five days allotted for debate. That postponement was caused not by me or by the House, but by the Government. Indeed, I pointed

out at the time that that was deeply discourteous to the House and I suggested that the permission of the House for that postponement should be sought. Regrettably, it was not.

Over five weeks later, following a further five-day debate, the first meaningful vote was held on 15 January, which the Government lost by a margin of 230 votes—the largest in parliamentary history. Subsequently, the second meaningful vote was expected to take place in February, but once again there was a postponement. It finally happened only last Tuesday, 12 March. The Government's motion on the deal was again very heavily defeated.

In my judgment, that second meaningful vote motion did not fall foul of the convention about matters already having been decided during the same Session. This was because it could be credibly argued that it was a different proposition from that already rejected by the House on 15 January. It contained a number of legal changes which the Government considered to be binding and which had been agreed with the European Union after intensive discussions. Moreover, the Government's second meaningful vote motion was accompanied by the publication of three new documents—two issued jointly with the EU and a unilateral declaration from the UK not objected to by the EU. In procedural terms, it was therefore quite proper that the debate and the second vote took place last week. The Government responded to its defeat, as they had promised to do, by scheduling debates about a no-deal Brexit and an extension of article 50 on 13 and 14 March respectively.

It has been strongly rumoured, although I have not received confirmation of this, that a third, and even possibly a fourth, meaningful vote motion will be attempted. Hence this statement, which is designed to signal what would be orderly and what would not. This is my conclusion: if the Government wish to bring forward a new proposition that is neither the same nor substantially the same as that disposed of by the House on 12 March, that would be entirely in order. What the Government cannot legitimately do is to resubmit to the House the same proposition or substantially the same proposition as that of last week, which was rejected by 149 votes. This ruling should not be regarded as my last word on the subject; it is simply meant to indicate the test which the Government must meet in order for me to rule that a third meaningful vote can legitimately be held in this parliamentary Session.

Sir Peter Bottomley (Worthing West) (Con): On a point of order, Mr Speaker. Can I make three points following your helpful statement?

First, at the beginning of it, you used “may” and not the word “must”. At the end, you used the word “must” and not the word “may”. Those are the first two points.

The third point is this: when Sir Ian Gilmour put forward a provision in effect for putting carpets and coffee in betting offices, the puritans objected, so the Bill was withdrawn. Shortly afterwards, a Bill on miscellaneous premises and miscellaneous provisions was passed because no one noticed that it was to do with coffee and carpets in betting shops.

Therefore, there are times when the title of a Bill has been changed. Perhaps if the long title of something that the Government proposed was changed, that might be accepted by the Chair, rather than it having to be ruled out.

Mr Speaker: I am not sure there were three points there—I detected only two. I do not wish to be unkind or discourteous to the hon. Gentleman, whom I hope I always treat with the utmost respect, but I am somewhat foxed and befuddled by his first observation, which was not as overpoweringly clear to me as manifestly it was to him. I certainly referred to “Erskine May”. I was not conscious that I had used the word “may” early in my statement and the word “must” at the end of it in a way that would brook of contradiction or, indeed, be open to the suggestion that the words were contradictory. If he wishes to labour under that impression and can subsequently convince me, over either a cup of coffee or a cup of tea, that I have erred in some material respect, I shall always be prepared to profit by his counsel. As for the point in respect of the late Ian Gilmour, I am not familiar with that particular example. I suspect it would be interesting reading, and I will add it to my list for the period of days that lies ahead. I thank the hon. Gentleman for what he has said and for the courtesy with which he has said it.

Several hon. Members *rose*—

Mr Speaker: I will come to the right hon. Member for Ross, Skye and Lochaber (Ian Blackford) but first let us go to the Chair of the European Scrutiny Committee.

Sir William Cash (Stone) (Con): On a point of order, Mr Speaker. It seems to me that what you have said makes an enormous amount of sense, given that this has been defeated on two separate occasions. Unless there is a substantial difference, it must follow that what you have said, in a very important statement, makes an enormous amount of sense. I just wondered about one thing with regard to the precedent of 1604, which was whether there was any connection between that and the gunpowder plot being very shortly afterwards. [*Laughter.*]

Mr Speaker: Well, the hon. Gentleman is a far superior historian, and he may know this—I will not say. I appreciate also his sense of humour on what is, nevertheless, an extremely important occasion. I thank him for what he has said. I have always respected him as a principled and indefatigable parliamentarian. In fact, I think that across this House, whether people agree with him or not, they know of one thing, which I once said, as he knows, on the occasion of Her Majesty the Queen’s visit to this place. As I said directly to her, the hon. Member for Stone (Sir William Cash) speaks and votes only and always as he thinks the national interest requires. There can be no greater compliment to a Member of Parliament than to say that to him or her.

Ian Blackford (Ross, Skye and Lochaber) (SNP): On a point of order, Mr Speaker. May I thank you for your statement this afternoon? We do indeed live in interesting times. However, it is fair to say that we are in a constitutional crisis, and I seek your advice on how we can convey a message to the Government that the issue of leadership is now most important and, indeed, imperative. What can we do to prevail upon the Prime Minister that she must immediately call a meeting of all Opposition leaders in order that we can react to this crisis and find a way ahead, and, moreover, that she must immediately meet the Heads of Government in Edinburgh and in Cardiff?

Mr Speaker: The right hon. Gentleman has made his point with force and alacrity. It is not for me to say whom the Prime Minister should or should not meet, but that point is registered and on the record. If I know the right hon. Gentleman as well as I think I do, it will be repeated by him with some passion and vociferousness in the days ahead and, not least because of the force with which it is articulated again and again and again, I feel certain that it will be heard. Whether it is heeded remains to be seen, but it will be heard.

Mr Jacob Rees-Mogg (North East Somerset) (Con): On a point of order, Mr Speaker. First, may I say how delighted I am that you have decided to follow precedent, which is something I am greatly in favour of? Dare I say that there is more joy in heaven over one sinner who repented than over the 99 who are not in need of repentance? I wonder whether you might help the House with two points of clarity. First, would your indication today prevent the Second Reading, or even the First Reading, of the so-called withdrawal agreement Bill, which may have the same effect of confirming the meaningful vote? Secondly, would I be right in thinking that a new Session after a prorogation would allow the motion to be returned to the House?

Mr Speaker: The House would decide on the principle of the withdrawal agreement Bill at Second Reading, if we got to that point. The point that the hon. Gentleman makes and the—if he will forgive my saying so—partly rhetorical question accompanying it about post Prorogation and a new Session seem to me to be self-evidently valid. I am not advocating that, but that point is self-evidently valid and I thank the hon. Gentleman for what he said.

Ms Angela Eagle (Wallasey) (Lab): On a point of order, Mr Speaker. Will you confirm to the House that the point of the rule in “Erskine May” was to stop the bullying of the legislature by the Executive? We should exclude the fact that MPs may be either strong-armed, bullied or bribed with issues such as the sacking of the civil servant who is currently in charge of the Brexit negotiations—who, by the way, was overheard in a Brussels bar predicting that what we have seen with meaningful vote 1, 2, 3, 4, 5, ad infinitum, would be the Government’s way of getting this botched deal through the House. The “Erskine May” rules are there precisely to avoid the kind of spectacle we have been witnessing in the past few months. Will you take all the Government’s other behaviours—ignoring votes of Parliament, making a distinction between votes that somehow are binding and others that are not binding, refusing to grant Opposition days, and beginning not to vote on Opposition days and to ignore the motions that the House passes, thereby devaluing Parliament’s opinion—into account as you judge meaningful vote 3 and any motion that the Government bring forward?

Mr Speaker: I am grateful to the hon. Lady for her point of order. I will reflect carefully on what she said to me. She is an extremely experienced and seasoned parliamentarian and, of course, a former shadow Leader of the House, so I will factor into my thinking the considerations that she has adduced. I do not think there is one single rationale for the emergence and continuation of the convention. I touched on some of the thinking behind it in my statement. It would be true

to say that a concern with the judicious use of parliamentary time, when that time is finite, and the avoidance of its wastage is an important factor. Another important factor is ensuring clarity and consistency so far as the statute book is concerned. Associated with and underlying all that is a concept of respect for the importance of decisions made by the House and the weight to be attached to them. I will reflect carefully on these matters.

I say gently to the hon. Member for North East Somerset (Mr Rees-Mogg)—because I failed to respond to this point, which was very good and wittily delivered—that so far as tradition is concerned, he has a perfectly fair point. A tradition does matter and is important. What I would say to him is that just because it is not desirable to follow precedent in every case, irrespective of circumstance, that does not mean it is justified not to follow it. It depends on the particular circumstance. For example, it depends whether one is facilitating the House and allowing the expression of an opinion that might otherwise be denied, as was the case on 9 January.

In this case, of course, where we are talking about the same-question rule, I have already explained that this matter has been treated of by the House, so the question of whether a subsequent motion is the same, or substantially the same, is a live matter for consideration and judgment at the appropriate time. In fact, that seems to me to be so obviously commonsensical an observation that only an extraordinarily sophisticated person, perhaps bereft of such common sense, could fail to grasp it. The hon. Gentleman most certainly would not fall into that category, because he is both extraordinarily sophisticated and blessed, I feel sure, with a very large supply of common sense.

Mr Mark Francois (Rayleigh and Wickford) (Con): On a point of order, Mr Speaker. You have said memorably in the past that, sometimes, we have to take the rough with the smooth. Well, it seems to me that, today, that applies to others. May I ask whether this principle applies in other contexts as well? For instance, the House voted a few weeks ago on what became known as the Cooper-Boles amendment to overturn Standing Order No. 14(1), essentially to take control of the Order Paper for a day. That was rejected. Last week, the House then voted against what became the Benn amendment, which was, I would argue, substantially similar to the original Cooper-Boles amendment to take control of the Order Paper and override Standing Order No. 14(1). Now you on that occasion, Sir, judged that it was permissible to ask this question because it was not exactly the same as the first one. May I offer you a thought that if there were to be a third variant of that, if it were to be substantially the same, then, to be consistent, Sir, you would have to rule that out, too?

Mr Speaker: I am always grateful to the right hon. Gentleman. I have often reminded the House, and I say this for the benefit of those attending to our proceedings, that I first came to know him in September 1983 when I unkindly and wrongly suggested that, intellectually, he was knee-high to a grasshopper. That was very unfair of me and, to his great credit, he did not appear to bear any grudge and we have got on pretty well over the ensuing 35 and a half years. I always listen to his advice. The answer is that everything depends on context and circumstance—[*Interruption.*] Yes, of course it does; manifestly and incontrovertibly it does. It is a question

not of abstract principle or wallowing, as Edmund Burke would say, in the realms of metaphysical abstraction, but of attending to circumstance, and I would look at that with the important considerations and principle of which he has reminded me in the forefront of my mind in making a judgment. He is absolutely entitled to raise that point and I would indeed have to weigh up very carefully whether a proposition was in fact the same or substantially the same or whether it could credibly be contended that it was different.

Anna Soubry (Broxtowe) (Ind): On a point of order, Mr Speaker. This is what happens when you do not seek consensus and compromise from the beginning, but lay down red lines and doggedly stick to them with an act of stubbornness and brinkmanship that has brought us to this point. The crisis that is now upon the country has to be unprecedented. We are due to leave the European Union in 11 days and there is no plan and there is no certainty, and this country, especially business, is crying out for them.

Mr Speaker, what would you now expect the Government to do? We are relying on tweets, rumours and spin from No.10 and, as I have said, the clock is ticking. I say with no disrespect to those sitting on the Treasury Bench that there is no senior Member here from Government who can help us with a timetable—[*Interruption.*] I said a senior Member who can help us with a timetable. [Interruption.] Now, we have that senior Member—the Leader of the House—with a timetable. I meant no disrespect to my right hon. Friend the Secretary of State for Work and Pensions. Mr Speaker, what do you now expect in terms of this timetable so that, in this crisis, we can make progress and do the right thing by the country?

Mr Speaker: What I have to say to the right hon. Lady is threefold. First, there was already present in the Chamber—before the arrival of the Leader of the House whom we welcome to our proceedings—the Secretary of State for Work and Pensions who, by any standard, must be considered to be senior. I will not get into a vulgar argument about the respective levels of seniority of different hon. and right hon. Members, and there are, of course, different forms of seniority, but the Secretary of State for Work and Pensions was already present and the Leader of the House has now joined us.

I say to the right hon. Member for Broxtowe (Anna Soubry) that it is not for me to say what the Government should do, but it would be helpful to the House to have the earliest possible indication of how the Government intend to proceed in this important matter. Of course, we may learn more about the Government's intentions as a result of the upcoming urgent question that I have granted to the right hon. Member for Putney (Justine Greening), who applied to me for that question this morning. I have every expectation that the right hon. Member for Broxtowe and many others will be in their places for that, so we will learn more anon.

Colleagues' disposition—in other words, what they choose to do and how they wish to proceed—is a matter for them. The role of the Speaker is to seek to facilitate the House and, if I may say so—and I will—to have a particular regard for the concerns of Back-Bench Members, who should be heard in this place. Part of the responsibility of the Speaker is, frankly, to speak truth to power. I have always done that and, no matter what, I always

[Mr Speaker]

will, because I think that is the proper thing to do. Others can proceed as they wish, but I have never been pushed around and I am not going to start now.

Vicky Ford (Chelmsford) (Con): On a point of order, Mr Speaker. As a newish Member of this House, I thank you for the clarity of your statement, and for confirming that everything depends on context and circumstance. Since the vote last Tuesday, this House has voted against a second referendum, against the Cooper-Boles amendment—twice—and against a no-deal Brexit in 11 days' time. Are those the sort of decisions that, in your view, affect the context and circumstances on which this House might make its own decision?

Mr Speaker: I think the context is a freestanding matter. It depends on the situation at the time, and that is partly a matter of opinion. All government—all influence of human beings upon another—ultimately rests upon opinion, and it depends on what the situation is more widely. I know that the hon. Lady would not seek to entice me—because that would be unkind of her and she would not do that—to pronounce on other questions that are not today before the House. I would not do that, but I would reflect on them in the circumstances of the time, and it is perfectly reasonable that I should be asked to do so if that situation arises.

Several hon. Members *rose*—

Mr Speaker: I do apologise to the Chair of the Brexit Select Committee, whom I should have called several minutes ago.

Hilary Benn (Leeds Central) (Lab): On a point of order, Mr Speaker. In distinguishing between the character of the first meaningful vote and the second, in your statement you drew attention to the fact that, in the second meaningful vote, the Government had brought back additional documents, assurances and legal agreements that had not been contained within the first. Does your statement suggest in any way that, in order for a third meaningful vote not to fall within the statement that you have just made, it would require further changes to be agreed with the European Union, rather than, for example, the Government saying that they are prepared to make an offer to a particular party represented in this Chamber about its participation in future arrangements? In other words, would there have to be new political agreement under section 13(1) of the European Union (Withdrawal) Act 2018 in order for such a motion to be in order, as opposed to not in order?

Mr Speaker: I thank the right hon. Gentleman for his point of order. I would say—preliminarily and off the top of my head—that, in all likelihood, the answer to his question is yes; I do think that a demonstrable change to the proposition would be required. For example, simply a change in an opinion about something would not itself constitute a change in the offer. I would have to look at the particulars and make an honest assessment of the circumstances, and perhaps of the competing claims made as to the veracity of one proposition, argument or another, but, fundamentally, for something to be different, it has to be, by definition, fundamentally different—not different in terms of wording, but different

in terms of substance—and this is in the context of a negotiation with others outside the United Kingdom. That would be my initial feeling.

Neil O'Brien (Harborough) (Con): On a point of order, Mr Speaker. I do not envy you in trying to make these difficult decisions. First, can I press you on your understanding of what is substantively different? For example, were the Government to come back with a proposition that they would write into law the Stormont lock, would that be substantively different? If there were to be commentary that changed our opinion of this at the European Council, would that be substantially different? Many Members of this House feel that having taken no deal off the table, which I voted against, already makes the situation substantially different, so will you say a little more about that?

Secondly, Mr Speaker, you listed some precedents starting with 1604, which is very interesting to new Members. Some Members were already here; I was not, as a new Member. We are in an unprecedented situation in which we have voted for a referendum, giving sovereignty to those it belongs to—the people—and we are now bound by that decision. How will you deal with this unprecedented situation? My constituents who are worried about their jobs, or worried about losing the Brexit they voted for, will always prefer you, instead of rigidly sticking with precedents from 1604, to be a modern Speaker for modern times who cannot stand in the way of delivering the early deal that I believe will solve this problem.

Mr Speaker: With the very greatest respect to the hon. Gentleman, I think that I have demonstrated, over a period of nine and a half years and more, that I am not a stickler for tradition. I do not believe in doing everything the same way for ever more just because people say to me, as so many have, “Oh, Mr Speaker, it's always been done that way, or, “Oh, we've never previously had X.” I have been ready to countenance change. I remember once being told many years ago by a retired and senior Clerk of this House that she was very pleased that I had secured support for the establishment of a nursery in the House that Members and staff could pay for. She said to me that she did not know whether I was aware that throughout her four decades' service in the House, the idea of establishing such a facility had periodically been discussed but unfortunately nothing had ever happened, which was not helpful to her in terms of work/life balance—her professional commitments and her childcare responsibilities. So I think I can say, with the very greatest respect, that I have attempted to be a progressive change-maker. As for the particulars concerned, it has to depend on the circumstances. I would have to look at the specifics. It would be reckless and foolhardy to pronounce in the abstract.

I would say further to the hon. Gentleman, just to remind him of the context of my statement, that, as regards the use of time, we have been addressing this matter for a period spanning four months. In so far as time has been lost during that period—for example, at one point, a loss of five weeks without the matter coming to the House—that was not a result of fiat by the Chair or folly by the House; it was the express decision of the Government. I cannot, off the top of my head, remember for certain whether the hon. Gentleman supported the Government's position on that matter. I have a very high regard for his ability, because he is an

extremely able man. I hope he will not take offence if I say, in the nicest possible way, that he has always seemed to me to be a keen supporter of close regulatory alignment with the Government Whips Office.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): On a point of order, Mr Speaker. Thank you for your guidance today. Here we are in the gravest constitutional situation that I have seen in my nearly 40 years in this House, and were it not for your good guidance today and over the past few weeks, I think this House would have been very badly served indeed. The fact of the matter is that what you have said today has great repercussions for the business of the House. What is your advice from the Chair, or could we have an early statement from the Prime Minister or the Leader of the House, on what is the next step? We are leaving the European Union and we have only a few days. What is the best way that we can represent our constituents at this grave time of crisis?

Mr Speaker: The short answer is: let us debate these matters sooner rather than later. Of course the Government, for the most part, control the Order Paper—we know that, and the Leader of the House is the Government's representative in the House—but there are situations in which Members can give voice to their views, whether the Government particularly want that to happen or not. For example, on more than 570 occasions over the last nine and a half years, I have seen fit to grant urgent questions, believing that that is in the interests of the House, is beneficial to Back Benchers and secures ministerial presence in the Chamber, so that the Government can be legitimately questioned, probed, scrutinised, challenged and held to account. There will be further such opportunities today, and knowing the ingenuity of the hon. Gentleman, who will have served 40 years in the House in less than two months' time, I feel certain that he will be well up to the task of posing suitable inquiries and expressing his views on this matter in the days ahead.

Mr Peter Bone (Wellingborough) (Con): On a point of order, Mr Speaker. You are correct that "Erskine May" says:

"A motion or an amendment which is the same, in substance, as a question which has been decided during a session may not be brought forward again during that same session."

That is absolutely clear. When you allowed the second meaningful vote, your ruling was clearly a balanced decision, but "Erskine May" seems to be clear that it is about whether the motion is substantially changed, not whether something else has happened—that is irrelevant; it is what has happened to the motion. We have in this House the procedure of use of the previous question, which I was thinking of using. The reason why we have it is so that the same question can continue to be debated another time. Can you confirm that this is about the substance of the motion, not something else happening?

Mr Speaker: It is about the substance of the motion—what it is commending to the House, and what proposition is being put. It is not a question purely of the words, but of the meaning, the intention and the purpose.

Pete Wishart (Perth and North Perthshire) (SNP): On a point of order, Mr Speaker. You have made today a very important and dramatic statement. Already

constituents are getting in touch with me to ask exactly what that means, and we have to be clear with the country about what you have said. The Government cannot bring back another meaningful vote if it is the same in substance as the last one. The Government's one and only intention is to achieve and secure that. This week, they intended to do that very thing, and now you have said that that cannot happen. Stressing that for clarity would be abundantly helpful.

My experience of this Government—I do not know whether it is yours—is that they will try anything to get this through, and they will have the impertinence to try to bring this back once again in any guise that they think will be possible; perhaps it will be under the guise of the Democratic Unionist party agreeing with their deal. How do you intend to be vigilant about that prospect? Under what criteria will a motion be assessed, if the Government bring one back and try to present it as being significantly different from their last one? How do we judge what they are doing, so that this ruling can stand? It is an important ruling, and it is correct.

Mr Speaker: It seems to me that it is principally a question of whether the proposition is the same, or substantially the same. I would confer. I would of course seek advice. I would have my eyes and ears open. I am looking to serve the House, to reflect its interests and to demonstrate respect for its wishes. I simply repeat that the convention is there for a purpose, and that purpose seems to me to be an honourable and valid purpose. I am afraid that I will have to look at the particulars in the light of what is presented, but I hope that the Government would feel that respect for procedure matters.

I note that, as the hon. Gentleman asks his question and I respond, the Leader of the House is playing with her electronic device, as is the Deputy Chief Whip. I did not include him in the category of very senior people in the House, but I readily grant that that is a debatable proposition. It would seem to me to be helpful if people showed respect for each other in these circumstances, and if, when in the Chamber, they listened to what others had to say. However, if they choose not to do so, so be it. I try to show good manners, and I hope others will try to do so as well.

Robert Halfon (Harlow) (Con): On a point of order, Mr Speaker. I understand your clarity on this. A second referendum was overwhelmingly rejected by the House of Commons in a vote last week; does this mean that if that is brought back, you will apply the same considerations, so that such a motion is not repeated?

Mr Speaker: I did indicate to earlier inquirers that everything depends on the circumstance. Is the proposition fundamentally the same, or can it be argued that, in the circumstances of the time, it is a different proposition? I would have to look at that in the circumstances of the time. Is it a relevant factor to be considered? Of course it is, and that is why I have articulated the convention in the way I have done.

Tom Brake (Carshalton and Wallington) (LD): On a point of order, Mr Speaker. First, are you able to update the House on any sanctions that might have been applied since 1604 to any Governments who have

[Tom Brake]

sought to re-table the same motion, and what such sanctions are available to you today? Over a number of months, we have tabled a succession of amendments in relation to a people's vote, and I want your reassurance and clarification that there is nothing in what you have said that precludes our pressing another amendment on the matter of a people's vote.

Mr Speaker: As I have just said to the right hon. Member for Harlow (Robert Halfon), it depends on the context or the circumstances. I cannot yet know in what situation a proposition may be put.

The right hon. Member for Carshalton and Wallington (Tom Brake) asks me about sanctions. I am not aware of any particular sanctions, other than that if a proposition is judged to be the same or substantially the same, it will not find its way on to the Order Paper. There may be instances in which this has been dishonoured or inadvertently neglected, but I referenced in my statement the fact that the absence of Speaker intervention since 1920 is attributable not to the discontinuation of the convention, but to general compliance with it. For the most part, the convention has not been invoked in respect of Governments, but I would argue that that is not least because, on the whole, Governments have tended to comply with the convention.

James Cleverly (Braintree) (Con): On a point of order, Mr Speaker. Hindsight is a wonderful thing. Do you concede that had you made this statement in fundamentally the same way between the first and second presentations of a meaningful vote, there might have been Members of this House who, believing that the second meaningful vote was their last opportunity to vote positively on the question, would have changed their minds? When there are particularly fast-moving negotiations, we have sometimes seen substantial, if subtle, changes to an agreement during a debate and before a vote. May I inquire how, in that instance, you would assess the validity of another presentation of the meaningful vote?

Mr Speaker: The hon. Gentleman's latter point is nuanced, and I think it would be sensible to say, I am afraid—because I think it will disappoint him, but it happens to have the advantage of being true—that I would have to look at the particulars. I cannot possibly be expected to pontificate, or even speculate idly, on an abstract proposition. I would have to look at the reality of what was on the table.

I have always had a great fondness for the hon. Gentleman, but on his first point, I have to say that although the Speaker tries to be helpful to the House, it is not my responsibility, and I would not ordinarily be expected, to hold Members' hand in advising them on how they should vote in a particular circumstance. Members are perfectly capable of making those judgments for themselves. The reason I did not make a statement at an earlier stage, I say in terms that brook of no misunderstanding, is that no such statement was required, for the simple reason that I adduced in my statement: the second vote on 12 March and the debate that preceded it were entirely proper; there was not a breach of the convention. For the hon. Gentleman to say that it would have been helpful if I had said what I did not say

at a time that I could have said it because it might have assisted Members, who as a result of it not being said were not helped, is not altogether helpful, and I am not sure that his logic is impeccable.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): On a point of order, Mr Speaker. Thank you for your statement today. The Government have gained an infamous historical reputation for trickery and abuse of Parliament during this whole process, and already rumours are going around that they might seek to use prorogation as a method of getting out of this. Can you confirm that that would not only provoke a greater constitutional crisis, but also result in us losing every single piece of legislation currently before both Houses, including many of the pieces of legislation needed to implement any Brexit?

Mr Speaker: If particular legislation was subject to carry-over, that would not apply, but in the expectation, let us say—or, to use a more neutral term, in the circumstance—that it was not subject to the carry-over procedure, manifestly and incontrovertibly it would fall. As for whether the Government are contemplating that, I have no way of knowing. No Minister has indicated that to me. I have no idea what is in their mind. It would be an unusual step, but look: I have been in this place a little over 20 years, and some quite unusual things have happened. I have no way of knowing whether this is being contemplated.

Sir Robert Syms (Poole) (Con): On a point of order, Mr Speaker. In 1604 and in 1920, we were a sovereign Parliament, and we were not subject to the EU constitution, which this House voted for under the Lisbon treaty. This House has passed legislation under article 50 for us to leave the European Union, which is time-sensitive. Parliament could proceed in a rather stately manner in 1920, because it was not subject to such things, but we as a Parliament have voted to leave on a particular date; therefore there is a certain importance to making decisions prior to that date, and not in the next Session.

Secondly, the meaningful vote in itself is a constitutional innovation. It was this Parliament trying to impose on the Government greater parliamentary scrutiny. In that process, the Government have brought forward votes—more votes than most of us expected, and with more amendments than most of us expected. There was a degree of constitutional innovation in what you ruled during that process, Mr Speaker, in order to involve Parliament. Given the time-sensitive nature of the proposal, and given that this Parliament wanted to be involved, I can see no reason why we should not be put through the pain of perhaps another vote.

I stress that the article 50 legislation went through this House and the withdrawal Act went through this House. Every Member of this House expects to have a say on the type of Brexit that we will actually undertake. Sometimes, even if we are dealing with a matter that has been dealt with before, it is important that this House makes a decision or decides not to make a decision; but not considering the matter again could in itself have consequences.

Mr Speaker: Again, one has to reflect on the particulars. I say to the hon. Gentleman that the issue is not the pain of any vote, which is a subjective matter upon

which I do not think I should pontificate—especially as I do not cast such, other than in the circumstance of a tie, which has not arisen since 1993 in this Chamber—but its propriety.

It is absolutely true that the House has legislated in respect of article 50—I believe it did so in March 2017 in the last Parliament—and that that has created a strong expectation, but whether Parliament chooses to legislate on this matter or, as the Government have signalled in recent days, depending on circumstance, to request a particular extension, is a matter for the House. I do not think that the issue of pain really comes into it; it is just a question of what is proper.

I know that the hon. Gentleman, whom I have known since we competed with each other in Bristol South in June 1989, is a stickler for propriety. *[Interruption.]* I am asked who won. It would not be seemly to say, but I think the hon. Gentleman's result at the 1992 election was rather better than mine.

Kate Hoey (Vauxhall) (Lab): On a point of order, Mr Speaker. Obviously we fully endorse and respect your statement. On a point of clarification, I want to ask something that I am sure people out there will be asking when they read this statement today. On 29 January, the House of Commons voted against the SNP and Plaid Cymru amendment on extending the article 50 period and ruling out no deal by 327 votes to 39. We obviously voted again on those matters last week. Will you clarify why that did not fall under the same ruling?

Mr Speaker: I would have to look back at those particular votes. I did not receive advice at that time about non-compliance. I do not think that there was a general sense in the House that there was an issue of non-compliance, and I was not asked to rule on it. Matters are already treated of by the Table Office on the basis of established custom and practice. If those matters were accepted on to the paper, the issue of selection would have been for me, in the interests of facilitating the debate. However, the issue of propriety was not raised with me at that time.

Sir Hugo Swire (East Devon) (Con): On a point of order, Mr Speaker. Most people who watch our deliberations are watching with increasing amazement. They do not understand the nuances of the twists and changes with which we go about our business here. To many of them, what we are doing at the moment makes very little sense at all; they want to get on with things.

May I ask you, Mr Speaker, as the custodian of the reputation of this House, whether you really think it was right to bring forward this ruling today, at this stage, rather than perhaps last week, because many of us are looking forward to voting again one way or another this week? Perhaps you can inform the House how you came to this opinion and when, and say whether it would have been better at the time of the second vote to announce that there would not be time to have a third vote.

Mr Speaker: I am a little taken aback by the inquiry from the right hon. Gentleman. I signalled to the hon. Member for Braintree (James Cleverly) why I did not think any statement was required at that time. It is, of course, true that the House passed a motion on Thursday

that specified a potential end date for an agreement to be reached. It specified that if an agreement was reached by that date, a particular extension to article 50—if memory serves me, to the end of June—would be requested of the Union. Why did I not say anything at that time? The motion that was passed was not in respect of the withdrawal agreement, and I could have had no way of knowing at that time whether revisions to the agreement or the accompanying declaration would be sought, let alone obtained.

I can be expected to rule only at the material time. If I had ruled—*[Interruption.]* I hope that the right hon. Gentleman will forgive me, because I know that he has a great sense of fair play. If I had ruled last week, I think I can say with complete confidence that there would have been people accusing me of being hasty and premature, and commending to me the idea of waiting. I thought that it was appropriate to reflect on the matter over a period of days, and I am saying what I am saying before the Government table a new proposition. It seems to me timely to say it now, rather than to wait several days, but to have done so several days ago did not seem to me to be warranted. I have made my best judgment in the interests of the House as an institution, and of its individual Members.

Helen Goodman (Bishop Auckland) (Lab): On a point of order, Mr Speaker. You are obviously right that the House does not wish to vote on the same proposition over and again. Equally, I am sure that you will be aware of the fact that some hon. Members were interested in meaningful votes because at that time, they would be able to vote on amendments on matters that we have not yet considered. If the Government are unable to make any changes to their proposition, I seek your guidance on how we might secure opportunities for voting on those alternative propositions. I heard you talk about urgent questions, but of course, there is no vote on an urgent question or a statement, and a Standing Order No. 24 motion is in neutral terms. The Government have not been very generous recently in offering Opposition day debates either, so I seek your advice on how hon. Members might proceed.

Mr Speaker: Obviously, it would be helpful to the Opposition if Opposition days were supplied. That has not happened recently and I have no way of knowing whether the Leader of the House has it in mind to provide for Opposition days. I think that colleagues would think that it was a democratic and seemly thing to do to ensure that the principal Opposition party had the requisite allocation of days. So far as other business is concerned, the hon. Lady should look closely at the Standing Order No. 24 procedure. What she says about it is true, but I think that she should reflect upon the opportunities that the Standing Order No. 24 procedure presents, because the opportunities are fuller than has traditionally been acknowledged or taken advantage of by Members of the House of Commons.

Mr John Whittingdale (Maldon) (Con): On a point of order, Mr Speaker. You helpfully reminded us at the beginning of your statement of the size of the majority against in the vote that took place last week. I think that most observers would feel that, for that to be turned around and for the motion to pass, it would require a significant change. As I understand it from your ruling

[Mr John Whittingdale]

this afternoon, if, perhaps at the European Council in a few days' time, a significant change could be achieved, you would allow a further meaningful vote on that basis.

Mr Speaker: The right hon. Gentleman is very fair-minded and, what is more, he is perceptive. I think I hinted at that, perhaps not with the crystal clarity that he has brought to bear on the subject, but in essence, he is right: if there is a substantially different proposition put as a result of revisions sought and obtained and new agreement reached, that would constitute a new proposition to be put to the House. I would have to look at the particulars and I am not committing to a specific at this moment, but I think nobody could outdo the right hon. Gentleman today by way of reasonableness.

Several hon. Members *rose*—

Mr Speaker: A Kingston knight, no less. I call Sir Edward Davey.

Sir Edward Davey (Kingston and Surbiton) (LD): On a point of order, Mr Speaker. In our current constitutional crisis, I welcome your reaffirmation of the rule of law in this House—namely, “Erskine May”—and the doctrine of parliamentary sovereignty. Given the gravity of the situation, though, could you enlighten the House as to whether “Erskine May” makes any provision for a Speaker's Conference to bring together all parties in the House under your chairmanship to try to find a way forward?

Mr Speaker: There can always be Speaker's Conferences, though I must say—I do not direct this particularly at this Government at all; it is a wider observation—that it is a perhaps curious and quaint fact that ordinarily, Speaker's Conferences are convened at the instigation of the Government of the day. Indeed, I recall a particular occasion some years ago when I had some interest in the possibility of a Speaker's Conference on aspects of parliamentary power. If I said to the right hon. Gentleman that the reaction to my suggestion at the time from the then Leader of the House was not wildly enthusiastic, I think that I would be somewhat understating the position. But that was then, and maybe the new Leader of the House, or relatively new Leader of the House, who has been a notable reformer in other respects, will be seized by the salience of what the right hon. Gentleman has commended to the House and will feel that she could have a key role in initiating such an important constitutional development. If she did, I would be perfectly willing to play ball with it. I have no idea; it is not something she and I have discussed, but you never know.

The Leader of the House of Commons (Andrea Leadsom): On a point of order, Mr Speaker. I just want to be very clear: I am indeed a reforming Leader of the House of Commons. For me, treating colleagues with courtesy and respect is at the forefront of that reform. Any Speaker's council would have to have that at its heart, and I simply would not be confident that that would be the case.

Hon. Members: Oh!

Mr Speaker: Well, so be it. I treat the House with respect. I have treated its Members with respect. I chaired a previous Speaker's Conference, and there was

no criticism of the way in which I did so. One reason why the Leader of the House might not be well versed in that particular Speaker's Conference and in a position to make a judgment about my chairmanship of it is very simply that it took place before the right hon. Lady entered the House of Commons.

Dr Matthew Offord (Hendon) (Con): On a point of order, Mr Speaker. This House runs on conventions, as you have already made clear in your statement today. One of those conventions is that Treasury Benchers always tell Opposition Front Benchers of statements they are going to make. To clarify, can you confirm to the House that you not only informed the Leader of the House of your intention to make this statement but told her the contents of your statement?

Mr Speaker: I absolutely cannot confirm anything of the sort. What I would say to the hon. Gentleman is that his understanding about what might happen between the usual channels is one thing; that absolutely does not apply to Speaker's statements. If the hon. Gentleman—

Dr Offord: Why not?

Mr Speaker: The hon. Gentleman shrugs and says, “Why not?” That has never been the case. The Speaker of the House makes statements to the House at a time when the Speaker of the House thinks that they will be of interest and benefit to the House. I am under absolutely no obligation whatsoever to pre-announce that statement, either to the Leader of the House or to the shadow Leader of the House, and I did not do so. If the hon. Gentleman—a keen student of parliamentary procedure—is offended by that fact, well, I am sorry, and he is of course welcome to be offended, but there is absolutely no breach of parliamentary protocol or etiquette whatsoever. That is the reality, and I have explained the position in terms clear and unmistakable.

Geraint Davies (Swansea West) (Lab/Co-op): On a point of order, Mr Speaker. Can you confirm that a meaningful vote would be intrinsically different if it included the provision for a confirmatory vote by way of a public vote?

Mr Speaker: Again, I would have to look at the particulars. I would look at the specifics; I would assess what was being proposed; and I would make a judgment about it. I prefer at this stage to rest on what I have already said about the principle that something should be different, not the same or substantially the same. I would have to look at the specifics in the circumstances of the time.

Carol Monaghan (Glasgow North West) (SNP): On a point of order, Mr Speaker. We are now 11 days, six hours, 21 minutes and about 40 seconds from leaving. This can be described as nothing other than a constitutional crisis. Can you advise us how we can bring forward an emergency motion on revoking article 50?

Mr Speaker: Emergency motions—I say this as much for the benefit of people observing our proceedings as for Members of the House—are capable of being requested under Standing Order No. 24. The hon. Lady will know that any Member can apply for the right to conduct a

Standing Order No. 24 debate on a motion and that that request is, in the first instance, submitted to me. If I decide that the application can be made in a speech of up to three minutes, it is made on the Floor of the House. If I decide that the application is valid, and the application is supported, the debate can take place, and there is nothing to stop such debates taking place in the ensuing days. Many have taken place before—obviously, on nothing like the scale of urgent questions—and I have no reason to suppose that it will be different in the future.

Alex Burghart (Brentwood and Ongar) (Con): On a point of order, Mr Speaker. Does the House have the authority to suspend the Standing Orders that prevent motions from being brought back to the House in the same form?

Mr Speaker: The Clerk of the House has confirmed my own understanding, which is that the House is the custodian of its own Standing Orders. The Standing Orders are a matter for the House, and they can be changed. That has happened before, and it could conceivably happen again. So the answer to the central inquiry is yes.

Hywel Williams (Arfon) (PC): On a point of order, Mr Speaker. Is there any definition, in terms of precedent, of the meaning of the term “substantial change”? If there is not, can you confirm that that does not preclude you from making a novel decision?

Mr Speaker: I am sorry if this disappoints the hon. Gentleman, but it is context-specific, and it is a judgment for the Chair. The Chair seeks to make a judgment on the basis of what will be in the interests of the House. I do not think that I can say fairer than that, or say anything different. I hope that that is useful to colleagues.

Mark Pritchard (The Wrekin) (Con): On a point of order, Mr Speaker. Will you clarify a point? Is it the case that you have not ruled out a third meaningful vote, and

it is just a matter of that vote's being conditional on other matters applying, in the motion as well as in the substance?

Mr Speaker: I think that I explained the position to the right hon. Member for Maldon (Mr Whittingdale). It depends on the specific terms of what is proposed. Forgive me—I do not mean this discourteously in any way—but I do not know whether the hon. Gentleman was here throughout our exchanges. Maybe he was; I do not know. What I was seeking to convey, however, was that a new proposition could be put, but the convention would militate against the same, or substantially the same, proposition being put. So I am not closing the door, and, indeed, I specifically said towards the end of my statement that this ruling should not be regarded as my last word on the subject. It is simply meant to indicate the test that the Government must meet for me to rule that a third meaningful vote can legitimately be held during the current parliamentary Session. I do not see that I can expand on that, nor should I be required today to do so.

Mark Pritchard: Further to that point of order, Mr Speaker. *[Interruption.]* I think that the Speaker decides. Would your advice to those who are, perhaps, becoming exercised about this be, “Don’t panic”?

Mr Speaker: I am always inclined to say, “Don’t panic.” I am not in the business of panicking myself. I think I can safely say that I have never lost a wink of sleep over any work-related matter. There is no merit or purpose in doing so. I think that we should approach these matters with calm, deploy reason, and seek to make sensible judgments, not just in our own interests and the interests of the House, but in the interests of the people whom we are sent here to represent. I have always done that, and I am sure that that is what colleagues think it is right to do, including, most certainly, the hon. Gentleman.

I am most grateful to colleagues for the interest that they have shown and the inquiries that they have put, and I thank them for their involvement.

Far-right Violence and Online Extremism

4.43 pm

Janet Daby (Lewisham East) (Lab) (*Urgent Question*): To ask the Minister for Security and Economic Crime, in the light of the recent terrorist attacks against the Muslim community of Christchurch, New Zealand, to make a statement on the Government's strategy to tackle far-right violence and online extremism in the United Kingdom.

The Minister for Security and Economic Crime (Mr Ben Wallace): I am grateful to the hon. Lady for asking her question, so that the Government can put on record their position on extreme right-wing, neo-Nazi and other types of violent terrorism. The Home Secretary would have liked to respond to the question personally, but he was visiting the Regent's Park mosque with the Secretary of State for Housing, Communities and Local Government today to show support for British Muslims following last week's horrific terrorist attack in Christchurch. The attack was a sickening act of terrorism which the Government condemn, as we do the incident reported in Utrecht today and the attack in Surrey on Saturday evening.

The Government take all forms of terrorism and extremism seriously. Our counter-terrorism strategy, Contest, does not differentiate between what motivates the threat: it is designed to address all forms of terrorism whatever the ideology, whether Islamist, neo-Nazi, far-right or extreme left.

If we are to tackle terrorism in the long term, we must challenge those seeking to radicalise people. The Prevent policy is designed to safeguard our vulnerable citizens from being recruited or motivated into terrorism. That is why I always urge people to get behind the policy.

Our counter-terrorism strategy is agnostic to the threat: it is not relevant to us in what name terror strikes; it is the use of violence and hate that we seek to stop. Government and law enforcement will direct their funding wherever the threat emerges, and if we are to stay one step ahead as the threat changes so must the funding. We will continue to keep funding for protected security measures under review as that threat moves and will indeed consistently review it for places of worship and other areas that may be vulnerable.

Social media platforms should be ashamed that they have enabled a terrorist to livestream this evil massacre and spread this mantra of hate to the whole world. As the Home Secretary has made clear, enough is enough. We have been clear that tech companies need to act more quickly to remove terrorist content and ultimately prevent new content from being made available to users in the first place. This must be a wake-up call for them to do more. There can be no safe spaces for terrorists to promote and share their sick views. The online harm White Paper will be published imminently and will set out clear expectations for tech companies to keep users safe and what will happen if they fail to do so.

This Government take the growing threat of the extreme right wing extremely seriously, and I can assure the House and our Muslim communities that we will stand together to counter it wherever it manifests itself in our society.

Janet Daby: Last week's terrorist attacks on mosques in New Zealand killed 50 people and wounded a further 50 people. I am sure the whole House will join me in expressing our most sincere condolences to those who have lost loved ones as well as our solidarity with the people of New Zealand as they come to terms with this and legislate to prevent such incidents from happening again. We have also seen this morning that a terrorist attack took place in the Netherlands, and we offer our sincere condolences to the three people who died during it.

In Lewisham, we have five mosques; two of them are in my constituency, and I have been contacted about the very real concern. This type of racial hatred and violence, whether in the UK or elsewhere in the world, must not be tolerated. It brings with it such immense fear, worry and anxiety for our Muslim communities, for families, children and young people. This should not be happening to people in this country or other countries; this should not be how people live, and the Government need to demonstrate that everything is being considered and done to keep people safe from harm and to promote respect and acceptance of difference and others. Will the Minister therefore state how his Department will deal with social media offences, including the removal of extreme content, and protect free speech, while developing an efficient strategy to tackle hate speech online? Also will he confirm he will be increasing his commitment to financing mosque security?

Mr Wallace: The hon. Lady makes some very valid points. First, on the money to protect vulnerable places—whether places of worship, schools or large public areas where people might gather—we of course continue to fund that where the threat requires it. We will continue to review the places of worship fund. The last round of '18-19 was not oversubscribed despite efforts to advertise it to a number of mosques and other places of worship. We will continue to build on that, and if there is more requirement for it we will certainly stand ready to do that, to make sure my constituents in Preston in their mosques and the hon. Lady's constituents in theirs get the support they need. Every single police force has a national counter-terrorism security adviser whose job is to go out and advise businesses, communities and places of worship about what they can do to mitigate any threat, even if it is threat unseen, and how they can make sure the people who use their premises are kept safe, and I urge people to do that.

On top of that, the National Counter Terrorism Security Office publishes an online manual to help places of worship, specifically, with tailor-made areas. The Home Secretary and the Communities Secretary are absolutely determined to make sure that the threat of attacks such as what we have seen in New Zealand is headed off. There are different factors at play in the United Kingdom but nevertheless, as I said this morning, it is perfectly possible that this type of thing will happen here.

We are already seeing a growing threat from people moving into the extremist mindset of the extreme right wing and neo-Nazis, and that is the pool that terrorists of the future will recruit from. We must all get together—all of us—to make sure that we teach our children about tolerance and equality and that we understand that just because someone disagrees with us, they are not lesser people. If someone comes from a different religion, they

are not lesser, and if they have a different colour, they are not lesser. Until we embrace that, extremism will grow. Doing that is the best way of heading off far-right and neo-Nazi extremism.

Sir Paul Beresford (Mole Valley) (Con): With my New Zealand passport in my left pocket, may I thank the House and the nation who, with a very few exceptions, were extremely sympathetic? That was spread throughout the media. Although in New Zealand the armed forces and sports teams, such as the All Blacks, are fearsome in the field, as a nation the people are known for their friendliness and acceptance of different races, colours, and religions. What is most disturbing is that even with such community integration, a case such as last week's, which "could not happen in New Zealand", did. The All Blacks I just mentioned are a positive example, as they are of different races, colours and religions but are brilliantly effective at playing as a team.

One positive point, as I am sure the Minister will agree, is that our gun laws are much tighter at the moment than at least those of New Zealand, if not those of all nations. Does he agree that our laws are sufficient, but the difficulty is the importation of illegal weapons? Will he go for that rather than changing our gun laws?

Mr Wallace: My hon. Friend, as a New Zealander and a Brit, makes a valid point about the strength of the New Zealand nation. He makes the correct observation that the gun laws in this country make it much harder for people to acquire weapons that could wreak mass murder very quickly, as we have seen following the use of semi-automatic assault rifles in places such as New Zealand and the United States. That does not mean that we should ever stop ensuring that when such threats present themselves we put all our resource and, if necessary, our legislation behind making the restrictions that are needed.

Although many people have considered such attacks, they have been unsuccessful in this country because they have simply not been able to get their hands on the type of weapon system that we saw being deployed in New Zealand. Our law enforcement agencies will continue to target both the legal acquisition of weapons by unsuitable people and illegal acquisitions through smuggling, so that we can ensure that our places are safer.

Nick Thomas-Symonds (Torfaen) (Lab): Mr Speaker, thank you for granting this urgent question, and it is a credit to my hon. Friend the Member for Lewisham East (Janet Daby) that she applied for it. I join all Members in passing on condolences to the families and friends of those murdered in this heinous act of terror against people for no other reason than that they were Muslims. We send sympathies to the people of New Zealand, and to those affected by the incident in Surrey and the ongoing situation in Utrecht.

As the Leader of the Opposition has said, an attack on anyone at worship is an attack on all peoples of faith and non-believers too, as they go about their lawful, peaceful business. The harrowing live streaming of events in Christchurch, on the other side of the world, raises questions about the role of social media platforms in facilitating a growing extremism. Although a White Paper on online harm is of course welcome, does the

Minister accept that asking online platforms to act is not enough and that we need a new regulator with strong powers to penalise them if they do not curb harmful content?

We must also ensure that our laws and policies are robust and up to date. Will the Minister clarify when the new Independent Reviewer of Terrorism Legislation will be appointed and in post? Will he also confirm that lessons will be learned from both domestic and international experience in the forthcoming independent review of the Prevent programme?

I am not suggesting that any political perspective has a monopoly on virtue. Does the Minister agree that such vile acts of hatred show that we must all redouble our efforts to argue for a society of tolerance and respect?

Mr Wallace: The hon. Gentleman makes many points with which I agree. Tolerance, respect and the underpinning of the British values of democracy and the rule of law are vital in our society, and the more we teach our children about that and the more we clamp down on those who do not believe in that, the better a place we will be.

As for the hon. Gentleman's questions about the to-be-appointed Prevent reviewer, I cannot speak for that person—

Nick Thomas-Symonds: I referred to the Independent Reviewer of Terrorism Legislation.

Mr Wallace: I will get to that, but the hon. Gentleman did mention the Prevent review. I want the person reviewing Prevent to be as free as possible to examine people's views, perceptions and evidence, and I would like those who criticise Prevent the most to produce evidence rather than anecdotes. The Government will, of course, listen to whatever the review produces.

I turn to the Independent Reviewer of Terrorism Legislation. Hopefully, the appointment will happen in a matter of days or weeks. We are at an advanced stage in the selection process. Like the hon. Gentleman, I would like an appointment as soon as possible, because no Government benefit without an Independent Reviewer of Terrorism Legislation.

On new regulations regarding online harm, I know that Opposition Members will be impatient, but they will have to wait for the publication of the online harms White Paper. The document will obviously examine regulation versus voluntary action, but I have said on the record several times that a voluntary system is not enough and that regulation or other methods of encouragement should be explored.

I have also been clear that many online companies are hugely profitable and global, so whatever regulation we explore will have to be deliverable. That is why I met representatives of the G7 in Toronto last year to discuss what the G7 can do collectively; why the Home Secretary attended the Global Internet Forum to Counter Terrorism, as did his predecessor, to ensure that countries around the world can get to grips with the problem; and why the European Union is taking forward plans to seek regulations in certain areas, especially the time in which content should be taken down.

[Mr Wallace]

If we are to deal with the problem, we must take a layered international approach to regulation—otherwise, companies will simply move their servers to escape their obligations. It is one thing to deal with the big companies that have a nexus here, but there are many tiny companies spreading hate around the world that may have servers in jurisdictions that we cannot reach. That is why we need an international consensus to deal with the challenge.

Sir Peter Bottomley (Worthing West) (Con): The House will welcome the calm and purposeful way in which my right hon. Friend spoke this afternoon and in his broadcast round this morning. He was matched by the Opposition spokesman, who has shown that this is a task for the community. This is not just about other faiths, but the whole community, and we must stand with the Muslims as we stand with the Jews.

Will my right hon. Friend go on encouraging the Community Security Trust—the CST—to share with our mosques and Islamic societies the basic steps that people can take, within the law, to help to raise levels of confidence and security?

Mr Wallace: My hon. Friend makes the strongest point of all, which is that we will defeat this challenge through peer group pressure and by coming together to show what is unacceptable. The CST has already offered online material to help advise other places of worship in how to make themselves safe. But the fact is that our law enforcement cannot do this on their own. The current threat is from sudden violent extremists—people who, in minutes, can step outside their front door, grab a knife or car and wreak murder on our streets. That is not going to be spotted by a police officer on every corner, or a large intelligence service, without the support of the public, who can understand their neighbours and bring any worries they have to the attention of the correct authorities, to make sure we say, “This is not acceptable.”

Joanna Cherry (Edinburgh South West) (SNP): No one who has ever visited New Zealand can fail to have been struck by not only the beauty of the country, but the warm welcome one gets from its diverse people, as the hon. Member for Mole Valley (Sir Paul Beresford) has said. On behalf of the Scottish National party, I wish to condemn the terrible evil we saw in New Zealand last week, and to send our heartfelt condolences to the bereaved and injured.

In Scotland, our Muslim community are a valued part of our society, as they are across the whole of the United Kingdom, but we must always be aware of the particular threat posed to them from far-right extremists. I am sure the Minister will agree that Islamophobia must be combated and condemned wherever it raises its head. Does he also agree that politicians, journalists and those in the public eye should always be cautious never to cross the line on free speech and fair comment to risk stirring up the sort of hatred and “othering” that can feed into the narrative of the far right?

There have been a growing number of incidents across the UK in recent years, and it was good to hear the Minister on the radio this morning and this afternoon saying that he is alive to that threat and will put resources

into tackling it. I noticed that on the radio this morning the Muslim Council of Britain was very concerned to ensure that its community should get the same sort of funding as the Jewish community has received to protect its places of worship against attack, and I was pleased to hear the Minister say on the radio that protective security tacks with the threat present. It seems that he does recognise the threat, but will he confirm that he will be meeting the MCB to discuss its requests and to look at directing funds where needed?

Finally, we have seen incidents where far-right extremists have tried to intimidate and silence Members of this House who have called them out for their hate. My hon. Friend the Member for Glasgow South (Stewart Malcolm McDonald), in particular, has suffered at the hands of far-right extremists recently. I know that the Government have been very sympathetic about that, but does the Minister agree that all of us, across this House, must stand united with our colleagues against the threat from the far right?

Mr Wallace: The hon. and learned Lady makes some good points. On her point about Islamophobia, I have publicly spoken out for many years about the fact that Islamophobia exists. It exists across our communities, in all our political parties and in the communities we represent; it exists throughout Europe, not just in the UK, and we have to tackle it.

If you want a good lesson on how to tackle intolerance, Mr Speaker, I should say that one of the early successful policies of the SNP was on dealing with anti-sectarianism. The SNP recognised in Scotland that this starts with sectarianism and it grows into violent extremism. I have to commend the SNP for what it did all those years ago on that, taking strong steps, certainly among the football community, to stamp it out. That is why, in the end, we have to focus upstream. We must focus in the communities and say what is not acceptable. We must embrace policies such as Prevent to make sure that everyone realises that this is ultimately about safeguarding.

On the issue relating to the community trust, the hon. and learned Lady is right. We will direct our funds as the threat changes, and we are completely open to learning every day from the attacks and plots we see, either here or abroad. We shall direct this in that way. My colleagues in government regularly speak to a range of Muslim communities, and many of us in this House will speak to our own communities in our own constituencies.

We will sense the fear that there currently is in some of those communities as a response to the attack in New Zealand and that there was even before that, given the growing rise of Islamophobia, spread through the evils of some of these chatrooms on the internet. We must, all of us, say that that is not acceptable, and neither is intolerance aimed at other people in other discourse around the world, be it in respect of Unionism and nationalism, or Brexit and remain. Intolerance is where this starts as a small seed, and it grows into hate.

Mr John Whittingdale (Maldon) (Con): I welcome my right hon. Friend's statement, and I strongly agree that the tech companies need to do more to stop the spread of hate and incitement to violence. However, does he also recognise that the internet is a force for good and that many authoritarian countries—China

and, now, particularly Russia—are attempting to impose censorship on it for their own repressive political purposes? Does he therefore agree that any measures we take need to be proportionate and targeted, and must not allow other countries, such as Russia, to claim somehow that they are acting for reasons similar to ours?

Mr Wallace: It is tempting to say that my right hon. Friend is asking the wrong person. As Security Minister, I see daily how paedophiles, organised crime, groomers and terrorist recruiters use the internet as not a force for good. As we speak, the internet is being used to undermine our own democracy.

My right hon. Friend makes a valid point that, in places where there is no democracy and no rule of law, the internet is sometimes people's only hope to engage with free thought and the outside world. We have to be very careful about how we balance that but, nevertheless, we know these companies can remove extremist content very quickly when they put their minds to it.

There are certain areas on which we all agree. I cannot find anyone in the world who would support allowing child sexual exploitation images to exist on our internet. Violent extremism, beheading videos and bullying online cannot be acceptable in any society. We can all agree that a number of activities should not be allowed or available on the internet without someone taking responsibility for preventing the broadcast or spreading of it. All of us in this House have to try to navigate that fine line, and we will debate it when the online White Paper comes before us.

Ms Angela Eagle (Wallasey) (Lab): Will the Minister admit that the internet has allowed the formation of chatrooms such as 4chan and 8chan, online communities such as the “incels”—the involuntary celibates—who are misogynistic and who blame women for their lack of access to sex, and the bubbles in which both ISIS and, now, neo-Nazi, far-right white supremacist groups gather their followers? Does he acknowledge, and does he have a plan for dealing with, the grooming and the escalation of evil and violence that is growing in these unregulated spaces?

Mr Wallace: The hon. Lady makes the right point. Many characteristics are shared across the spectrum of violent extremism. Whether it is Islamist/Daesh/ISIL extremism or far-right extremism, they often use the same methods. They often appeal to the same type of people.

Both the Government and the Opposition Front Bench have been grappling with how to deal with safe spaces, either in the material world or, indeed, online. This concept of safe spaces either in failed states or on the internet, where these people are reinforcing their prejudices and joining up, is characteristic of the 21st century. It could be argued that 10 years ago people sat on their own in their bedroom and spoke to no one, but now they can speak to thousands. That is being used to seduce people, to groom people and to twist people.

We must start in our schools, which is why I am pleased that the state, local education authorities and primary schools have started to teach children about using the internet safely. Some of the big communications service providers, such as Google and Facebook, also go out to schools and teach young children about how to behave on the internet and what to be careful of.

The challenge is growing. Hopefully, the online White Paper will be a doorway we can all go through and will start a big debate about how to tackle this. But there is also the simple issue that we all have to think about what we, our children and our friends are looking at. We have to ask ourselves, “How are we going to stop it in this day and age?” How many people in this Chamber, at any one time, are on their telephone? An awful lot.

Vicky Ford (Chelmsford) (Con): On Saturday morning, I met Muslim families from all over Essex who had come to Chelmsford to meet each other. I spoke to many leaders of the community, but also to young teenage girls and other younger members of the community, and it is clear that they are very fearful and worried. Will my right hon. Friend confirm that our Muslim constituents are our friends, neighbours and colleagues; that they are vital to British society today; and that we as parliamentarians and Government Members will do everything to stand by them and keep them safe?

Mr Wallace: British Muslims are part of Britain. That is it. They are no lesser than any one of us; we are all the same. We all share different politics and different views. We all have views of the north and the south—living in Lancashire, I have an entirely different view of the south, and my Muslim communities in Lancashire will have a different view of the south as well. We stand shoulder to shoulder. We are not going to let these people spread their hate and we will put in all the resource we need to put in to counter it. It is very much incumbent on us all, from all parties, to do it together, because if we do not do it together, the bad people will exploit that difference and make it worse.

Stella Creasy (Walthamstow) (Lab/Co-op): On Friday night, hundreds of local residents in Walthamstow joined together in a vigil for the people of Christchurch. We heard from both our Muslim community and our New Zealand residents, and many were clear with me that they recognise that far-right extremism does not come along talking about Hitler and wearing jackboots; it comes from those people who slowly drip, online and offline, poison into our politics and discussions. It behoves us all in this place, therefore, to stand up to the people who lead that charge. What does the Minister intend to do, when he recognises this twisted mindset, to make sure that nobody in this place gives a platform and a veneer of respectability to people like Steve Bannon, Candace Owens and Fraser Anning? Let us say that they are not welcome here in this Chamber and here in this country.

Mr Wallace: The hon. Lady presents one of the biggest challenges of today—

Wes Streeting (Ilford North) (Lab): Boris Johnson.

Mr Wallace: That is an immature comment. The reality is that, when we talk about tolerance, we talk not about no-platforming or shutting up people with whom we disagree; we talk about a discourse in which we challenge people's views, because only by challenging people's views do we sometimes get to the heart of the argument and either come together or agree to disagree. If we shut people down or bully or ridicule people, we are leading down the path of intolerance. Personally, sometimes I find other people who are invited to this

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House unpalatable, but I do not think it is my place to shut people out of the heart of our democracy. The way we show them up is by challenging their assertions, proving them to be wrong and taking their arguments apart. That is the best way.

Julia Lopez (Hornchurch and Upminster) (Con): As the Minister is aware, I was a councillor in Tower Hamlets at a time when young schoolchildren were groomed to go to Syria and we had far-right marches going through the borough. It was clear from my time as a councillor just how important Prevent is for giving children the intellectual resilience to resist those kinds of radical, unpleasant and divisive messages. Unfortunately, we have seen too often that people try to spread misinformation about Prevent. Does the Minister share my concern that politicians should challenge that misinformation so that communities feel greater confidence in Prevent and feel confident enough to share the kind of critical information that stops people falling prey to radicalisation of this kind?

Mr Wallace: I feel that the best way for us to deal with Prevent is to publish the statistics about who is referred, how it works and what the outcomes are. No doubt when there is an independent review of Prevent it can examine all the evidence from both sides and take a view. The only observation I have about Prevent is this. I have listened to the critics, some of whom are my friends, over the past two and a half years, and when they explain, they often just explain the Prevent policy but worry about its name. It cannot just be about the name; it has to be about the substance as well. I see good results in Prevent. Over the past three years, I have seen hundreds of people who were really at risk of becoming terrorists being diverted from that path. I think those more than 700 people in the past three years contribute to our being a safer society.

Sir Edward Davey (Kingston and Surbiton) (LD): I send, on behalf of the Liberal Democrats, sincere condolences to the victims, their families and all the people of New Zealand. We stand in unity with them and with all our Muslim brothers and sisters across the world.

Will the Minister condemn without reservation Islamophobic language, whether used by individuals or in the media? The Liberal Democrats have looked at the proposed definition of Islamophobia from the all-party parliamentary group on British Muslims, and we think that it is a very good one and have adopted it. Will the Government do likewise?

Mr Wallace: I condemn Islamophobia. It is racism; it is like any other type of racism. We should not even subdivide it. It is what it is. It is racism, just as antisemitism is racism. I do not need to go beyond that. Anyone who is caught doing it should be called out and dealt with, whether that is in my political party or in any other political party. I have absolutely no qualms about that. They should be dealt with.

On the definition of Islamophobia, I read the all-party group report and I looked at its definition. It is an interesting and good starting point. My right hon. Friend the Home Secretary chaired on, I think, 5 March, a

roundtable with the Secretary of State for Housing, Communities and Local Government and members of the Muslim community to discuss Islamophobia and what can be done on it. We will look at the definition and at what we can do to start on that process. But all of this comes back to this: if we over-define, if we start subdividing Islamophobia and antisemitism, we forget what this is really about, which is tolerance. It is really important that we accept that we are tolerant of people. That is what underlines extremism: where people choose not to be tolerant, they start to become extremists. When they think other people are lesser, that is where we are in trouble.

Robert Halfon (Harlow) (Con): I express compassion and solidarity with all Muslims from New Zealand, across the world and in my constituency of Harlow. We have the wonderful Harlow Islamic Centre in my constituency. It is a small community, but a thriving one. In 2013, there was an arson attack on the Harlow Islamic Centre mosque. Will my right hon. Friend set out again what provision and support there is for the smaller mosques and thriving communities such as Harlow to ensure that these kinds of attacks do not happen?

Mr Wallace: First, in the Metropolitan police, there are counter-terrorism security advisers who will come out to any mosque, or any place, to help to advise on what steps can be taken to do that. The places of worship scheme, which has received £2.4 million over the past three years, can be applied for. The latest round was not fully subscribed. We will do all we can to advertise it and encourage it. Indeed, the Home Secretary and I have looked at different ways to remove the barriers to people applying to that scheme to make it as easy and as straightforward as possible. We hope to improve that even more. Like my right hon. Friend, I have some very small mosques in my constituency. They are just as vulnerable as some of the very big ones. We must make sure that protective security applies to us all.

Jim Shannon (Strangford) (DUP): May I add the DUP's sympathies to all those who were killed and injured in New Zealand in that very vicious terrorist attack? Northern Ireland has experienced the unadulterated evil of people slaughtering worshippers in what should be a safe place—for example, in Gospel Hall in Darkley on 20 November 1983. In the face of evil, it is time for good people to stand with those who have been attacked. So can the Minister confirm what support has been offered to New Zealand in relation to policing, to forensic expertise and to counselling support for those victims who have lost loved ones?

Mr Wallace: My hon. Friend knows all too well the cost of terrorism and indeed, in the society in which he lives, the cost of division. We have offered to the New Zealand authorities any help they wish to have, either in the intelligence or the police space, and we will continue to do that, as we will with the Netherlands authorities following the attack today. Ultimately, we must make sure that, when it comes to saying what is acceptable and what is not acceptable, linking violence and politics is not acceptable. That is a good starting point. We must make it very clear across our political discourse that the first point is that that is never acceptable—it is never

acceptable to invoke that and to say that people should be lynched. We should never ever invoke violence in the same breath as politics.

Dr Matthew Offord (Hendon) (Con): I feel that it is a matter of some regret that this urgent question has been framed as one of right-wing extremists, because there are also left-wing extremists; this is terrorism, pure and simple. I am proud that my first question in this House was to ask for the finances to provide security at Jewish schools in my Hendon constituency. Indeed, the Community Security Trust is based in Hendon and provides that security. Now we need to make the same call on behalf of Muslim schools and Islamic institutions in our constituencies. Will the Minister take that suggestion to the Treasury and the Ministry of Housing, Communities and Local Government, and ask for resources to be made available to these communities, because any kind of extremism is not acceptable?

Mr Wallace: My hon. Friend is right. As I said in my statement, as the threat moves, we will tack with it. The Home Secretary's first point of call is within the Department and then it is the Treasury. We are determined to make all our places of worship safe, and we will do what is necessary.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I too visited mosques and had contact with local Muslim leaders on Friday, and there was a palpable sense of fear. I praise South Wales police and our police and crime commissioner for responding so quickly. I was particularly disturbed to speak to young people who told me that they were watching the video of the horrific attacks in New Zealand. We have to do everything we can to prevent young people from having to see such horrific content. On that note, I have to push the Minister and the Home Secretary further. I do not doubt their sincerity in wanting to deal with these issues, but they say that we need to wait for the online harms White Paper. I have previously raised with both of them the issue of an organisation called Radio Aryan, which is available on Twitter, Facebook and YouTube. I have also raised this matter directly with the social media companies, and it is absolutely clear that they do not give a damn. That content is still online this morning. It advocates antisemitism, Islamophobia, homophobia and white supremacy. Why is it still on there and what are the Government going to do to remove it?

Mr Wallace: As I said earlier, one of the reasons that some of these things remain online is that the servers of the companies are often abroad and out of our jurisdiction. We are seeking the powers to do something about that through the online harms White Paper. If these companies have a nexus in the UK, it gives us more power. If they do not, we have to look at other technical issues and see whether we can do this another way. The White Paper is imminent, and I am happy to meet the hon. Gentleman and any Member from across the House to discuss whether they think it is too soft or too hard, or what needs to be done to improve it.

The hon. Gentleman points out one of the real challenges. The United States' first amendment protects freedom of speech. We often approach companies in America asking them to take down websites and so on,

and we get a first amendment response—that is, that they are obliged to United States law and the first amendment. That is why we ultimately have to seek an international solution to go alongside whatever regulation we look at here.

Tom Tugendhat (Tonbridge and Malling) (Con): I was particularly moved this afternoon to hear the Home Secretary using the Arabic words, “Bi-smi llāhi r-rahmāni r-rahīm”, meaning “In the name of God, the most compassionate, the most merciful.” We are fundamentally talking about a compassion and a mercy that were not shown to a community—this time in New Zealand, but sometimes at home—and a justice that we now need to extend to members of our own community who feel that they do not have access to the same security as others. I welcome the views that will come forward from the Home Secretary and the Security Minister, and the work that they have done. We need to make sure that addressing these publishers—for that is what they are—who are putting up, or tolerating the publication of, online hate material is absolutely the first line of defence, not the last.

Mr Wallace: The communications service providers around the world need to get the message that we know that they seem to manage to do something when they really want to. We know that their algorithms are often designed to maximise viewing numbers and profits, rather than the safety of our constituents, and we need them to realise that we are on to that and are going to do something about it. Last year, Facebook took down 14.3 million pieces of content, 99% of which was done by automated tools. Before that, it took the Government to set up the Counter-Terrorism Internet Referral Unit—not the CSPs. That unit, on its own, managed to take down 300,000 pieces of content. If we can do it, those multi-billion-pound global corporations can invest more in artificial intelligence, and they can do so much quicker.

David Hanson (Delyn) (Lab): The UK Government currently chair the Commonwealth Heads of Government, of which New Zealand is a proud member. In passing on our condolences and our thanks for the excellent work of Jacinda Ardern, its Prime Minister, will the Minister agree to convene a discussion with the 53 nations about what we can do about Facebook and Twitter to collectively close down extremist content across the Commonwealth?

Mr Wallace: The right hon. Gentleman makes a very good suggestion. At the CHOGM that happened last year there was a session or two on cyber, but his recommendation is a valid one. I will nick it, if I may, and take it forward.

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): I was reassured by the Minister's remarks about the work the Department is doing to help mosques and places of worship to fight hate crime, but could he confirm that that work extends to Scotland and outline what discussions he has had with the Scottish Government in this regard?

Mr Wallace: My understanding is that matters relating to places of worship are devolved to Scotland. However, I am always in contact with officials and ministerial

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counterparts in Scotland, and I will continue to discuss this with them. I am due a visit there very soon, and I will no doubt add that to the agenda.

Paula Sherriff (Dewsbury) (Lab): Mass murder of innocents praying at their place of worship is one of the most abhorrent acts imaginable. We must urgently have conversations about the implications of words and actions, including those in the media. My constituents—those of all faiths and none—are fearful of attacks. Is the Minister of the opinion that the police have adequate resources to protect our mosques, other faith establishments and other sensitive sites, and will additional funding be made available to these places of worship so that worshippers there feel safe?

Mr Wallace: The hon. Lady will know, as I met her recently, that a number of colleagues across the House are feeling intimidated, bullied and threatened on a regular basis in our inboxes and in our letters, and often physically in person at our surgeries. That is something we have to deal with. What came across at a meeting we held recently was that there is not enough consistency in the police response, and police leaders are aware of that. Some colleagues in this House have a good police response; others have a wholly inadequate one. That extends to the places of worship where people sometimes feel that when they need help they do not get it. We have to improve the consistency. We also have to improve what the Crown Prosecution Service does in charging and dealing with those who are spreading hate and intimidating people. Again, this is all too random across the country, and that does not provide the reassurance that many Members, and our constituents, need.

Tracy Brabin (Batley and Spen) (Lab/Co-op): Like many across the House, I spent time in mosques and with my community on Friday. Obviously, as you can imagine, this was a painful reminder of what happened in Batley and Spen only three years ago. At times like this, compassion is of course needed, but we also need a strategy that works. Dressed up as free speech, white nationalism is a threat to us all. Does the Minister agree that we need to demand more of our mainstream media than newspaper editors who thought it was fine to screen the live filming on Facebook, and the media barons and politicians who see difference as the enemy? We need more than thoughts and prayers when tackling hatred—we need action, so what discussions is he about to have with media moguls and newspaper editors?

Mr Wallace: The strategy for dealing with terrorism is the Contest strategy. If the hon. Lady reads that, she will realise that it is a well-polished strategy started under the previous Labour Government that is managing to have a successful counter-terrorism effect in the United Kingdom. With regard to the media, whether mainstream or fringe, it is absolutely the case, first, that they must not prioritise sensationalism over the facts. Secondly, all media have a responsibility to report accurate facts. The interpretation of those facts is obviously up to the free press and the media, but they must be careful and responsible about what they do. Like her, I have frustration that some media outlets sometimes actually end up being the biggest broadcaster of hate

and terrorist content. They must be made to realise that. I am going to be telling them that over the next few weeks, going right to the top. I am not sure that my rank gets me to a mogul, but it will certainly get me to an editor.

Wes Streeting: I thank the Security Minister again for what he said following the appalling attack in New Zealand and what he said today following the events in this country and the Netherlands over the weekend. Further to the answers he has given to other Members, I want to say, in terms that I think my Muslim constituents would want me to use, that the kind of prejudice that slaughtered innocent people in Christchurch does not begin with a gunman mowing down people in their place of worship. It begins with unchecked prejudice in our workplaces, our schools and our communities, which is amplified in the pages of national mainstream media outlets that should know better. I am afraid it is also legitimised by people who purport to be mainstream politicians and aspire to the highest office who describe Muslim women as “bank robbers” and pillar boxes without any reaction.

On a day when HOPE not hate has called for action from the Conservative party to tackle Islamophobia within its ranks, when Baroness Warsi has again asked her own party to act and when my constituents are looking to the Government to act, they will have no confidence in this Government to tackle the prejudice they face unless they have confidence in the governing party to tackle racism within its own ranks. I say that with humility but great sincerity. Enough is enough. Condemnation in general is nothing compared with specific condemnation. When will the Minister’s party tackle the racists in its ranks, whether in this House or at the grassroots?

Mr Wallace: The hon. Gentleman is right; we need to show leadership. If we see racism or antisemitism in our ranks, we should deal with it. If we see Islamophobia in our ranks, we should deal with it; if I find it in my party association, those people should not be in the Tory party. I totally agree with everything he said. We have to be cautious about what we say and what we inspire, given our privileged places as political leaders in society. That goes for my friends, my colleagues and my opponents on the Opposition Benches.

We should also recognise that the next step in intolerance is linking violence to politics. The hon. Gentleman sits in a party whose shadow Chancellor talked about lynching my right hon. Friend the Member for Tatton (Ms McVey) when she was in the Department for Work and Pensions, and whose shadow Chancellor regularly supported Irish nationalism that had a violent streak rather than a peaceful one. Let us see what his actions are when it comes to condemning Labour’s Front Bench.

Hywel Williams (Arfon) (PC): I associate my party with the condemnation across the House of the appalling attack in New Zealand. That shows, if evidence were needed, that such attacks can happen in the most peaceable and unlikely of communities. Security is a reserved matter, though the Welsh Government have responsibility for economic, social and cultural matters to do with the faith community. Is the Minister confident that there is sufficiently deep co-operation between the Home Office and the Welsh Government to ensure that such attacks do not occur in rural and city communities in Wales?

Mr Wallace: All I can say is that we have very strong links with the Welsh Government and the police and counter-terrorism units in Wales. I have visited a number of sites. We speak regularly, including when it comes to conducting exercises across the United Kingdom so that we can practise our response, and I regularly see bulletins about what is going on in Cardiff and other parts of Wales. I am confident that the Welsh police do an outstanding job in dealing with this issue. Many Members in this House bring examples to me involving the far right. I am confident that they are doing a very good job, and I will continue to work with the Welsh Government to ensure that it is delivered.

Sir Mark Hendrick (Preston) (Lab/Co-op): Will the Security Minister assure communities in Lancashire of the Islamic faith, of any other faith or of no faith that everything is being done through the security and intelligence services and the police to monitor and deter potential attackers from targeting places of worship, including online activity and political campaigns aimed at Muslims and other minority faiths? This should not just be about tolerance, which means accepting something whether we like it or not, but be about mutual respect. Let us talk more about mutual respect, not just tolerating something even though we might not like it.

Mr Wallace: How we respond to that tolerance is about mutual respect: whether we disagree and disagree in a manner that accepts people as equals or whether we disagree and denigrate them for having a different view is about respect. The hon. Gentleman and I are neighbours in Lancashire, and we both represent a multicultural society that has worked very well together. I am determined to make sure that we work with Lancashire constabulary to deliver it, but I know that Preston City Council will help deliver some of the solutions as well, as indeed will he and I as civic leaders.

Mary Creagh (Wakefield) (Lab): People in Wakefield stand together in solidarity with our Muslim community, the people of Christchurch and the victims here at home and in Utrecht today. May I say to the Minister that I think the grief felt by the relatives of those killed and seriously injured will have been immeasurably increased by the knowledge that those deaths and injuries were live-streamed and broadcast around the world? Does he agree with me that the days of the tech companies marking their own homework should be over, that we should be legislating in this country and in the EU to make sure that nobody profits from this type of streaming, and that any media company in this country that profited by seeing their ad revenues go up through hosting those videos on their sites should donate the increased profits and revenues to a fund for the victims and their families?

Mr Wallace: I completely agree with what the hon. Lady has said on all her points. Yes, those who made any profit from that horrendous streaming should donate it.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): I, too, express my solidarity with the New Zealand people and our Muslim brothers and sisters. Although I am pleased with what the Minister has said about the regulation of social media platforms, may I remind him that we are seven years after Leveson, and that Leveson 2, which was meant to address that, was completely ignored

by this Government? On the issue of prevention, I appreciate that there is a review of the Prevent programme, but what are the Government specifically going to do about socioeconomic inequalities, which are a known driver in developing distrust and alienation between different communities?

Mr Wallace: First, a good economy is certainly one of the ways we can try to make sure that people feel more empowered. We will differ about how to go about that between both sides of the House, but employment is a very good start point. When we mix and engage with people in our workplaces, we learn about people's differences and, I hope, become stronger together. The Government have also funded—with £63 million, through the Housing, Communities and Local Government Secretary—the Building a Stronger Britain Together fund, which is working with 230 community groups up and down the country to make sure that we work together better, integrate better and understand each other better.

Rushanara Ali (Bethnal Green and Bow) (Lab): Last Friday, the Mayor of London and I attended the East London mosque for a vigil in solidarity with the victims of the terror attack in New Zealand. As we left, an anti-Muslim hate crime attack took place in my constituency, despite what had happened. Will the Minister look at how to take far-right activism, far-right groups and the threat more seriously? For years, we have campaigned for some of those groups to be proscribed, and the Government have fallen short. I ask him to take that much more seriously, to look at making online platforms responsible for the content of what they provide and to consider the German approach of fining online companies when hate crime material—online hate propaganda—is on those sites. Without making them responsible and making them pay for what they host, we are not going to be able to tackle this appalling level of hatred against Muslims and also against other minorities.

Mr Wallace: I do not, and neither do the police or the intelligence services I work with, in any way miss or fail to recognise the threat from the far right. It was this Government who first proscribed a far-right, neo-Nazi group—National Action—over 18 months ago. We did that, and we have subsequently taken action against a number of people and organisers. On hate crime, which is also one of the planks we need to take away from extremists, we have funded a £1.5 million action plan. We have asked the Law Commission to review the hate crime legislation to make sure it is fit for purpose. No doubt, the Law Commission will look at hate crime in the online space as well, and I hope it can feed into the online harms White Paper that is coming soon.

Hannah Bardell (Livingston) (SNP): We stand in solidarity with the Muslim community in Christchurch, New Zealand, and across the world. My mother with my grandparents emigrated there in the 1950s, and only by virtue of lack of employment am I a Scot and not a Kiwi.

The attacks in Christchurch are surely a tipping point for action by social media companies and this Government. I take on board what the Minister says about collaboration and co-operation, but the Government have been dragging

[Hannah Bardell]

their heels on the White Paper. I understand that he needs to collaborate with countries across the world, but surely now is the time to show some leadership, step forward and have proper legislation and regulation. Not only should no family lose a loved one in such horrific circumstances, but they should not then find out that the brutal murder of their loved one was streamed online for 17 minutes and is still going around online now.

Mr Wallace: I hope that when the White Paper comes out that the hon. Lady is not disappointed. Given the way the internet is constructed, we have to make sure that regulation works. There is simply no point in putting out a load of regulation if everyone puts their servers somewhere like Cuba or North Korea and nothing can change. We have to make sure we have a technical solution alongside a regulatory solution.

Naz Shah (Bradford West) (Lab): I thank my hon. Friend the Member for Lewisham East (Janet Daby) for securing this urgent question, and you for granting it, Mr Speaker. May I say how disappointed I am in the “whataboutery” response to the question from my hon. Friend the Member for Ilford North (Wes Streeting)? As a Muslim who has the largest Muslim constituency in the United Kingdom and who spent the weekend reassuring not only my constituents but my own Muslim family, I can tell the Minister how Islamophobia happens: it happens because it goes unchecked; it happens because people in politics have responsibilities that they do not meet. The Conservative party ran the most Islamophobic dog-whistle campaign against the Mayor of London, who happens to be Muslim. The party has yet to apologise for that campaign. Its former chair Baroness Warsi is crying out for an inquiry, as is the Conservative Muslim Forum. The Minister must check that his own house is in order before he can give me or my constituents any confidence that his party can safeguard the Muslim community.

Mr Wallace: I have long been a good friend of Baroness Warsi. I read her book and met with her, and indeed I encouraged her to apply to be the extremism commissioner at the time the post was advertised, because I thought she would bring a good measure of sense to dealing with some of those issues. Regrettably, she did not take up my invitation, but it would have been a good thing.

I am not making excuses for Islamophobia. Islamophobia exists. Islamophobia is racism. Islamophobia should be dealt with. If it happens in my party, we should deal with it and we should deal with it forthwith, and I am happy to do that wherever I see it. We should all make sure we deal with it. I totally agree with the hon. Lady: it is racism and where we see it we should stop it in its tracks.

Yasmin Qureshi (Bolton South East) (Lab): There is an old expression, “The pen is mightier than the sword.” Words, written and spoken, have consequences. Over the past 20 years we have seen the rise of anti-migrant sentiment, anti-Muslim sentiment and anti-black and minority ethnic community sentiment, not only in the United Kingdom, Europe and America, but in Australia. Politicians and media online, in print and in other forms, newspaper moguls and editors such as the owners

of Fox News and Murdoch, the *Daily Express*, *The Sun* and others have consistently run lies about all those communities. It is not surprising that some people seeing this day in, day out, start to hate those communities. We have established writers and columnists in this country, such as Katie Hopkins, Rod Liddle and Melanie Phillips, encouraging all this. When will we seriously tackle the issue of what is in the media?

Mr Wallace: I still believe that the best way to challenge the ignorance and misinformation spread by the likes of Katie Hopkins is to call them out and challenge their argument. The best way to bring these people down and show them to be the Walter Mittys or the fake people they are is to put their arguments to the test, because time and again they fail. I read the online advice published by groups such as al-Qaeda; it is by made-up half-trained imams who do not know what they are talking about when they talk about Islam. I see the neo-Nazi and National Action stuff; it is written by pretty much imbeciles making two plus two equal 10. The best way to expose them to our young people is to challenge them, because when they are challenged in any forum they fall over at the first test. That is a good way to put them out of business for good.

Mr Speaker: May I say very gently to the Minister and to colleagues that as we have now been on this matter for one hour and two minutes, there is a premium on brevity, on this the occasion of the 574th urgent question during my time in the Chair? I never like to cut these questions off and I want to facilitate colleagues, but it would be helpful to have questions and pithy answers, rather than orations.

Anneliese Dodds (Oxford East) (Lab/Co-op): My city of Oxford saw some truly disgusting Islamophobic graffiti sprayed last weekend. The local police are dealing with it resolutely, but we all know that it comes on top of enormous pressures from knife crime and county lines. Senior police officers have said that they do not have sufficient resources. The Minister is right that this is not just about police resources, but surely that is part of it. Will he be asking for more?

Mr Wallace: Last year, when the police and intelligence services came to ask for more, we gave them £161 million more. We made sure that we found the funding, year on year, as the threat increased.

Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab): May I send my condolences to the families of the deceased and injured in New Zealand and the Netherlands, and praise the actions of New Zealand’s Prime Minister? Will the Minister hold the internet companies and social media companies responsible in legislation? Will he ask the Home Secretary, who is not in the Chamber at the moment, whether he will meet me and imams from across the country to look at how we can protect our places of worship?

Mr Wallace: On the last point, I will make sure that the Home Secretary replies to that request. I am very happy to meet the hon. Gentleman on a regular basis, with his communities if he would like, to discuss what more can be done and to keep an eye on this issue.

Imran Hussain (Bradford East) (Lab): May I join hon. Members from across the House in condemning these horrific, sickening, cowardly terrorist attacks? Can we, as a House, unite today and pay tribute to the heartening response that has been demonstrated by people of faith and no faith up and down our country and more broadly, who have stood in solidarity and made it clear that those who seek to divide us will never ever succeed? This House wants to be very clear in sending that message today.

I want to emphasise the point that, tragically, far right and Islamophobic views are being tolerated and normalised more and more by those in the mainstream—those in power and responsibility, whether in the media, public life or public institutions. Frankly, that is feeding into the rise of the far right and Islamophobia. What concrete steps will the Minister take to address that and end all forms of racism, in particular Islamophobia?

Mr Wallace: When I see Islamophobia in the media, it breaks down into three reasons: laziness, because the journalist could not be bothered to find out about what they were writing about; ignorance, because they do not know anything about the religion, people or communities they are writing about; and naked racism or aggression. We can deal with two of those factors quite well.

We need to make sure that we educate people about different faiths in this country, so that they understand the differences within the faiths and across the faiths. We need to bring more people together to understand our different communities. That is why the £63 million for building strong communities is a good place to start. If we can remove the ignorance and teach tolerance and respect for each other, together we will make a difference. That is a strong message to send.

Mohammad Yasin (Bedford) (Lab): It is very clear that the Government are not doing enough to tackle this crime. The Home Office reported recently that religious hate crime rocketed by 40% across England and Wales in just one year. More than half of it is directed at Muslims. What are the Minister's Government going to do now to tackle the rise in far-right attacks against British Muslims and other minority communities?

Mr Wallace: As I said to one of the hon. Gentleman's honourable colleagues, we asked the Law Commission to review hate crime to make sure that the legislation is fit for the 21st century, and can deal with, for example, the online aspect and how things have changed. We will fund that with £1.5 million. We will also make sure that we tackle the ignorance that I talked about in communities; that is the first thing we need to do. At the same time, we need to deal with online harm to make sure that people stop spreading it. We have also funded work with groups such as Tell MAMA, so that people can report hate crime better, because by them reporting it and our getting better data, we will be able to do something about it.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): I implore the Minister, as a member of the Government, to resist the temptation to in any way get into a "he said, she said" party political defence of racism at any level in our society. Does he agree that as political parties that lead, and aspire to lead, the country,

we are all responsible for promoting tolerance, equality and being against racism in all its forms, wherever it may appear? As membership organisations, we have a responsibility to ensure that zero tolerance within our ranks means exactly that.

Mr Wallace: I totally agree.

Jim McMahon (Oldham West and Royton) (Lab/Co-op): The Muslim community in Oldham is deeply concerned about the prospect of being targeted in further attacks. The drip, drip of the type of lower-level abuse that I see online creates a culture in which people think that they can go further and push it, that difference is okay, and that there should be even further division. The application deadline for the Government's fund to protect places of worship closed in August last year. We know that there is an underspend in that budget. There is no reason why the Government cannot have a rolling fund in place, so that applicants do not have to wait until the Government are able to administer the application process. Please take the brake off that fund and give places of worship the protection that they need.

Mr Wallace: The hon. Gentleman has great foresight; watch this space.

Catherine West (Hornsey and Wood Green) (Lab): I put on record that I associate myself with the comments from the hon. Member for Mole Valley (Sir Paul Beresford), who is an Antipodean as well, and I thank you, Mr Speaker, for going to Finsbury Park mosque, one of my local mosques. I challenge the Minister to discuss with the Department for Education how we can help our schools, particularly in areas that are predominantly non-Muslim, to visit mosques, synagogues, Hindu temples and churches in these times when people do not necessarily get taught any religion at home. That way, we can promote awareness across the piece—not just in areas where we have a lot of Muslim constituents, but across all our communities—and this attitude cannot just pop up in a spirit of ignorance.

Mr Wallace: The hon. Lady is right. This starts off in ignorance and is then exploited. The situation is different in different constituencies. In my constituency, people visit different communities and mosques and places such as that. I would definitely urge other people to do that, but I am very happy to write to the Department for Education to make sure that we redouble our efforts and spread that good practice across the country.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): My thoughts are with all those affected. Extremism is on the rise on the left and the right, but much of that is being harnessed in our prisons, where hardened extremists are housed alongside young offenders who may be impressionable and extremely risky. What dialogue is the Minister having across Departments on justice to ensure that the policy reaches across Departments, and that our prisons counter radicalisation and are places of rehabilitation?

Mr Wallace: In the last two years, we have worked with the Ministry of Justice to seek, where appropriate, segregation away from vulnerable people. We have redoubled our efforts on taking the Prevent programme into prisons, and have added a bit of compulsion around some offenders going into the Channel programme to make

[Mr Wallace]

sure that they are challenged and hopefully diverted from that course. Like the hon. Lady, we totally recognise that that is effectively a captive audience, and that if we do not deal with the issue there, prisons will churn out new extremists.

Kate Green (Stretford and Urmston) (Lab): I also associate myself with the condolences that have been expressed to the victims of the appalling atrocities over the past three days. I support my hon. Friend the Member for Hornsey and Wood Green (Catherine West) in raising the importance of schools with the Minister. Will he also discuss with his colleagues in the Department for Education the problem of some parents choosing to withdraw their children from religious education classes, particularly when they think that the classes will be about Islam and Muslims? Will he discuss what can be done to make sure that parents understand the importance of their children being educated in all things?

Mr Wallace: I would be very happy to raise that with both Ofsted and schools. As the hon. Member for Hornsey and Wood Green (Catherine West) said, ignorance is where this starts, and we must do everything we can to ensure that our children are educated about different faiths and religions.

Ms Karen Buck (Westminster North) (Lab): In November, I was at St John's Wood synagogue in solidarity after the Pittsburgh shootings, and on Friday, I was 500 yards away at the Regent's Park mosque after the Christchurch atrocity. Over the last couple of months, these communities have felt a level of risk, a level of abuse and a rising level of hate crime that are unparalleled in modern times. Our local police were there in strength on Friday, but they are stretched, as the Minister has heard from others today. We have lost one third of our police. Our safer neighbourhood teams are on the frontline, embedded in communities and helping to respond to these challenges, but they are being decimated. Please will he listen to the call for support for safer neighbourhood teams to work with our religious communities?

Mr Wallace: The hon. Lady will know that my right hon. Friend the Home Secretary has been listening and has been making representations on that. At the last

police funding settlement, we found enough money, plus the precept, to give the police more funding. The calls are being heard, and we will see what we can do.

Mrs Madeleine Moon (Bridgend) (Lab): Is it not time to talk to the general public about how extremism, both on and offline, is there to generate hate, conflict and division, and is sometimes funded, supported financially and generated by foreign states, terrorists and non-state actors, as well as political extremists? The Massachusetts Institute of Technology has shown that we are 77% more likely to forward and project forward something that disgusts or shocks us. Is it not time to talk to ordinary people about the importance of not sharing, but reporting and deleting?

Mr Wallace: The hon. Lady has made the incredibly wise observation that some of this funding, and some of the influences on extremism, are coming from outside this country. Some of it is deliberate, and is done by states and groups, and we should definitely explore what more we can do. One of the best ways to deal with it at this level is through transparency on where money comes from and where it is going. I have always campaigned for that, and we need more of it.

Tommy Sheppard (Edinburgh East) (SNP): Social media may well have turbo-charged the far right's ability to organise and communicate, but it also provides an opportunity to watch that. I know the Minister cannot give details, but can he give the House reassurance that the intelligence and security forces in this country have the capacity to monitor all known members of far-right organisations; that if necessary, that capacity will be increased; and that it will not be compromised through a lack of budget or resources?

Mr Wallace: As guided by the Investigatory Powers Act 2016, we will do whatever monitoring and investigation we need to, where that is proportionate and necessary, to head off any terrorism or violent extremism, wherever we see it, whatever its cause. The intelligence services and the police have the resource at the moment. One of the reasons why I am such a supporter of Prevent is that if we do not deal with the next generation and the potential pool that terrorism recruits from, we will not have the resource in years to come.

Article 50 Extension Procedure

5.59 pm

Justine Greening (Putney) (Con) (*Urgent Question*): To ask the Secretary of State for Exiting the European Union if he will make an urgent statement to the House setting out the Government's plans in relation to the article 50 period extension procedure that the Government will follow, following on from their written ministerial statement to that effect on Friday 15 March.

The Parliamentary Under-Secretary of State for Exiting the European Union (Kwasi Kwarteng): [*Interruption.*] Thank you very much. That is good advice—always gratefully received.

As set out in a written ministerial statement, and in accordance with the motion approved by this House on Thursday 14 March, the Government will now seek to agree an extension with the European Union. The extension process has been set out in a Government paper published last Thursday. While article 50 does not set out how either party should request an extension, the Government believe it would be appropriate for the Prime Minister to write to the President of the European Council.

It is highly likely and expected that the European Council will require a clear purpose for any extension, not least to determine its length. The European Council has to approve an extension by unanimity. With this in mind, we will look to request any extension in advance of the March European Council. It is the Government's expectation that the European Council will decide whether to agree any UK request at this meeting.

As soon as possible following agreement at the EU level, we will bring forward the necessary domestic legislation to amend the definition of exit day. That legislation will take the form of a statutory instrument. If agreement is reached at the European Council, the statutory instrument will be laid before Parliament next week. The draft will be subject to the affirmative procedure, and will need to be approved by each House. I hope this reassures hon. and right hon. Members about the procedure that will be followed this week and next.

Justine Greening: There are still many questions that the Minister has to answer in relation to how we will use our time productively over the remaining two weeks. As we have heard today, it is now not clear whether the Government will be able to bring a third meaningful vote before the House; indeed, one reason why I tabled this urgent question was that it was not clear to me whether that vote, if it were held, would even be held this week, before the March EU Council.

It is imperative that the Government set out clear proposals for three scenarios that Britain now faces. The first is that the meaningful vote is held, and the deal passes. However, that does not look likely in the next few days. How will the Government approach that, with the EU Council taking place later this week?

The second scenario is that there is no meaningful vote, but Parliament has the chance to express its will, as the Minister says, on what the clear purpose of any extension should be. That will also take time to negotiate. What will the Government's approach be to ensure that

they do not go against the will of the House, which has consistently—twice—voted to avoid a no-deal exit from the European Union?

The third scenario is that we have no meaningful vote, and Parliament does not have the chance to discuss and agree a clear purpose for an extension. This place has been frustrated time and again by the Government, who have been wasting time and bringing back a deal that has still not passed, instead of allowing this place, through free votes, to reach a consensus on what we feel would be an appropriate way forward. That takes time, and we do not have much time. What approach will the Government take to allow us to ensure that we do not inadvertently crash out at the end of next week and go against the House's clear no-deal vote? Will the Government propose a provisional extension that can be updated if the House needs more time than the following two weeks to determine a clear purpose for any extension? Will they accept votes in the House that define that clear purpose, and understand that those are binding when negotiating an extension mandate via the EU?

I question the appropriateness of the Secretary of State's role in negotiating an extension. We had a free vote in the House last week, and I respect that. I also respect the way he chose to cast his vote; he was absolutely within his rights. However, he voted to leave come what may on 29 March. I take a different view from him, as does the House. It is simply not appropriate or credible for him to be the lead person negotiating on this country's behalf with the European Union. I say that with some regret, but that is nevertheless the position we find ourselves in.

It is absolutely crucial and urgent that the Government chart this country a way through the next vital 11 days. The House has had a series of votes to express its will. The Government have consistently—I really regret this—tried to frustrate that will by ignoring it. In doing so, they have wound down the clock to leave very little time for Parliament to do its duty by our country, which is what it wants to do. We need clear answers, a clear process and contingency plans, and those need to be set out today, so that the House has a chance to debate whether they are adequate and, if they are not, the direction we want to give the Government to make sure we protect our country.

Kwasi Kwarteng: There were lots of questions from my right hon. Friend. She made some remarks about my right hon. Friend the Secretary of State's votes last week. I voted exactly the same way as he did—I voted against an extension in the free vote.

One of the points about the votes on Thursday was that it was absolutely vital that the House voted against the Benn amendment, which, if it had been successful, would have bound the hands of not just this Government but future Governments. My right hon. Friend the Secretary of State did exactly the right thing by voting to reject the amendment—and, as I remember, it was rejected by three votes. That is exactly what I did, and that is exactly why he voted the way he did.

With regard to the last vote, it was a free vote. My right hon. Friend said, as I did, that we would not seek to extend article 50. However, as Members of the House know, the House did vote to extend article 50. As a consequence, I set out clearly in my statement the process that will be followed. As I said, we will, as soon

[Kwasi Kwarteng]

as possible following agreement at EU level, bring forward the necessary domestic legislation to amend the definition of exit day. That legislation will take the form of an affirmative statutory instrument, which will be laid before the House after the agreement with the EU, next week.

Matthew Pennycook (Greenwich and Woolwich) (Lab): Thank you, Mr Speaker, for granting this urgent question. I congratulate the right hon. Member for Putney (Justine Greening) on securing it. It is particularly interesting that the Under-Secretary of State for Exiting the European Union has been given the task of responding. As he rightly admitted, he, like the Secretary of State, voted against the Government's motion on Thursday. He has not reconsidered over the weekend, and he comes before us glorying in the fact that he opposes the Government's stated policy, which is to seek an extension to article 50. Can he tell us whether he even agrees with what he has just read out from the Dispatch Box?

However, in all seriousness, the written ministerial statement made on Friday throws up a series of important questions. First, given that it appears there is now little chance that the House can approve the deal before tomorrow, for what purpose will the Government seek an extension to the article 50 process, and how long do they propose it lasts? The written ministerial statement is clear that the EU would require a clear purpose for anything longer than a technical extension; it cannot be just the principle that is put to the EU.

Secondly, leaving aside the SI dealing with the domestic legislation, is it the Government's intention to bring back the terms of any extension that might be agreed, so that the House can debate and vote on them, as the Minister for the Cabinet Office indicated in response to the hon. Member for Grantham and Stamford (Nick Boles) in the debate on 27 February? Finally, have the Government sought or received any legal advice relating to the requirement to participate in the European elections, given that, as the Minister will know, there is a range of views not only inside this place but outside?

The fact that we need to extend the article 50 process is a mark of this Government's abject failure. For weeks, the Opposition have argued that an extension to the article 50 process is inevitable; on Thursday, the House, if not the Minister and his colleagues, finally accepted that. We need clarity from the Department on precisely how this process will unfold.

Kwasi Kwarteng: Let me respond very briefly to the hon. Gentleman. He suggested that I did not agree with the statement; I fully agreed with everything in it. That is just for the hon. Gentleman's—[*Interruption*—instruction.

Mr Mark Francois (Rayleigh and Wickford) (Con): Division.

Kwasi Kwarteng: A very amusing interjection.

The Government have made clear, and the Prime Minister made clear a couple of weeks ago, that in the event of the meaningful vote not getting through, there would be a number of votes on consecutive days outlining what the process would be. [*Interruption.*] Members say

that they have heard that before. That is because of the process that is unfolding. What we will do now is seek an extension of article 50. [*Interruption.*] That has been very clearly expressed.

As for the meaningful vote, Mr Speaker, you made your opinion clear in your statement, but I do not want to prejudge whether any meaningful vote will come to the House, or to prejudge its success or otherwise. We have made it very plain that if we are given the meaningful vote, we will seek a short extension, if we get that through the House, and if we do not, we will seek a longer extension. I am pleased to be able to inform the House exactly what the position is.

John Redwood (Wokingham) (Con): May I urge the Government not to seek any extension in the event that their agreement is not successfully put through the House? The Government's long-term, consistently stated policy has been that we will leave on 29 March 2019, and that is what those who voted for both main parties will expect following the clear statements that were made at the time of the 2017 election. Will the Minister persuade the Government to go to the important meeting with our European partners this week and to table a fully comprehensive free trade agreement? I think that they would be willing to discuss that if the alternative were leaving without such an agreement, and then we would not need to impose new barriers. What's not to like? Will the Government get on with it?

Kwasi Kwarteng: I am delighted, and not wholly unsurprised, by my right hon. Friend's intervention. I have followed his speeches and declarations in the House with interest for many years.

The referendum happened, but we must also get legislation through Parliament. We live in a parliamentary democracy, and last week the House made very clear its view that we should take no deal off the table and seek an extension of article 50. My right hon. Friend the Prime Minister outlined a series of measures whereby she and her Government would try to follow the directions of the House in respect of the extension and in respect of taking no deal off the table.

Peter Grant (Glenrothes) (SNP): I commend the right hon. Member for Putney (Justine Greening) for submitting the urgent question, and I thank you, Mr Speaker, for granting it.

Last week, the House voted by a sizeable majority to rule out any possibility of our leaving the EU without a deal. If the Government, by prevarication or otherwise, cause us to crash out without a deal, that will surely be the greatest case of contempt of Parliament in the history of not just this but any Parliament. The Government have 11 days left in which to take the action that they must take to prevent that from happening. When no deal was ruled out last Tuesday, there were 17 days left, so the Government have used more than a third of their time doing precisely nothing. The Minister was full of promises about what they intended to do, but could give no answers about what they had done to seek and secure that extension.

Let us consider the options that we now have. The Minister must accept—I hope that he will accept—that the Prime Minister's current deal is not coming back. It is finished, and the Government must come forward

with another solution. If they do not—given that the House has clearly rejected the threat of being forced out without a deal—and if they cannot sort this out within 11 days, the only option is for them to revoke article 50.

In a written statement on 15 March, the Prime Minister said:

“In accordance with the motion the House approved on Thursday 14 March 2019 the Government will now seek to agree an extension with the EU.”

Why did the Government not start to do that when the Prime Minister made her statement? What was the purpose of delaying for the best part of a week, a third of the available time for the disaster to be averted? Will the Minister vote for the statutory instrument that he mentioned to extend article 50—given that he has already voted against that—or will he follow the Prime Minister and the Secretary of State into the book of shame that lists the names of those who speak in favour of a measure at the Dispatch Box and then vote against it?

Last Tuesday, the Attorney General published his legal opinion, and within hours we were being told by an hon. Member that the Attorney General had extended that advice. Can the Minister tell us whether the Attorney General has amended, extended, reviewed, revised or in any way changed the legal opinion that he published last week? If so, why has Parliament not been notified—or is all the talk about the Vienna convention just a fantasy, an attempt to bring on board reluctant Members to vote for a deal that we now know is dead in the water?

Yesterday, the Prime Minister tweeted that we should all be

“pragmatically making the honourable compromises necessary to heal division and move forward”.

Does the Minister recall that the Scottish Government put forward an honourable compromise in December 2016 that would have prevented this mess and that his Government rejected it out of hand? Why does the Prime Minister not practise what she preached in her tweet yesterday? Why do the Government not now accept that they cannot give the answer themselves and that they must talk to other parties to get us out of this disastrous mess?

Mr Speaker: Order. I have the greatest possible fondness for the hon. Gentleman, and I hope that he will not take it amiss if I say that while I greatly enjoyed listening to his dulcet tones, he did exceed his allotted time: indeed, he took three times his allotted time. I savoured every word, but he did exceed it. It was supposed to be a minute, and he took three.

Kwasi Kwarteng: The hon. Gentleman produced a whole battery of questions. He asked why we had not sought an extension. The European Council will start on Thursday; at that point a letter will be sent, and we will seek an extension. He also asked about the statutory instrument and what my vote would be. Perhaps I am part of a tiny minority in the House, but I still think that there is room for a vote on the deal. I think that that may happen, and I do not want to prejudge the situation.

Mr Francois: Given that the European Council is only three days away, may I ask the Minister three questions? First, how long an extension will we ask for, or has Olly Robbins not yet told the Cabinet? Secondly, what is the purpose of the extension? Thirdly, will the

statutory instrument be debated on the Floor of the House, rather than upstairs in Committee, and will the Government allocate a whole day for the debate?

You chair the House of Commons Commission, Mr Speaker, and today is D minus 11. If, as a result of these historic events, we do leave the European Union at 11 pm on 29 March, will you, Sir, use your influence with the House of Commons authorities to ensure that Big Ben chimes at 11 pm, so that we can celebrate our freedom?

Mr Speaker: I shall take the last part of the right hon. Gentleman's question as rhetorical. I do not want to rehearse that particular matter. Suffice it to say that—as the right hon. Gentleman may know, but may not—the idea was canvassed in the House of Commons Commission, but did not enjoy support beyond, if memory serves me, one person, who was perfectly entitled to that view. I am not knocking the person who expressed it, but it was not more widely shared. I absolutely admit that if the right hon. Gentleman were himself a member of the Commission, the support for it would obviously have doubled.

Kwasi Kwarteng: My right hon. Friend asked, essentially, two questions. He asked how long the extension would be. That depends on whether the meaningful vote goes through. If we have a deal and if the deal goes through, we will ask for a short extension. If, for whatever reason, the vote does not happen, or is frustrated, or the deal is voted down, we will probably ask for a long extension. [HON. MEMBERS: “How long?”] That would be a matter for the EU, and for our Government, to decide.

My right hon. Friend's second question was about the statutory instrument. As a former Whip, he will know that such matters are for the usual channels—for the business managers in the House. I am sure that we will have further clarification later in the week.

Hilary Benn (Leeds Central) (Lab): The Minister's assertion that my amendment of last Thursday would have bound future Governments comes as a great surprise to me because, as I recall, it asked for a motion to be prioritised on 20 March. But leaving that aside, can the Minister confirm that the Government intend to agree to the extension at the meeting of the European Council later this week, however long that extension is, and do not intend to bring back the length of that extension to the House for endorsement?

Kwasi Kwarteng: On the first part of the right hon. Gentleman's question, I am not here to wrangle with him about the meaning of his amendment; all we know is that the amendment was rejected so what its force would have been is of academic concern. It was rejected, thankfully, and we can move on.

On the right hon. Gentleman's comments on the extension, I said—very clearly I hoped—in my opening statement that the Prime Minister would write a letter and the length of the extension would be agreed between the EU and the UK Government.

George Eustice (Camborne and Redruth) (Con): The motion debated by the House last week envisaged a short extension, and as my hon. Friend pointed out there has to be a purpose to a short extension. Given the

[George Eustice]

absence of a withdrawal agreement will the Government look again at the potential of using such a short extension to apply to join the European Free Trade Association pillar of the European economic area agreement to which we are a party, and thereby rely on our existing legal rights under that treaty?

Kwasi Kwarteng: As my hon. Friend will remember, there were two options. If the deal is adopted by the House, the Government will apply for a short extension of the article 50 period. If it is not—if the deal is voted down or for whatever reason is frustrated—we would have to seek a longer extension. It is not currently the Government's intention to seek to join EFTA or any other of those organisations. We made it very clear that this was a binary choice: we would have the deal, in which case we would ask for a short extension, or we would have to ask, regrettably perhaps, for a longer one.

Mr Ben Bradshaw (Exeter) (Lab): The Minister seems to be the only person in this House who thinks the deal can be agreed before this week's European Council meeting. It is not going to be; let us get real about this. Does he understand something we have been trying to impress on the Prime Minister for some time: the one and possibly the only way she can save her deal now would be to bring it back here and make it conditional on putting it to the British people?

Kwasi Kwarteng: I was very struck during last week's events about this so-called people's vote, because my understanding was that the Labour party had suddenly changed its policy in favour of it, but then of course when the amendment came from the hon. Member for Totnes (Dr Wollaston), the Labour party refused to back it, so I and others are in a lot of confusion about the nature of the so-called people's vote. I am not going to prejudge things; I still think there is a chance that the deal can come back and go through the House, but perhaps I am an eternal optimist.

Dr Andrew Murrison (South West Wiltshire) (Con): Given the centrality of Northern Ireland to the Brexit process, does the Minister agree that a solemn and binding change that involved Stormont in the future arrangements in the political declaration or the unilateral declaration would constitute a very significant change to any meaningful vote that was brought before this House?

Kwasi Kwarteng: My hon. Friend is absolutely right: Northern Ireland is at the front and centre of this current debate, and the Government's intention is absolutely that Stormont, if and when it is reconstituted as a Government, will have a complete role in moving forward both the deal and further Brexit discussions.

Anna Soubry (Broxtowe) (Ind): May I congratulate the right hon. Member for Putney (Justine Greening) on securing this question? As you know, Mr Speaker, it had widespread cross-party support, and rightly so.

I gently say to the Minister that it might help if he actually were to take a note of questions when they are asked of him, and if he had done that he might have been able to answer the question that I think has been asked by a number of hon. Members. The Minister has

told us that he thinks the deal might somehow go through by Thursday and in that event a short extension would be sought to cross the t's and dot the i's—those are my words—but in the extremely likely event that it will not go through by Thursday, the Government's plan is to ask for a longer extension, and the question we are all asking is this: what will the purpose of that extension be? So the Minister understands: we have got to give the EU a reason, so what will the Government's reason be—the purpose—for the long extension, please?

Kwasi Kwarteng: I must say that, being relatively new to the Government Front Bench, it is a new experience for me to be utterly patronised by a former right hon. Friend, and with respect, Mr Speaker, I will answer the questions in the way I see fit. [Interruption.] If that does not satisfy the right hon. Lady—[Interruption.]

Mr Speaker: Order. There is a very high octane atmosphere. The right hon. Lady's question was entirely in order—I would have ruled it out of order if it were not—but equally I say, with great respect to the Minister, that the Minister's answer must be heard.

Kwasi Kwarteng: Thank you.

As I have said on numerous occasions in response to questions from the right hon. Lady and others, we have a choice: if we accept the deal, we can ask for a short extension to get through—[Interruption.] She perfectly accepts that; I thank the right hon. Lady. With regard to the longer extension, that is something we have not yet asked for, and when we do so, there will be a debate about the SI that will extend it for next week, and there will be—[Interruption.] I refuse to be patronised by the right hon. Lady and say there will be ample opportunity, as she well knows, to debate the extension of the SI next week.

Sir William Cash (Stone) (Con): So far the Minister has not explained, to my satisfaction anyway, why we need an extension at all, certainly given the votes last week, and, secondly, why on earth would we want a long extension? What is the rationale behind that? Is the Minister also aware that Mr Guy Verhofstadt has just said that the UK could be refused an extension if the Prime Minister fails to get agreement in the Commons on the meaningful vote, and, secondly, does he know that Elmar Brok is saying that the Italians are almost certainly going to refuse an extension anyway?

Kwasi Kwarteng: I am very pleased that my hon. Friend has asked a question. He is a great parliamentarian: he has ample experience over many years in the House of Commons, and he will have noticed that there was a vote on Thursday in which the House said we should extend the article 50 process. It is on the back of that that I have made this statement relating to extending the article 50 process, and that is why my right hon. Friend the Prime Minister has presented these two choices. I am not prejudging the meaningful vote. Many people in this House have condemned it already; I am not prejudging that, but that is why we are going to extend the period.

My hon. Friend may rely on other Governments vetoing the extension of article 50. That may well be the case; I cannot prejudge that. But what we do know is that many people in Europe have said they would accommodate the United Kingdom if it were the case that the Government should extend the article 50 period.

Kate Hoey (Vauxhall) (Lab): Two things are very clear today. One is that our country is being humiliated by the European Union—[*Interruption.*]

Mr Speaker: Order. I apologise for interrupting the hon. Lady, but the House must try to calm itself. In particular, the hon. Lady must be heard—and however many times her question needs to be put, it will be heard.

Kate Hoey: I was going to add, Mr Speaker, that that humiliation is being helped by some people in this House.

The second thing that is so true today is that any extension of article 50 will be seen as, and is, a betrayal of the referendum vote. When the Prime Minister goes to the Council this week, will she go cap in hand, as she seems to have done, and ask for more for the agreement—for some changes? Or will she go and say very clearly, “This deal has not been accepted by Parliament, so therefore we are leaving, as Parliament voted, on 29 March”?

Kwasi Kwarteng: The Prime Minister set out a series of votes that took place last week. We all know the results of those votes. At the end of the process, in the final vote on the Thursday, the result was roughly 420 against 202. The House voted by two to one to extend article 50, and that is what the Prime Minister has said she will do. We have a parliamentary democracy, and the Prime Minister very clearly set out what would happen.

James Duddridge (Rochford and Southend East) (Con): Will the Minister rule out the possibility of our taking part in the European elections?

Kwasi Kwarteng: I would love to do that, but my hon. Friend knows that the way to have done so would have been to vote for the deal so that we could have left on the required date. If the extension is two years, of course I cannot rule out the possibility that these elections might be held, because my understanding is that it is a matter of law that we should have representation in that Parliament.

Alison McGovern (Wirral South) (Lab): I would never try to patronise anybody, so let me ask a blunt and simple question. If, as it appears will be necessary, we have to ask for a longer extension—what for?

Kwasi Kwarteng: I will give a blunt and simple answer. We will have a debate next week when the SI is determined, then there will be a—[*Interruption.*] That is exactly what the process will be. The hon. Lady knows that as well as I do.

Several hon. Members *rose*—

Mr Speaker: The hon. Member for Corby (Tom Pursglove) wanted to ask a question, but he is now feverishly writing with his pen. I know that he will know in his head exactly what he wants to ask.

Tom Pursglove (Corby) (Con): Thank you, Mr Speaker. If this agreement is not passed by 29 March, what does the Minister think will be any different on 29 April, 29 May or 29 June? If it cannot be agreed, should we not just simply leave on 29 March?

Kwasi Kwarteng: I know that my hon. Friend is a passionate believer in Brexit, but it has been very clear from the events last week that there is no majority in this House for leaving without a deal. The Prime Minister and her Government believe that we should take some instruction from the House to take no deal off the table, and that is what happened.

Liz Kendall (Leicester West) (Lab): The Minister was getting a bit het up earlier about questions being asked—perhaps the Government should come to this place with something to say. There are 11 days before we are due to leave, and the Government have absolutely no plan whatever about how to get the country out of this mess.

Time and again, Ministers have stood at the Dispatch Box and said that the House cannot agree on what it wants, yet the Government whipped people to vote against the amendment tabled by my right hon. Friend the Member for Leeds Central (Hilary Benn), which would have set aside a day for us to put those options forward. Opposition Members know how we want to get out of the mess, so why do the Government not give us the chance to do so?

Kwasi Kwarteng: In my brief time as a Minister, I have been very clear about the way to get out of the mess. The obvious way was to vote for the deal—a reasonable deal. The Opposition voted it down and now they turn around and have the effrontery to say, “What shall we do?” They have been totally negative. That is exactly why I have calmly set out the next steps for the extension of article 50.

Sir Desmond Swayne (New Forest West) (Con): How onerous would the conditions for granting an extension have to be for the Government to desist from their intention to lay a statutory instrument before the House?

Kwasi Kwarteng: That ball is now rolling, I am afraid. My right hon. Friend is still trying to expand on the fantasy of no deal, but no deal has been taken off the table by this House, and that is why we are talking about extending article 50.

Tom Brake (Carshalton and Wallington) (LD): The Minister says that he answers questions in the way he sees fit, but I think the House would say that that is not at all. If he cannot think of a reason for a long extension, who does he expect to come up with one?

Kwasi Kwarteng: As I have said, in a spirit of optimism, I still believe that there is a chance—perhaps a slim chance—that the meaningful vote will go through. People can scoff and laugh, but I still believe that. In the event that it does not go through, we will have to ask for an extension, then the SI will be laid before the House. There will be ample debate next week on what the House might wish to do in that longer extension period.

Henry Smith (Crawley) (Con): You correctly said in your statement to the House earlier, Mr Speaker, that in December we had three days of debate on the withdrawal agreement before the Government pulled that vote. I think we had another five days of debate in January before the first meaningful vote. I think I am correct in

[Henry Smith]

saying that, at that Dispatch Box, the Prime Minister said 108 times that we would be leaving the European Union on 29 March.

This is a very important matter for the country, and the Minister just said that we would need ample debate on an SI to change the date. May I have assurances that we will have at least a week's worth of debates in this House to ensure that we discuss it properly?

Kwasi Kwarteng: My hon. Friend knows the procedures of this House as well as I do. As I said in answer to my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois), that is a matter for the business managers. My right hon. Friend, as a former Whip, knows exactly how time is allocated in this House, and this is not something that I can opine on from the Dispatch Box.

Rachel Reeves (Leeds West) (Lab): May I return to the issue of process? The Minister said earlier that the Prime Minister will write a letter to the EU Council for the meeting on Thursday and Friday. In that letter, I assume that she will ask for an extension, and if we do not have a meaningful vote and agree the withdrawal agreement this week, she will have to say what the longer extension is for and for how long she wants it to be.

Can the Minister tell us now what extension the Prime Minister will ask for in that letter to the EU Council—how long an extension will be asked for and its purpose? I assume that the idea is that that will be agreed at the European Council. It will not be up to Parliament to decide the length of the extension or its purpose, because the Prime Minister, I assume, intends to agree it with her European counterparts this week. Is that correct, Minister?

Kwasi Kwarteng: The hon. Lady asks me to speculate about the contents of the Prime Minister's letter, and I am not in a position to do that. That will be revealed in the course of the week, I suppose. As for the debate on the SI, we will have ample opportunity to discuss the purpose of any extension.

Tim Loughton (East Worthing and Shoreham) (Con): Mr Speaker, you and I have been in this House together for nearly 22 years, and I do not think that I have known such grave times as those that we are experiencing at the moment. They require serious questions and serious answers. In the not entirely unreasonable event of the EU Council deciding at the weekend not to grant any extension at all to put us out of our misery, what will the Government's response be?

Kwasi Kwarteng: It is self-evident: in that case, we would leave on 29 March with no deal, because that is what the EU would have forced us to do.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): Businesses and our constituents will be looking on at this farce in horror. The Minister is either unable to answer questions or gives contradictory answers, upsetting everyone on both sides of the House. He referred to your statement, Mr Speaker, and said that he still thinks that there is a slim chance that the meaningful

vote could go through. Is that because, as the Leader of the House has been muttering in the corridors, the Government intend to try to suspend the Standing Orders to get the vote through, despite what you have said?

Mr Francois: What?

Stephen Doughty: That is what the Leader of the House has been muttering in the corridors this afternoon.

The Prime Minister and the Chancellor of the Duchy of Lancaster both made it clear that the Government would bring forward legislation to implement any extension to article 50 and that the date would be amendable, so will the Minister explain how it will be amendable?

Kwasi Kwarteng: I am unsure what the hon. Gentleman is referring to as being amendable. The motion will or may well be amendable with respect to—[*Interruption.*] A motion on 25 March will be amendable if we have another vote, but my understanding is that the SI will not be amendable.

With respect to conversations that the Leader of the House may or may not have had, I have no idea what she has been saying in the corridors. I have been in the Chamber for most of the day.

Mr Marcus Fysh (Yeovil) (Con): Will the Government be tabling the memo that was sent to them by the alternative arrangements working group on 13 February in order to try to get changes to the package of documents that might enable the withdrawal agreement to be approved?

Kwasi Kwarteng: My hon. Friend has done good work on that amendment, and we have worked hard to try to incorporate some of that thinking into the withdrawal agreement. That process is ongoing.

Helen Goodman (Bishop Auckland) (Lab): It seems as if the Minister's answers to our likely questions were written before Mr Speaker's statement at 3.30 pm, so the Minister will probably have to think a little more creatively. What consideration has he given to allowing the House to vote on a variety of different options for the way ahead?

Kwasi Kwarteng: I thank the hon. Lady for her concern about my answers. They were actually produced after Mr Speaker spoke—[*Interruption.*] Things move very fast in this place, as she knows. It is not currently our intention to have indicative votes, and I cannot be clearer about that. However, we are going to lay an SI to extend the article 50 period, and I have said that many times.

Alex Chalk (Cheltenham) (Con) *rose*—

Mark Pritchard (The Wrekin) (Con) *rose*—

Mr Speaker: What an unenviable choice between two very fine Members of Parliament! C comes before p in the alphabet; on that basis alone, I call Mr Alex Chalk.

Alex Chalk: The Minister indicated that the basis for the extension will be determined following a debate in this House next week. That is the week beginning

25 March, and we are leaving on Friday 29 March. How can we be satisfied that there is sufficient time for the debate to take place, the application to be made and for it to be approved or otherwise in that time?

Kwasi Kwarteng: If my hon. Friend is asking me whether the timeframe is short, of course it is short. However, as I have said many times, the House voted last week to extend the article 50 process, and the Government will have to table an SI in order to do that. However, that has to be done after the March EU Council meeting, which takes place on 21 and 22 March. That is the logic behind the timetable.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): Every time the Prime Minister or another Minister claims to be being clear on this issue, the Brexit quagmire gets murkier and murkier. This Government have tried to avoid parliamentary scrutiny at every stage, and they are carrying that on today. They think that they can run down the clock without us noticing, but we will. Rather than automatically crashing off a cliff next week after they have run down the clock without properly seeking an extension, will the Minister confirm that the Government have the power to revoke article 50?

Kwasi Kwarteng: As I have repeated many times, we have a process, and this urgent question is all about the process, which I have outlined. I know that people are saying that this is impossible, but if the meaningful vote goes through, we will ask for a short extension to get the necessary legislation through. If it does not go through, we will ask for a longer extension. In both scenarios, we would have to lie—[HON. MEMBERS: “Lie?”] Forgive me, we would have to lay—[*Laughter.*] Let me rearrange the phrasing: a statutory instrument would have to be laid in order to extend the article 50 process. That is the world in which we live.

Mark Pritchard: I commend the Minister for batting very well on a difficult wicket. I hope that he moves up in the reshuffle batting order after today. He has done very well—[*Interruption.*] I think my time has passed.

Was it not the Government's position that if the House agreed to the withdrawal agreement, they would seek a short technical extension? Given that the Prime Minister will probably go to the EU summit without a withdrawal agreement having been passed, is it not likely that the EU, which will then be in the driving seat, will ask for a long extension?

That being the case, would it not be a little premature of the Prime Minister to take a letter ahead of a possible third meaningful vote next week—subject to a change in the motion, as outlined by Mr Speaker earlier? Would it not perhaps be better to wait until next week to see whether we can get the meaningful vote on the Order Paper and voted through and then ask for a short extension, rather than have a long extension dictated to this House and this country by the EU?

Kwasi Kwarteng: I am delighted that my hon. Friend sees the world the way I do. In fact, the Government's choice would have been to get the withdrawal agreement through the House and then leave on 29 March, but the House had other ideas and the deal was voted down, so we are now seeking to extend the process. I happen to

think that the meaningful vote could get through—maybe next week, but who knows? But in the event that it does not, we need a way to extend the article 50 process. That is what I have been outlining this afternoon.

Joanna Cherry (Edinburgh South West) (SNP): The Prime Minister's deal has been defeated twice by huge majorities, and Mr Speaker ruled this afternoon that it cannot be brought back without a substantial change. The EU has said that there can be no substantial changes to the deal, so the only remaining course of action short of no deal or revoking article 50 is to seek an extension, but the agreement to that extension has to be unanimous. Will the Minister therefore acknowledge that if the EU does not agree to an extension, the only course of action open to the British Government to avoid the disastrous consequences of a no-deal exit would be to revoke article 50 unilaterally?

Kwasi Kwarteng: We have in fact had many votes on SNP amendments to revoke article 50—

Joanna Cherry: We have not.

Kwasi Kwarteng: Or amendments to have a second referendum and all the rest of it. It is therefore unlikely that such a motion would get through the House, and it is not the Government's intention to revoke article 50. As I have said, there is the meaningful vote—the deal—and we will then get a short extension, but if we vote it down, it will be a longer extension.

Matt Rodda (Reading East) (Lab): The Government have run down the clock, and they have failed twice. When will Ministers finally set out a realistic plan for an extension of article 50?

Kwasi Kwarteng: I cannot stress enough how interested I am in the fact that the hon. Gentleman does not feel that we have set out a plan for an extension. I mentioned the SI that would be laid next week, and I set out that there would be a debate. The Government listened to the House last week, and we are committed to extending article 50, as I said in my initial answer.

Dr Roberta Blackman-Woods (City of Durham) (Lab): The Minister will know that businesses and people up and down the country are anxious about the prospect of no deal. Does he therefore accept that they need more reassurance than him saying, “We're going to bring forward an SI and see what happens”? Will he set out what he will do to reassure people that we will not crash out without a deal? Will he also reassure the House that the Government have no intention of proroguing Parliament as a way of getting their deal through?

Kwasi Kwarteng: In respect of no deal, the House has made its voice very clear. In respect of extending article 50, the House, once again, has made its voice very clear and the Government have responded to that. That is why we are going to ask—I could not be clearer—for an extension of article 50. The debate is about how long that will be. I still hope there will be a deal, in which case we will ask for a short extension but, if not, we would have to look at another timeframe.

Hywel Williams (Arfon) (PC): Time is very short, so how is the Minister going to interact properly with the sidelined Welsh Government? So far, the UK Government's record is not satisfactory—they have not been competent, from the bungling over legislative competence to the workings of the Joint Ministerial Committee, which has been described by others, not remainers and not nationalists, as not fit for purpose.

Kwasi Kwarteng: Let me reassure the hon. Gentleman that the Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Worcester (Mr Walker), has met the Welsh Government many times and has had constructive dialogue with them. It is worth remembering that the Welsh Government gave their legislative consent to the European Union (Withdrawal) Act 2018 last summer. So that is something where we worked together admirably and we got a good result.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): We are here because the Government have spent the last three years ignoring the political and practical realities of Brexit, and now the Minister is trying to do the same thing with only 11 days to go. The Prime Minister cannot bring her deal back to Parliament. The European Union will not negotiate a new deal unless the red lines change. So could he stop treating Brexit like some internal Conservative party parlour game, take a real-world decision and tell us how long the extension will be and for what?

Kwasi Kwarteng: The idea that I or anyone else is treating this as a parlour game is completely irresponsible. In 2016, 17.4 million people, including many of the hon. Lady's constituents, voted to leave the EU and we are taking our responsibilities extremely seriously. She may think it is a parlour game, but we do not agree with her. I have stressed many times that we will be seeking an extension, either a short one if the meaningful vote goes through—*[Interruption.]* People are laughing that out of court. I still have some hope that it will go through. If that is voted down, we will seek a longer extension. In both of those cases we will seek to lay an SI.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): Is it true that the Conservative party is seeking an extension to replace the Prime Minister with a new leader who can deliver Brexit and make a better attempt—or at least some attempt—for them at winning a general election? So will the Prime Minister be penning a letter of resignation?

Kwasi Kwarteng: No.

Dr Alan Whitehead (Southampton, Test) (Lab): The Minister has stated that there will be time to debate the SI that he is intending to bring before the House. Could he unequivocally state now that it is his intention that the SI will be debated on the Floor of the House and not in a Delegated Legislation Committee? If he cannot do that, will he unequivocally state that, if it is to be debated in a Delegated Legislation Committee, the composition of that Committee will reflect the political make-up of this House and, thus, have no majority for any one party?

Kwasi Kwarteng: Obviously, as I have said in other answers, the nature of the SI debate is something for business questions. I recommend that the hon. Gentleman

asks the Leader of the House how that process—*[Interruption.]* He understands the proceedings of the House and how this House works. That is a matter for the business managers but, having been a Member of this House for nine years, I would be surprised if the SI were not debated on the Floor of this House.

Neil Gray (Airdrie and Shotts) (SNP): Can the Minister explain the source of the chink of light that seems to be guiding his optimism on a meaningful vote passing this week? If he cannot, can he explain to the House how it would work—how would a debate on an SI next week inform a letter to be written this week?

Kwasi Kwarteng: I know that the hon. Gentleman is an acute observer of debate and language, but let me assure him that the debate on the SI will be a full and ample one, as to the reasons at the time. The Prime Minister has made it clear—*[Interruption.]* It may just be a quirk of my nature, but I am still optimistic that we may well get a meaningful vote through. If we do, we will apply for a short, technical extension.

Wes Streeting (Ilford North) (Lab): We are days away from our planned exit day and the European Council is even sooner. With respect to the Minister, because I do not think this is his fault, let me say that it is completely unacceptable that the Government, at this stage, are not able to say to the House in simple terms the basis on which the Prime Minister will ask for an extension to article 50 later this week. May I help the Minister out of this hole by reminding him of a commitment made by the Chancellor of the Duchy of Lancaster, from the Dispatch Box, that this House would be given, by the Government, an opportunity for a series of indicative votes to see whether a consensus can be built involving a majority of Members? Does that commitment still hold?

Kwasi Kwarteng: My understanding was that the Chancellor of the Duchy of Lancaster's commitment related to the period after we had decided to extend the article 50 period—that was when potential votes of the nature the hon. Gentleman describes would take place. I cannot stress more passionately to him that I still believe there is a binary choice: we still have the prospect of a deal or not. I still believe that that is an option. He has ruled it out, as have many others, but I still believe there is an option—*[Interruption.]* The Speaker did not rule it out.

Alan Brown (Kilmarnock and Loudoun) (SNP): The Minister keeps saying he is an optimist, but it seems to me, from the answers he is giving us, that he is living in a parallel universe when it comes to timescales and managing this process. Let us try again. He says that, if the withdrawal agreement does not go through this week, the Prime Minister will ask for an extension on Thursday. What we have been trying to tell him is that debating the SI next week is after Thursday and therefore pointless. So what reasons will the Prime Minister give for a long extension on Thursday?

Kwasi Kwarteng: The SI is not pointless at all because, as a matter of law, in the withdrawal Act, the exit day is 29 March. The hon. Gentleman will understand that, if we are going to extend the article 50 period, we have to amend the exit day as described in that Act, so the SI is absolutely necessary.

Mike Amesbury (Weaver Vale) (Lab): Can the Minister finally give the House the details of his spirit-of-optimism deal?

Kwasi Kwarteng: This is a quirk of my personality. I am an optimist by nature and I still believe that, until the end of the game, we cannot decide who the winner is going to be. I still believe there is a possibility that we will have a meaningful vote and it will get through this House.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): There are real-world consequences from the Government running down the clock. One of my constituents, Stephanie, has just had to pay £157 for a one-week fast-tracking of her passport in order to be able to travel on 24 March; people need a passport that has at least six months before its expiry. If the date is going to change, that expense will have been for nothing. So what will the Government do to compensate constituents such as mine who have been affected by that, if the Brexit date does change?

Kwasi Kwarteng: I reject the assertion that we are going to run down the clock. We have made it explicit that we will seek an extension. I do not see what could be less running down the clock than seeking an extension to article 50.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): This has been a mildly amusing but not particularly illuminating session. Clearly, the Minister has been dealt a rum hand today. He goes on about a debate on an SI to potentially extend the article 50 process, but for the love of God can he please give us the Government's reason for extending article 50 for a long period of time?

Kwasi Kwarteng: The Prime Minister has set out a reason as to what we were going to do in the event of her deal being voted down, and that is exactly what I have spent an hour in this House trying to explain.

Clive Efford (Eltham) (Lab): The Minister has made it clear that his understanding is that the House has voted that we will not leave with no deal. We are in this situation because of the mess the Government have made of the negotiations. So does it not follow that, if we do not get an extension from the EU this week, the Government have to bring a vote before this House to revoke article 50?

Kwasi Kwarteng: The best way to exit the EU is, dare I say it, to get a deal and to vote for that deal. In the event that does not happen, the SI is the means to enact what the House has voted for. The House has been clear that it does not want a no deal, and the way to avoid a no deal is to table an SI. That is as simple as it can be.

Mary Creagh (Wakefield) (Lab): The excellent new Clerk of the House has been very clear that the way in which we extend article 50 is by the unanimous agreement of the EU27—we assume that will take place at the Council meeting this weekend—and that the EU27 have to agree with us the purposes of the extension before they will agree to it. I assume I am correct, but will the

Minister please correct me if I am wrong? The House would then have to vote on a statutory instrument next week.

I gently say to the Minister that I believe he may be wrong in saying that we can debate the purposes of the extension. Those purposes will already have been agreed by the Prime Minister and the European Council before the Government can move the statutory instrument—the Government cannot move the statutory instrument unilaterally.

Kwasi Kwarteng: The hon. Lady gently reminds me of a couple of facts, and I will gently remind her of a couple of facts. We still face a choice. I do not share the assumption that the meaningful vote will not come back and that the deal is dead. I think we can command a majority for the deal in this House. Until the meaningful vote has passed, or until the deal is completely impossible, I do not want to prejudge the reasons why we should have a longer extension. That is my view, and the hon. Lady has her view, which I fully understand.

Peter Grant: On a point of order, Mr Deputy Speaker.

Mrs Madeleine Moon (Bridgend) (Lab): On a point of order, Mr Deputy Speaker.

Mr Deputy Speaker (Sir Lindsay Hoyle): I was only going to take the first one. Points of order should actually come after the final urgent question, but I know it is in relation to this urgent question and the Minister is waiting.

Peter Grant: In reply to an earlier question, the Minister stated that, on many occasions, the House has considered and rejected amendments that sought to revoke article 50. As a matter of fact, those amendments have never been selected for debate, and therefore they have never been considered and voted on by the House.

Mr Deputy Speaker, can you advise me, first, on how we can give the Minister a chance to correct his error? It is always better to correct one's own error. Secondly, and more importantly, can you confirm that, given such amendments have never been selected, there is no impediment in the Standing Orders or in "Erskine May" convention to one being brought forward and considered at a later date?

Mr Deputy Speaker: As we both know, that point of order is about correction, and the hon. Gentleman has put it on the record. I do not think we need to go any further than that.

Mrs Moon: On a point of order, Mr Deputy Speaker.

Mr Deputy Speaker: Does it relate to the previous point of order? If not, I would like to take all the points of order at the end.

Mrs Moon: During the points of order following the Speaker's statement, it was said there are rumours that Standing Orders will be suspended to bring forward the Government's motion again. Mr Deputy Speaker, can you explain how that process would come about and how it could be prevented?

Mr Deputy Speaker: I took the previous point of order because it was a point of correction, but I want to take points of order at the end if they do not relate to this urgent question. If the hon. Lady would like to raise it then, she can do so by all means, but it is not relevant to this urgent question. I am not ruling it out, but I am just suspending it for the moment.

Interserve

7.3 pm

Christian Matheson (City of Chester) (Lab) (*Urgent Question*): To ask the Minister for the Cabinet Office if he will make a statement on the major Government supplier Interserve entering administration.

The Parliamentary Secretary, Cabinet Office (Oliver Dowden): I have been asked to respond on behalf of my colleague, the Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster.

As I have said repeatedly to the House, the Government are not responsible for decisions taken by companies in the private sector. What the Government are responsible for is the continued delivery of public services, and I assure the House that has happened in this case. Schools continue to be cleaned, roads continue to be repaired and improved, and services in Government buildings continue to run as normal.

I reassure hon. Members that nothing in Interserve's refinancing will affect the delivery of public services. No staff have lost jobs and no pensions have been affected. The company has executed a contingency plan that it had prudently developed in case shareholders rejected the proposed refinancing deal. This was a pre-agreed transaction, known as a "pre-pack" administration. Hundreds of pre-pack administrations are performed every year, including by well-known companies. It is a well-established and normal process, typically used when a shareholder is blocking a business's restructuring.

To be clear, the operating companies responsible for the delivery of all Interserve's services, public and private, have remained wholly unaffected. As a result of shareholders failing to reach agreement on the proposed refinancing, the parent company—Interserve plc—was put into administration. The operating companies, the companies that actually deliver the services, were then almost immediately purchased by a new company, Interserve Group Ltd.

This new company has been considerably strengthened. It now has a much stronger balance sheet, £110 million of additional cash and a greatly reduced debt burden. It is in taxpayers' interest to have a well-financed and stable group of suppliers, so this has been a positive outcome for the company's customers, supply chain and employees.

I am clear on the benefits of outsourcing. Working with the private sector allows us to access expertise and economies of scale that can help us to deliver more innovative public services at better value for the taxpayer. As I have said before, this Government are driven by what works, not by political dogma, and the evidence is clear. Research shows that outsourcing delivers savings of between 20% and 30% compared with bringing services in-house.

However, we recognise there is more we can do to improve how we outsource. We have learned from the collapse of Carillion, and we are implementing changes to our procurement and commercial processes, as the Chancellor of the Duchy of Lancaster and I have set out in several speeches. For example, we have published "The Outsourcing Playbook", which was developed with industry and outlines a range of measures designed to ensure that outsourcing projects succeed.

We are now asking suppliers of critical contracts to provide detailed information to help to mitigate any risk to service delivery in the rare event of corporate failure. These “living wills” are now being piloted by five strategic suppliers, including Interserve. We are taking action on prompt payment, including excluding suppliers from Government procurement if they cannot demonstrate prompt payment to their supply chain. We are also taking steps on embedding social value in Government procurement, and I launched the consultation last week.

These sensible and prudent steps will help us to ensure that we get procurement right first time, that we identify and remedy financial risks to Government services and that we manage taxpayers’ money in a way that achieves the best value for money. Indeed, the fact we had ongoing engagement with Interserve throughout this process, through our Crown representatives and the Government commercial function, demonstrates the strength of the Government’s approach to managing our strategic suppliers.

Once again, although the corporate structure of Interserve changed on Friday, I reassure all hon. Members that public service delivery remains wholly unchanged. No jobs have been lost, no pensions have been affected and no services have been disrupted.

Christian Matheson: Mr Deputy Speaker, would you pass on my thanks to Mr Speaker for granting this urgent question?

The slow-motion car crash that is the Interserve crisis seems finally to have come to a dreadful conclusion. Let us first remember the company’s 45,000 employees and hundreds of small subcontractors living with uncertainty today. In June 2018 the Cabinet Office gave Interserve a red rating, which indicates:

“Significant material concerns for Cabinet Office Commercial Relationships Board to consider High Risk designation.”

That followed profit warnings issued over the previous year. Despite this, Interserve continued to receive public sector contracts worth hundreds of millions of pounds, including from central Government—a situation remarkably similar to the problems with Carillion just over a year ago. According to the GMB union, the largest of those contracts is worth £66.7 million and was awarded by the Foreign and Commonwealth Office in August.

What checks did the Government make to ensure the contracts they were signing were being given to a company capable of delivering them? Can the Minister also confirm reports that his Department drew up secret plans to nationalise some of these contracts—in other words, to take them back in-house—should Interserve fail? Incidentally, we would support such plans in principle. If such plans were drawn up, why did contracts continue to be awarded to a company that Ministers knew was struggling and was possibly unable to fulfil them?

Will Ministers now activate those plans? If not, what steps will the Government take to ensure continuity of services, especially if parts of Interserve’s business are sold off? Among many other things, Interserve builds motorway junctions, provides maintenance on military bases and runs probation services—badly in the last case, even by the Government’s own admission.

Does the Minister agree this company has simply been hoovering up contracts willy-nilly, regardless of expertise and clearly without regard to the financial

implications of such a strategy? Does he agree that Ministers have allowed this to happen based on a false economy of impossible contract prices that, as in the case of Carillion, brought down the whole company and much more around it? Does the Minister accept that the Government’s policy of focusing on just a few major contractors owned by big financial institutions has not only squeezed smaller UK businesses from the scene, but driven the risk to an unacceptable level, at great cost to the taxpayer? The Conservatives’ claim that outsourcing provides value for money has again been shown up for the ideological baloney that it really is. Finally, will the Minister confirm that the Government are looking at all major suppliers to ensure that their finances and ability to deliver contracts are watertight? After Carillion, and now Interserve, the public are entitled to ask who is next.

Oliver Dowden: I thank the hon. Gentleman for his questions. As he knows, I have great respect for him, but he rather overstates the case in respect of Interserve. Let me go through some of the points he raised. First, he asked whether checks were performed on the company before contracts were awarded. Yes, of course those checks were performed.

Rather than trading rhetoric around, let us look at the facts. Interserve issued a profit warning in September 2017, after which no major central Government contracts were awarded to Interserve until it completed its refinancing in April 2018. Since that refinancing, two such contracts have been awarded: one in August 2018 for facilities management for the Foreign and Commonwealth Office in Europe, where Interserve was the incumbent supplier, so it was essentially a continuation of that service; and secondly, a contract with Highways England was awarded in September 2018 for a £12 million bridge over the A63. Of course, contracts are being awarded across the wider public sector but, in respect of the contracts awarded by central Government and for which Ministers are responsible, those are the major contracts that were awarded in the relevant period.

The hon. Gentleman asked whether we will nationalise the company. The point here—indeed, the point about all the contingency—is that there is no need to invoke the contingency. Contingency is used if a company collapses—if it goes into liquidation—whereas in this case the companies that deliver services for the Government are entirely unaffected. All that has changed is the ownership by the parent company. Indeed, what has changed is that the company has got stronger—it has £100 million more on its balance sheets and fewer debts because of the restructuring—so there is absolutely no need to invoke the contingency preparation.

The hon. Gentleman talked about a few major companies winning Government contracts; let me tell him the figures: more than 5,000 companies bid for and win Government contracts. We have set a demanding target of a third of all business going to small and medium-sized enterprises.

If the hon. Gentleman is worried about contracts going to Interserve, perhaps he should speak to a few of his colleagues. For example, a £10 million contract was awarded to Interserve in June 2018—by Labour-run Southwark Council. Perhaps the hon. Gentleman could have a word with Labour-run Wales, which awarded a contract to Interserve just in December.

[*Oliver Dowden*]

I really have to say to the hon. Gentleman that at this time when employers, suppliers and public service workers are seeking calm heads and reassurance, we are absolutely clear that they are completely reassured. I would have thought the hon. Gentleman would have done better.

Sir Bernard Jenkin (Harwich and North Essex) (Con): Does my hon. Friend recall the inquiry and report by the Public Administration and Constitutional Affairs Committee, which I chair, on the collapse of Carillion? We found that in this sector there was a habit of companies taking on far too much risk without sufficient compensation from contractors, and we found over-optimism on the behalf of Government that they could transfer risk at unrealistic prices. Is this not another example of a company that is paying that price? Should we not be more optimistic that the company has been put into a pre-pack administration in a much more responsible fashion, with lenders taking a much more responsible view? Is there not also a lesson that shareholders must accept that this is not a sector that lends itself to high risk and high return? We do not want to trust our public services to such a risky model.

Oliver Dowden: I thank my hon. Friend for his question; as a former member of his Committee I know about his considerable expertise in this field. Indeed, the expertise provided by his Committee helped to frame the Government's response post-Carillion. For example, that is why I launched the outsourcing playbook a couple of weeks ago. It deals with exactly this point, and is a guide to how Departments should allocate risk as between the Government and the private sector.

My hon. Friend is absolutely right about the overall approach that should be taken. I have been clear, as has my right hon. Friend the Chancellor of the Duchy of Lancaster, that outsourcing companies that provide services to the Government should expect reasonable but not excessive rates of return. Through the programme of reforms we have introduced, we are moving towards a new model for outsourcing.

Tommy Sheppard (Edinburgh East) (SNP): The Minister puts a brave face on things and tries to spin well but the truth is that, first with Carillion and now with Interserve, the collapse of these major multinational multi-service companies seriously damages the entire credibility of the Government's outsourcing procedures and policies. If I understood correctly, he confirmed that contracts were awarded to Interserve last year, after it was known that the company was crippled with debt and facing imminent collapse and restructuring. If that is the case, I seriously suggest that the procedures for the protection of public money in this context are not adequate, and his Department ought to look into revising them.

Will the Minister give an assurance that no further contracts or spending will be lodged with the group that has taken over the Interserve contracts from this day forward? Will he put in place procedures such that any other companies facing imminent collapse are taken off the tender shortlist and contracts are not awarded to them?

We are all mindful of the fact that a no-deal Brexit has not yet been taken off the table. It may still be the case that, in the weeks and months ahead, the Government

are scurrying around trying to find private contractors to undertake large amounts of work at short notice. What assurance can the Minister give the House that, if that is the case, the procedures will be more robust than they were in this case, to make sure that public money is protected?

Oliver Dowden: I will take as a compliment the hon. Gentleman's opening remarks saying that I have spun this well. I have not spun it well; I have set out the facts, which are that the situation for the companies delivering the services in question remains wholly unchanged as a result of the change in the parental ownership structure.

The hon. Gentleman asked about the contracts that the Government have awarded, and I have already set out that position. Again, if he thinks it is irresponsible to be awarding contracts to Interserve, I suggest he has a word with his colleagues in Scotland, where Interserve has been winning contracts left, right and centre. In fact, it is even protecting the pandas at Edinburgh zoo through an outsourcing contract. Back in November, the Scottish Government awarded a contract, saying it would

"deliver benefits for the North Ayrshire communities as well as long-distance road users upon completion".

Who was that contract awarded to? Interserve.

Mark Pritchard (The Wrekin) (Con): Although I do not believe in nationalisation—save for, perhaps, the Brexit process—and although this is not the same as Carillion, I say gently to the Minister that this is a near miss for jobs, investment and the whole credibility of outsourcing. Is this not potentially another case of greedy capitalism—I speak as a Conservative MP—giving capitalism a bad name, rather than considerate capitalism? Will the Minister enlighten the House as to what has happened since Carillion's collapse and the so-called stress testing, with the unit in the Treasury and the unit in the Cabinet Office, to ensure that this does not happen again? Following on from what the hon. Member for Edinburgh East (Tommy Sheppard) quite rightly said, what else are the Government doing to try to prevent this from happening again?

Oliver Dowden: Let me restate this point. My hon. Friend raised the issue of whether this situation was a near miss, as compared with Carillion. The situation with Carillion was very different: it had problems across all its contract base and issues with its management, which are currently being explored. In this case, there is a specific issue in relation to some of the energy for waste contracts, which are being dealt with. The company sought to refinance to strengthen its balance sheet. It failed to do that because of the position taken, some might say, by some greedy capitalists, in respect of some of the hedge funds that owned shares in the company and refused to consent to its restructuring. None the less, it has gone through a pre-pack, and as a result its position has strengthened considerably. It has £100 million more on the balance sheet and it has reduced its debts considerably.

My hon. Friend is right to challenge the Government on what wider lessons we have learned. It is precisely why we engaged in a tremendous exercise of consultation, engagement and reform. For example, we spent more than 1,400 hours gathering evidence and, as a result of that, we have announced extensive changes through the new playbook.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): We can get into the weeds, but the big picture is that only a handful of civil servants in the Minister's Department actually know in detail at any point what might or might not be happening with a company's balance sheet. Earlier, the Minister talked about local government, but it is not privy to that information. Indeed, the Minister is not privy to that information. Is not the big risk that things can be happening with very little or no real scrutiny? The public is in the dark, the Minister is in the dark, and certainly other public service purchasers are in the dark, and is that not one of the big problems?

Oliver Dowden: I take this opportunity to reassure the hon. Lady and the House that I am most certainly not in the dark about the position of our strategic suppliers. Almost every week I meet the senior officials she referred to in order to understand the situations of our strategic suppliers. Moreover, I regularly meet the Crown Representatives who, as she knows, are responsible for managing the strategic suppliers on behalf of the Government.

Bob Blackman (Harrow East) (Con): I thank my hon. Friend for the answers that he is giving. Clearly, there are big advantages both on costs and quality of service provided by outsourcing, but does he not agree that some of these conglomerates that provide a whole spread of different outsourced services are disadvantaging the small and medium-sized enterprises that could otherwise gain these contracts directly? Clearly, with this restructuring, they could miss out. When restructuring happens, someone loses out. Should the Government not now be considering a wider spread of smaller contracts so that SMEs can properly compete against the conglomerates?

Oliver Dowden: As ever, my hon. Friend raises a very important point. He is absolutely right that, post-Carillion, we must ensure that we strengthen the supply chain. One of the ways in which we do that is through increased diversity, particularly by enabling small and medium-sized enterprises to bid and win Government contracts. That is why we have reduced complex pre-qualification questionnaires, why we have set a very demanding target of 33% of all contracts going to SMEs and why, in November, I announced proposals to ensure that strategic suppliers who did not pay their subcontractors on time would face exclusion from winning Government contracts.

Rachel Reeves (Leeds West) (Lab): The Minister spoke as though just a couple of bad mistakes were made at Interserve, but the truth is that this company had gross borrowings of £850 million and an operating profit last year of just £93 million, owing to a whole series of bad mistakes. When my Select Committee did our inquiry into the collapse of Carillion, we warned that it was unlikely to be a one-off and that the whole model, the whole system, was broken. As with Carillion before, the vultures are circling this firm, earning tens of millions of pounds. A total of £90 million was paid out in the past 12 months to advisers—EY, now acting as the administrator; Rothschild, which is advising Interserve; and Grant Thornton, which is bringing in money as well. Why not let the hospitals, the schools, the local authorities and others take these contracts back in-house and manage them in-house in future rather than have this failed contracting-out model? Rather than paying

out millions of pounds to advisers, this money should be invested instead in the crucial public services on which we all rely.

Oliver Dowden: I have a great deal of respect for the hon. Lady and I know that she has considerable expertise in this field. It is precisely for that reason that in reforming the process of outsourcing—the so-called playbook, the decisions that the Government go through in deciding how and whether to outsource—we now consider whether it is better to bring services in-house or to outsource them. There is a lot of evidence to show that outsourcing brings genuine efficiency savings and genuine innovation—the evidence shows that it can be between 20% and 30%. She castigates me for my description of the situation in respect of Interserve. It is very different from Carillion. There is one major problem for Interserve and that is in respect of the energy for waste contracts. I would much rather that Interserve had dealt with that itself and not been forced into a pre-pack administration. Unfortunately, the shareholders did not consent to that, but the net effect of all of this is that the company is strengthened. It has £100 million more in cash and has considerably reduced debt.

Alex Chalk (Cheltenham) (Con): One of the key lessons that emerged from the collapse of Carillion was that small companies that were acting as subcontractors were left dangerously exposed by unethical and over-lengthy payment terms. Can the Minister confirm that no subcontractors, whether in my constituency or elsewhere, have been adversely affected in this case? Will he update the House on what he is doing to ensure that these big companies cannot continue to act unethically in this way, but should play by the rules?

Oliver Dowden: As ever, my hon. Friend is absolutely right. First, straight off the bat, I can give suppliers in his constituency that assurance. There is absolutely no change in the status of the credit rights of those suppliers who are providing services, as the operating companies remain unaffected; it is the ownership that has changed. He rightly raises the point about supply chain finance. That is a major issue. I have twice already brought in strategic suppliers and reminded them of the importance of paying their subcontractors on time, and we are backing that up with action. In November, we announced a prompt payment initiative to ensure that, in future, if they fail to pay their suppliers on time, they will be excluded from Government contracts.

Chris Stephens (Glasgow South West) (SNP): I refer to my entry in the Register of Members' Financial Interests and to my position as chair of the Public and Commercial Services Union parliamentary group. May I correct the Minister on two things? First, the Foreign and Commonwealth Office contract was not renewed in August 2018—that was when the bid was accepted. Can he confirm that the actual renewal date of that contract was December 2018 and can he perhaps explain the four-month delay? Was it because of Interserve's financial position? Secondly, he said that jobs are protected. Will he therefore explain why the Interserve FCO contract plans to make five employees redundant on Friday and issue them with redundancy notices? I really seek an assurance from the Minister that pay, jobs, pensions and employment terms and conditions are protected for Interserve employees delivering public services?

Oliver Dowden: I thank the hon. Gentleman for both of those questions. Let me deal with each in turn. Interserve will make decisions as to employment and other things on an ongoing basis. Nothing has changed between Friday and now; none of those job changes will be as a result of this change in the corporate structure, as the operating companies are wholly unaffected. Clearly, I cannot, from this Dispatch Box, give commitments on the future employment decisions of a private company going forward, but I can assure him that none of those will arise from this change in the corporate structure. He made a point—a pedantic but an important one—in relation to a contract being accepted. Essentially, that happens when the relevant Department, the Foreign Office, has signed the contract, because, at that point, it is legally obliged to enter into it and deliver on it. There may be a gap between the contract being agreed and it actually being entered into. That is the point at which the assessment is undertaken, which was in August.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): When Carillion collapsed, 30,000 small businesses lost, on average, £141,000. For one business in my constituency, the figure was over £176,000. I appreciate that it is not exactly the same, but may I urge the Minister to look at my Bill for project bank accounts, which would have protected the small businesses that lost that money in Carillion? Project bank accounts would also protect businesses that must be worried about their future in Interserve, and other companies, and would ensure that late payments are prevented.

Oliver Dowden: I welcome the hon. Lady's acknowledgement that this situation is different to Carillion. She rightly raises the point about project bank accounts, and I know that she has been a strong campaigner on that issue. I agree that there is an important role for project bank accounts to play, particularly in the construction supply chain. That is why last year I hosted a roundtable at the Department for Business, Energy and Industrial Strategy with suppliers to understand their experience of project bank accounts and to consider how we can use them more widely across the public sector.

Laura Smith (Crewe and Nantwich) (Lab): Interserve is the second giant probation privateer to collapse in less than a month, despite hundreds of millions of pounds in bail-outs. Will the Minister explain why the Government are planning to repeat the mistakes of the past and re-let probation contracts on an even larger scale? Is it not time to call a halt to the process and bring these services back in-house?

Oliver Dowden: The Ministry of Justice, in consultation with the Cabinet Office, the Treasury and others, is looking at the approach to probation contracts. It has already made announcements and will be making further ones. The new playbook sets out the approach that we should take to outsourcing Government contracts, and looks at questions such as the balance of risk, whether a contract would best be provided by the Government or an outsourcer, and the balance between the amount done by the Government and the amount done by the outsourcer. Those exact tests will be applied in the next stage of probation contracts.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): Thinking about the defence of our country, Interserve is doing great work for our armed forces in bases such as the Falklands, Ascension Island and elsewhere. As the Minister said, the trouble has largely been caused by the activities of two hedge funds—sheer speculation. What measures or reforms might the Government consider to prevent these activities from getting in the way of our vital national security?

Oliver Dowden: I understand the hon. Gentleman's frustration with the behaviour of some of the hedge funds concerned, and their failure to agree to this refinancing. However, I reassure him that there will be no change to the delivery of any contracts that Interserve carries out, including the ones that he listed. Those services are being delivered in exactly the same way today as they were on Friday; there has been no change in jobs, no changes in pensions and no change in the delivery of those services.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): Interserve has the contract for the long-awaited bridge across the A63 in my constituency, and Highways England is doing everything it can to ensure that work continues as normal. I am giving the Minister the opportunity to offer me and the people of Hull the reassurances and guarantees that we need, because we will not be very happy if there are any delays to the bridge, after waiting 20 years to have one. Will the Minister offer guarantees that as Interserve goes through administration, there will be no delays to the building of the bridge, no delays to the payment of the people working on the bridge, and no delays to payment of local subcontractors?

Oliver Dowden: Once again, I remind the House that that contract was awarded in September 2018 by Highways England. I absolutely assure the hon. Lady that there will be no change in the delivery of these services by Interserve as a result of the change in the corporate structure. Clearly, I cannot guarantee the whole schedule of the building works and so on, but I can 100% assure her that no change will arise as a result of this change in the corporate structure, because the operating company remains completely unaffected; it is just the ownership that has changed.

Mike Amesbury (Weaver Vale) (Lab): I am afraid that some of the Minister's answers will come back to haunt the Government in the not-too-distant future. Some 45,000 jobs are at stake—£2 billion-worth of public sector contracts. Is it not about time to get the referee on the pitch and bring the contracts in-house?

Oliver Dowden: I am acutely conscious of the jobs that are at stake, which is why I welcome this refinancing. It means that there is £100 million extra cash in the company and there are lower debts. I can reassure every one of the employees that their jobs and pensions are not at risk as a result of the restructuring, and neither is the service delivery.

David Hanson (Delyn) (Lab): The community rehabilitation company Working Links collapsed a few weeks ago, and the assessment by the Government

through the National Audit Office was that £467 million-worth of additional costs had to be met. Now that eight of the 21 community rehabilitation companies are changing their ownership and management, what assessment has the Minister made of additional costs to the Ministry of Justice for probation CRCs?

Oliver Dowden: Once again, I reassure the right hon. Gentleman that there will be no additional costs in respect of those contracts as a result of the corporate restructuring, as the company delivering the contracts remains wholly unchanged.

Dr David Drew (Stroud) (Lab/Co-op): On the back of the collapse of Carillion, I was told by someone who works in the business of two other companies that they would go the same way in due course. They said that the second company to go that way would be Interserve; I will not mention the third. What due diligence did the Government carry out on the implications for other service companies? If it was known in the industry, why was it not known by the Government?

Oliver Dowden: As I have said repeatedly from this Dispatch Box, the Government undertake appropriate contingency planning in respect of all our strategic suppliers. We have not had to invoke that contingency with Interserve because the companies delivering those services remain wholly unchanged; no jobs are lost, no pensions are affected and no services are disrupted.

Jim Shannon (Strangford) (DUP): When Carillion went down, lots of jobs were lost and projects were put on hold, and confidence was badly dented. At that time, we were informed that steps were being taken to ensure that the situation would not happen again. Only a matter of months later, Interserve has experienced difficulties, and yet again the general public are losing confidence. It seems that outsourcing has become a gamble. Could the Minister outline steps to restore confidence? Is he satisfied that Interserve's financial position has been secured, and what discussions have taken place with other companies to check and monitor that no other big companies are facing major financial problems?

Oliver Dowden: As I have said, I would rather that this corporate restructuring had happened in a smoother way. It has happened through a pre-pack process, but as a result, the companies actually delivering the public services are unchanged; it is their ownership that has changed. I reassure the hon. Gentleman that all the contracts currently being delivered by Interserve will continue to be delivered and will be unaffected, because their specific corporate ownership has not changed. Jobs will not be lost as a result and pensions will not be affected. Indeed, the company's balance sheet is strengthened.

Chris Stephens: On a point of order, Mr Deputy Speaker. The Minister has said on two occasions that no Interserve employees would lose their jobs, but there has been an acknowledgement that five redundancy notices will be issued on Friday. I would suggest that those statements are incompatible. Can you advise me on how the Minister can correct the record about jobs being lost, and is there any other way in which Members can lobby the Foreign and Commonwealth Office to ensure that those five employees are not served with a redundancy notice on Friday?

Mr Deputy Speaker (Sir Lindsay Hoyle): The hon. Gentleman has resolved the matter by putting it on the record. I know that through his good offices, and given his background, he will not let the issue drop today. I am sure that he will find other methods to ensure that he continues to support the employees whose jobs may be at risk.

BUSINESS OF THE HOUSE (TODAY)

Ordered,

That, at this day's sitting, proceedings on the Motion in the name of Jeremy Corbyn relating to the Human Medicines (Amendment) Regulations 2019 (S.I., 2019, No. 62) may continue, though opposed, for 90 minutes after the commencement of proceedings on the motion for this Order, and shall then lapse if not previously disposed of, and Standing Order No. 41A (Deferred divisions) will not apply.—(*Iain Stewart.*)

Human Medicines (Amendment) Regulations

7.38 pm

Jonathan Ashworth (Leicester South) (Lab/Co-op): I beg to move,

That the Human Medicines (Amendment) Regulations 2019 (S.I., 2019, No. 62), dated 14 January 2019, a copy of which was laid before this House on 18 January, be revoked.

This motion concerns the serious shortage protocol. I thank the business managers for allowing time for this debate, but it really should not have come about as a result of the Official Opposition tabling a prayer against the regulations. The Government should have brought these proposals to the House for full debate and scrutiny, because the serious shortage protocol is perhaps one of the most far-reaching and contentious of the Government's changes to medicines regulation in recent times.

The Government are using Henry VIII powers to enable Ministers to issue a serious shortage protocol for pharmacists to follow. The Department of Health and Social Care has stated that the protocol

“could be issued...in instances of serious national shortages and would enable community pharmacists and other dispensers to dispense in accordance with the protocol—rather than the prescription—without contacting a GP.”

These reforms represent a quite extraordinary power grab whereby Ministers can grant themselves the authority to instruct local pharmacists to ration drugs, overrule the GP's prescription and dispense therapeutic generic equivalents or reduced dosages in the event of a medicines shortage.

Norman Lamb (North Norfolk) (LD): Is the hon. Gentleman aware of the particular concern among people with epilepsy, who require absolute consistency of supply and for whom any change in medication can have dire consequences? The brilliant organisation SUDEP Action has raised very specific concerns about the risks to people with epilepsy.

Jonathan Ashworth: I thank the right hon. Gentleman. He is quite right to raise those concerns about patients with epilepsy, which I will touch on in the course of my remarks, echoing the point that he made with great eloquence.

These changes represent an extraordinary power grab. Ministers should have brought them to the House for proper scrutiny, and then, of course, they should have gone out for proper consultation with patients, patient groups and health stakeholder. That is why the Academy of Medical Royal Colleges stated that it is

“inexplicable and unacceptable that an issue of this importance is not the subject of wide consultation and that medical royal colleges as doctors' professional bodies were not specifically engaged in the process.”

The British Medical Association said that it

“should have far more time to adequately consider the Government's proposals for change.”

That is why we have brought this prayer motion and why I am pleased that we have the opportunity to debate these proposals today.

It is worth saying a word about the context in which we debate these proposals. Notwithstanding the confusion on the Government Benches about when we actually do

exit the European Union—the Under-Secretary of State for Exiting the European Union, the hon. Member for Spelthorne (Kwasi Kwarteng) has given us no greater guidance today in his remarks at the Dispatch Box—it is worth recalling that, as *The Lancet* said only last month, Brexit, especially a no-deal Brexit, will affect the healthcare workforce, NHS financing, the availability of medicines and vaccines, the sharing of information and medical research.

Our effective joint working with our European partners has been vital for the NHS over recent years, in everything from infectious disease control to the licensing, sale and regulation of medicines. Developing new medicines depends on the international co-operation that is fundamental to accessing clinical trials. Patients in the UK are currently able to access EU-wide trials for new treatments, and the UK has the highest number of phase 1 clinical trials across the EU.

Thanks to the strength of our pharmaceutical base, every month, 45 million packs of medicine move from the UK to the EU, with 37 million packs going from the EU to the UK. We know that 99% of the insulin used in the United Kingdom is not manufactured in the UK. Current EU legislation allows for the legitimate trading of medicines quickly and swiftly cross-border, but the cost of no deal could see pharmaceutical products subject to 44 separate checks and controls at the borders, hugely delaying access to medicines.

Daniel Zeichner (Cambridge) (Lab): My hon. Friend is making some very important points. I wonder whether he has seen the advice from the UK BioIndustry Association, which knows what is going in the life sciences sector and says:

“Despite the expertise and efforts of the MHRA...with 12 days ...until Brexit, being prepared for a ‘no deal’ is an impossible task”.

Jonathan Ashworth: I thank my hon. Friend. As the Member of Parliament for Cambridge, he works very closely with the life sciences and pharmaceuticals industries and is a great champion for them. He is quite right to raise those concerns—although it is not clear if we are leaving in 12 days because, as I said, the Minister at the Dispatch Box earlier was pretty hopeless in giving the House any clarity on that matter. I suppose we will have to wait for further statements from the Government tomorrow, unless the Health Minister wants to clarify matters for us in a moment.

One of the issues that the organisation my hon. Friend mentioned is concerned about is the parallel trade in medicines, where pharmaceutical exporters seeking to profit from currency fluctuations could see medicines intended to meet UK patient requirements being quickly distributed out to the EU because of the advantage that a fall in sterling, perhaps, could accrue to them in those circumstances. This is why we have seen widespread concerns about medicine shortages in the event of no deal.

Dr David Drew (Stroud) (Lab/Co-op): This is not something just for the future. I am already getting reports that certain medicines are in short supply, and patients are being advised to go back to their GPs to see if there are alternatives because somebody somewhere is already stockpiling and there is not the flow through. Does my hon. Friend accept that?

Jonathan Ashworth: My hon. Friend raises a very important point. There have indeed been reports of shortages in certain medicines. In recent weeks, we have heard of shortages of Naproxen, an arthritis medicine, with similar reports about EpiPens a few weeks ago. I have heard from some community pharmacists, directly themselves, that there is even a shortage of aspirin. I emphasise that these are anecdotal reports rather than information based on any national reporting that I have seen—this is what community pharmacists have told me when I have been in their pharmacies discussing this with them—but yes, there are shortages now as a result of the uncertainty in the pharmaceutical market.

Diabetes UK has warned that

“despite reaching out directly to the Department of Health and Social Care in December, we still have not seen the concrete detail needed to reassure us—or people with diabetes—that the UK Government’s plans are robust enough to guarantee no impact on insulin and medicine supplies in the event of a no-deal Brexit.”

It was a similar story from the epilepsy bodies, who said:

“We do not have confidence in the current arrangements to ensure the continuity of life-saving medications for people with epilepsy.”

The Government have sought to reassure patients that their contingency plans are failsafe, but the report in *The Lancet* that I referenced earlier also said that

“stockpiling arrangements cannot cope for more than a few weeks.”

It also noted that some affected products, such as radioisotopes needed for treating some types of cancer, simply cannot be stockpiled. This chimes with the Royal College of Radiologists, which last month issued staggering concerns about the supply of medical isotopes, spelling out how the expected disruption would force clinicians to alter treatment plans and mean the prioritisation of some cancer patients over others. That is why the Government are proposing the serious shortages protocol contained in this statutory instrument and effectively using Henry VIII powers to enable Ministers to issue a protocol to pharmacies for them to follow.

As I said, this is an extraordinary power grab. It will effectively mean that a GP’s prescription can be changed by a pharmacist. No longer would a medicine be prescribed by a doctor who knows the medical history of the patient but instead by a pharmacist acting in accordance with a protocol drawn up by the Government. That is why these emergency measures have, quite rightly, raised alarm among various patient groups—because these changes could cause real problems for people with long-term conditions.

Anne Marie Morris (Newton Abbot) (Con): Does the hon. Gentleman accept that it would be sensible if there was a sunset clause, because clearly giving that much power to a pharmacist as opposed to a physician who knows the patient is very dangerous if it is to be used for the long term or perpetually and not just to deal with the current crisis?

Jonathan Ashworth: The hon. Lady makes an entirely reasonable observation. I trust that the Minister took note of it and look forward to her reply to that point.

Norman Lamb: Does the hon. Gentleman agree that this puts individual pharmacists into quite an invidious position because they may well be having to make decisions

that may impact adversely on a patient’s health and wellbeing when they are not necessarily skilled to make those judgments? My concern particularly relates to epilepsy but it applies to other areas as well.

Jonathan Ashworth: The right hon. Gentleman hits the nail on the head. That is exactly the point that has been put to me when I have visited community pharmacists and discussed this with them. Of course there are other pharmacists who have perhaps done more training and want to work at the top of their licence and believe that there is a role for more autonomy. However, there are real concerns about the way in which these changes are being rushed through without any resource put into education, explanation or wider training that may be needed. In those circumstances, it is appropriate that we raise our concerns, support our motion and oppose the Government’s proposal today. He is absolutely right—I have heard that concern expressed directly. Many community pharmacists do not necessarily want this responsibility, given the wider concerns and implications that he highlighted.

Helen Goodman (Bishop Auckland) (Lab): The point made by the right hon. Member for North Norfolk (Norman Lamb) raises two issues. First, what is the point of doctors having all this training if anybody without it is suddenly able to dole out prescriptions? Secondly, are pharmacists insured, and is there an insurance scheme for them if they make mistakes? Doctors have a professional insurance system, and pharmacists presumably have a completely different one.

Jonathan Ashworth: My hon. Friend is right. That is exactly the point that community pharmacists put to me in Loughborough about three weeks ago when I visited them to discuss this. Echoing her point, the BMA has said that it does not support a “blanket approach” to allowing pharmacists to provide therapeutic equivalents where a prescribed drug is not available. The National AIDS Trust has said:

“The only person qualified to safely alter the medication prescribed to a person living with HIV is that person’s HIV consultant.”

SUDEP Action, alongside a broader coalition of epilepsy charities, is particularly worried about these proposals.

After facing pressure from those groups, the Government accepted that replacement drugs were unsuitable for epilepsy patients, but they have left it open to pharmacists to reduce the strength or dosage of epilepsy medication. I am not convinced that that will eliminate the big risks faced by these patients. As the right hon. Member for North Norfolk (Norman Lamb) said, many patients with epilepsy—especially the elderly—are on other medications, and any changes require careful management because of the interaction between different medicines. Up to 90% of people with epilepsy state that even a deterioration in their mood can have a negative effect on seizure control. Anti-epileptic medications have more significant interactions than any other group of drugs.

There are situations where the specific brand, type, form or strength of a treatment must be carefully tailored to the individual based on their responses, which is done by the prescriber and the patient over time. If that is changed by a professional who does not know the patient or their individual risks, some have warned that

[Jonathan Ashworth]

the consequences could be a loss of control of the condition, failed treatment and an unnecessary emergency, with very serious consequences indeed.

Anne Marie Morris: The hon. Gentleman is making a first-class point. This puts patients at risk, and it is not appropriate for the pharmacist to make that decision. People think that generics are the same thing as branded drugs, but they are not. For some, a particular brand is crucial. I commend him for what he is doing.

Jonathan Ashworth: I am flattered to receive such commendation from the Conservative Benches, and I commend the hon. Lady for her extremely well-made point, with which I agree entirely. I hope that the Minister will respond to the second good point that the hon. Lady has made.

The stakes are too high to get this wrong, yet there has been no impact assessment or risk assessment undertaken on serious shortage protocols for this statutory instrument. This is an unacceptable risk to anyone with a long-term condition and should be recognised by anyone making contingency plans. I was particularly horrified to read in the explanatory memorandum for this SI—it is quite shocking:

“The main benefits of the protocol would be the NHS cost savings associated with GP time.”

In the same breath, it casually goes on to say:

“There may be some risks to patients”.

That is in the Government’s own paperwork. It is astonishing. How can the Government seriously prioritise NHS cost savings over patients’ lives and allow an explanatory memorandum to go out with that sort of wording in it? I hope that the Minister can explain how that got in there and at least reassure us that it is not the Government’s position. If it is the Government’s position that there may be some risks to patients, that suggests that the Government should have come to the House sooner to explain why they are making this regulatory change and not left it to the official Opposition to table a prayer motion to get this debate.

I would like clarity from the Government on a few things. It is not entirely clear from the legislation exactly when these powers would be used. I would like to hear from the Minister whether these powers will be introduced in a no-deal Brexit scenario only or whether we can expect them to be more permanent. I am also concerned that there will only be a review of new powers one year after a serious shortage protocol is issued by Ministers. This speaks to the point made by the hon. Member for Newton Abbot (Anne Marie Morris). One year is too long to wait if this causes serious problems for patients and the wider sector.

Considering that the stakes are so high, it is essential that the Government deliver extensive communication and training to GPs, pharmacists, other healthcare professionals and the public, to help them understand any new protocols and manage expectations and any dissatisfaction. I would be grateful if the Minister outlined the Government’s plans. I talk and listen to frontline NHS staff all the time, and I know that there is a well-founded fear about the implications of a no-deal Brexit for hundreds of thousands of people in need of life-saving medicines. I am interested to hear from the

Minister what information about these protocols has been shared with the health sector and professionals involved.

When the Secretary of State gave evidence to the Health and Social Care Committee a few weeks ago, he informed it that he will prioritise medicines over food. That glib assertion from the Secretary of State hardly offered the reassurance that patients deserve. Brexit should not compromise patient safety in any way. It is up to the Minister to allay the widespread concerns, but if she is not able to do so, we will test the opinion of the House. I commend our motion.

7.56 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): I am grateful for the opportunity to address the House and reassure Members on both sides of the House about the purposes of the regulations. I have been asked a number of questions, and I will try to answer all of them as best I can.

I want to start by saying that there is considerable misinformation out there about these regulations, which are designed to most efficiently manage the supply of medicines in the event of a shortage. I should also make clear to the House that this is not just a Brexit regulation; it will apply in any case, not just in the case of no deal, not least because recent events have shown the challenge in managing medicines. The regulations on how pharmacists will be able to apply this protocol are designed to minimise not only the demand on GPs but the risk to patients, because pharmacists will only be able to use their powers under these regulations according to very clear criteria, and we will still encourage them to speak to prescribers where there is any element of doubt.

Anne Marie Morris: Will the Minister give us some details about what those criteria will be, so that clear decisions can be made by pharmacists and so that when a particular brand is really important for a patient, there is no possibility that a generic will be substituted?

Jackie Doyle-Price: The circumstances will be different from protocol to protocol, which is not a very clear answer—but we would have to look at each incident. The hon. Member for Leicester South (Jonathan Ashworth) mentioned HIV medicine. Another example is antipsychotic medicines, where there is a clear relationship with the patient: obviously, it would not be appropriate to unilaterally change those items of medication.

When a prescription is issued, the pharmacist has to dispense that medicine according to strict instructions under the terms of the prescription. For example, if the prescription was for packets of 200 mg tablets and there was a shortage of those, they could be substituted with a different measurement. All those issues would be dealt with from protocol to protocol, having been considered by a pharmacy panel who can properly and rigorously challenge what an appropriate substitute would be in the event of a shortage of any medicine.

Anne Marie Morris: Is the Minister not concerned about the challenge that, however qualified the pharmacist, they do not have the patient’s notes? She has referred to an amount, and I understand how having two smaller

pills will equal what should have been prescribed, but when it is a generic versus a specific branded medicine, that is a very difficult and challenging decision to make.

Jackie Doyle-Price: I come back to what I said to my hon. Friend earlier. The terms under which pharmacists will be able to exercise their discretion will be clearly set out in each protocol, and there will be full consultation by an expert panel, with ministerial approval in such an event.

Norman Lamb: Will the Minister clarify whether, if there are adverse effects as a result of some change that has been made in these circumstances, the prescriber, the dispenser or the Government would ultimately be liable?

Jackie Doyle-Price: The protocol will be very tightly drafted, which will really limit the ability of the pharmacist, who would only be able to prescribe outside the terms of the prescription within the narrow confines of the protocol. As I say, this has been done to secure continuity of supply when there is a potential challenge, but I would expect to take advice from a pharmacy panel, in conjunction with those most affected, to make sure that we put in place appropriate risk management on those occasions.

Helen Goodman: What kind of timescale is the Minister considering? Let us take people with epilepsy. As my hon. Friend the Member for Leicester South (Jonathan Ashworth) said at the Dispatch Box, if somebody's condition changes, it might take six months to work out what the right prescription ought to be. The Minister surely cannot say that we will write a protocol in Whitehall in the event of some sudden shortage and implement it across the land because, as we keep saying, different people have different medical needs.

Jackie Doyle-Price: We are talking about a protocol that can deal with an immediate shortage, but we would not expect that shortage to continue indefinitely. It enables us to manage the shortage, while trying to secure the ongoing supply.

Reference has been made to EpiPens, and that is exactly what happened in that context: we knew that we had a shortage and that there was a supply coming, so steps were taken to manage the supply so that everybody who needed EpiPens had a supply of two, with dispensaries managing that supply. We would expect the same to happen. Where we issue a protocol, we would expect prescribers to go back to their normal supply of medication once we had corrected the supply problem, and this is to get us through that period. It is also to encourage people not to stockpile medicines in the event of worries about a shortage. This is about giving people the reassurance that we will manage such shortages effectively.

The hon. Member for Leicester South mentioned that there had been criticism about a lack of consultation. It is worth noting that the Government have been challenged by the Good Law Project on a number of grounds, but it is also worth telling the House that the High Court decided last week that permission for judicial review would not be granted on the issue of lack of consultation.

I want to clarify the purpose of the regulations. First, they implement the EU falsified medicines legislation on certain safety features on the packaging of medicines.

They also extend the exemption for the supply of naloxone hydrochloride, so that drug treatment services can supply all dosage forms of that medicine; at the moment, we can only supply injectables, but we now know that nasal administration is more efficient. In addition, and this is obviously the main crux of the debate today, they enable retail pharmacies, where appropriate, to supply against a serious shortage protocol, instead of against prescriptions, if such a protocol has been issued.

Not implementing this statutory instrument would have dire consequences. Not only would the Government lose this tool to manage shortages of medicines, but we would also deny drug treatment services the ability to supply all dosage forms of naloxone hydrochloride. Without this SI, we would not be able to introduce UK-specific flexibilities for the falsified medicines safety features scheme, meaning that a disproportionate burden would be put on the supply chain.

On the safety features, I would like to say that we are committed to stopping falsified medicines from reaching patients. Our No. 1 priority is safe access to medicines in the most efficient way. I can also say that we want to retain a close working partnership with the EU on medicines regulation, for all the reasons the hon. Gentleman outlined, and we wish to ensure that patients continue to have timely access to safe medicines and medical innovations.

The new safety features measures under the EU delegated safety features regulation are directly applicable, and they already require UK manufacturers to place a unique identifier and tamper-evident features on packaging for almost all prescription-only medicines. These medicines need to be scanned on supply to the patient to verify their authenticity. Our position is clear that, as a member state, we were obliged to implement these requirements. We worked extensively with stakeholders to understand the detail and to develop the best approach on the flexibilities and enforcement specifically for the UK, and this was tested through a formal consultation process.

It is worth noting that the UK has a very complex supply chain. Without the national flexibilities in this statutory instrument, the burden on industry would be disproportionate and it would risk patients not getting timely access to medicines; nor would we be able to enforce the requirements already in place. The reputation of UK medicines, the UK pharmaceutical industry and regulators could be seriously undermined. I have already mentioned the issue of naloxone hydrochloride. It is administered in the event of a heroin overdose, so we clearly want to make that available in the most efficient way possible.

To come back to the serious shortage protocol provisions, these will provide the Government with an additional tool to deal with a shortage of medicines. Over 2.5 million prescription items are dispensed in primary care in England alone every day, and the vast majority are not subject to supply problems. However, we must have a robust system in place for when they are. We work closely with the Medicines and Healthcare Products Regulatory Agency, the pharmaceutical industry and NHS England in operating and managing the supply chain to help prevent shortages, and to ensure that the risks to patients are minimised when shortages do arise.

The issue of EpiPens is a very good example. Last autumn, we faced a serious international shortage of EpiPens. That shortage had a knock-on effect on other

[Jackie Doyle-Price]

adrenaline auto-injectors and, despite efforts by the Department and the industry, there was not enough supply to meet the demand in the country. We were therefore forced to ration the available injectors so that the available supply could be spread out across all patients who needed them until more stock became available. To be able to do that, we put in place a dispensing protocol.

The protocol required pharmacists to check with patients how many adrenaline injectors, including expired ones, they had so that pharmacists could decide on the number of injectors to supply. Patients below a certain weight had to be referred back to their prescriber. Again, another risk management tool that we would apply in issuing a protocol would be to make sure that pharmacists were referring people back to their prescriber if there was such a question. This ensured that, throughout the duration of the shortage, we managed the available stock in such a way that each patient had access to at least two injectors. It was this incident with the adrenaline injectors, as well as our EU exit preparations, that led the Government to formalise that what was done in the EpiPen situation should be put in place to manage other serious shortages, should they arise.

I say again that this is not the Government's plan for dealing with medicine shortages in a no-deal exit. That is simply not the case at all. We wanted to introduce these provisions before 29 March so that we would have the option of issuing protocols, but only as part of our multi-layered approach to minimise any supply disruption in a no-deal exit. We are confident that our other management plans will deal with that. These include securing additional roll-on roll-off freight capacity for goods; buffer stocks and stockpiling; extra warehouse space; and space on aeroplanes for products with a short shelf life or specific storage conditions. The questions raised about radioisotopes are clearly relevant to that. These regulations will ensure that companies can continue to sell their products in the UK. They will strengthen the process and resources used to deal with shortages in the event, despite everyone's best efforts, that they do occur.

Anne Marie Morris: The Minister is being generous with her time. Will she explain what currently happens when there is a shortage? Of course I realise that patients need medicines, but why do we need this specific piece of legislation when, so far, the Government have dealt with many other shortages reasonably adequately, I should have thought?

Jackie Doyle-Price: As I explained, it was the issues regarding EpiPens that brought home to us the need to have a suitable protocol in place.

Hon. Members have expressed concern about the role of pharmacists in the system. At the moment, where the prescriber has prescribed a specific medicine, including a specific strength and quantity, the retail pharmacist must supply exactly what is on the prescription and cannot deviate from that. The pharmacist has no flexibility if the exact order cannot be supplied, for example, because of supply issues. The pharmacist has to send the patient back to their GP. Clearly that would not be an efficient use of GPs' time if we could put in place a protocol that would enable the application of alternative medicines.

The serious shortage protocol enables retail pharmacists to supply in accordance with a strict protocol for a specific prescription-only medicine, rather than against a prescription, without going back to the prescriber. That will be done only in exceptional circumstances, in the event of a serious shortage of a medicine, when all other mitigation measures have been exhausted or would be likely to be ineffective, and all the clinical community think it is appropriate to issue such a protocol. The protocol may prescribe one of the following options: an alternative quantity, an alternative pharmaceutical form, an alternative strength, a therapeutic equivalent or a generic equivalent. However, as I said, each case will be considered on its merits, and of course the risk of various health conditions. We believe that therapeutic substitution will be extremely rare. It would need to be clinically appropriate, and a sufficient stock of any alternative would be required.

As I have said, any serious shortage protocol will be developed with clinician input. Which clinicians are involved will depend on the expertise required, but we would involve, for example, the relevant royal colleges and societies. We would also work closely with patient representative groups, as we did in the EpiPen shortage. Each protocol would clearly set out what action can be taken by the retail pharmacy, in what circumstances, for which patients, and during which period. I re-emphasise that this is not about pharmacists acquiring prescribing rights by the back door. It is entirely about ensuring that patients have access to the medicine they need by making the best possible use of highly qualified pharmacists and freeing up GP time for patients who need to see their GP. If a pharmacist is in any doubt about what they are prescribing, they can always exercise their professional judgment to refer an individual patient back to the GP, and if patients do not want the alternative under the protocol, they can always go back to their prescriber.

Let me be very clear: patients will not be given alternative medicines where this is not medically appropriate. This includes patients with complex medication regimes or conditions such as epilepsy or HIV. However, that does not mean that they are exempt from the protocols. For example, a protocol for a reduced quantity of anti-epilepsy medication could be issued, as we did for EpiPen. That would have to be considered against a backdrop of all the available stock being spread out across all patients, and there being time for patients to see their prescriber if the supply issues become long-term. Without the protocol, some patients would receive the medicines prescribed to them, but some would leave the pharmacy empty-handed. Clearly, we need to make sure that all patients have timely access to their medicines.

In the event of a serious shortage of any medicine, it is vital that patients continue to receive the treatment they need. The introduction of strict protocols, developed with specialist doctors, is a sensible step that will, in exceptional circumstances, allow highly trained pharmacists to provide an appropriate alternative or quantity, as set out in the protocol, to reduce the impact on patients. This ensures a co-ordinated response to a shortage and timely access to medicines.

Of course, I hope that we never have to introduce a serious shortage protocol, but there may be times when we have no other options, because all other measures have been exhausted or are likely to be ineffective. Not implementing the statutory instrument would put

patients' timely access to medicines at risk, first, by not enabling drug treatment services to supply all dosage forms of naloxone hydrochloride; secondly, by imposing much more burdensome implementation of safety features of packs of medicines with flexibilities to accommodate the specific characteristics of the UK supply chain; and thirdly, by denying the Government an important tool to manage shortages of medicines and to ensure that patients continue to get the right medicines in a timely manner. I hope that the motion is defeated.

8.15 pm

Dr Philippa Whitford (Central Ayrshire) (SNP): We are discussing changes to the Human Medicines Regulations 2012. I welcome the implementation of the falsified medicines directive, with its provisions on unique identifiers and anti-tampering devices. I also welcome the change to allow nasal naloxone to be used to deal with opioid overdose. But snuck in among those perfectly reasonable measures is the serious shortage protocol. That deals with prescription-only medicines and highlights what we face with Brexit coming in 11 days.

Forty-one million packets of drugs a month go from the UK to the EU, and 37 million are imported into the UK, including almost all insulin—the UK does not produce insulin to a large extent. There are many other drugs that the UK does not produce. We have previously and in this debate raised the issue of radioisotopes, although this clearly does not apply to that. There will also be problems with the supply chain of raw chemicals to produce drugs in the UK and with processes such as batch testing for UK exports into the EU, because the EU will not recognise batch testing not carried inside the EU. One of the key words missing from the withdrawal Act that was scattered throughout the Chequers deal, if we can call it that, is “frictionless”. Do a word search. It is not there. We have been discussing this matter in the context of no deal, but there will be issues regarding the supply chains in making drugs and moving drugs around even if the Government's withdrawal agreement goes through.

Bizarrely, section 8 of the explanatory memorandum to the regulations claims:

“This instrument does not relate to withdrawal from the European Union.”

As we would say in Scotland, “Aye, right.” It continues that: “if withdrawal from the European Union were a contributing factor to a serious shortage...a serious shortage protocol could be used”.

That is the thinnest fig leaf I have ever seen in my whole life.

The documents talk about the Minister or Ministers being able to add drugs to the serious shortage protocol list. Who is meant by “Ministers”? Is it the devolved Ministers in Edinburgh and Cardiff, or are we merely talking about all the junior Ministers and the Secretary of State here in Westminster? Health is devolved, and the use of drugs and the diseases dealt with vary across the UK. It is important that health is not pulled back away from devolution. I would like that to be clarified, particularly when the Minister suggests that this is not a short-term solution, but envisaged as a long-term solution for shortages.

I accept that shortages can arise, but normally they are few; normally it is possible to get access to information about what is causing them, making it easier to come up

with solutions. However, as has been said, the review will take place only after a year, which is quite a long time for a protocol to be in place. It would be useful to send information on what replacements could be used to the GP or prescriber, rather than to the pharmacist. If it is known that there is a national shortage, why wait until the point of dispensing the drug? Tell GPs. Tell non-GP prescribers. Do not leave it to the last minute, when someone is in the pharmacy. That is the issue: the shortage protocol gives pharmacists the power to override the prescriber. Predominantly, that is a GP, but not necessarily.

I say to other Members that pharmacists can change the strength, but not the dose. If someone is on a 10 mg tablet and is used to taking one 10 mg tablet, they may be given two 5 mg tablets. That may seem innocuous, but an elderly, vulnerable or slightly confused patient who knows that they take one tablet every morning might end up taking half the dose they require. Even worse is if they are given a larger dose that they are meant to cut in half. That is much more complex. The number of tablets patients have to take could cause confusion.

The statutory instrument talks about quantity. At the moment, patients are usually given eight weeks of a prescription and pay a prescription charge. If they only get four weeks of their medication, will they get the second four weeks without paying another prescription charge or will prescription charges be doubled? That is not an issue in Scotland, but it is certainly an issue here in England.

Alison Thewliss (Glasgow Central) (SNP): My hon. Friend is speaking very knowledgeably about dosage. Many of my constituents are on methadone prescriptions. They need to get the correct amount of prescription or it can have very real consequences for relapse and how they are able to live their lives. Does she agree that protections need to be put in place for groups for whom removing the dose could have severe consequences?

Dr Whitford: It is critical that the patient's dose is not changed or put in danger. The management of any condition is dose sensitive. We cannot go down to homeopathic doses of antibiotics or blood pressure medication—that would be crazy.

Pharmacists can give a different form, such as liquid, solid or capsule. Again, for some patients that will not be a problem; for others, it will. The hon. Member for Newton Abbot (Anne Marie Morris) mentioned generic drugs. Generally, NHS prescribers use generic drugs as the default to save money. However, I have had patients who had appalling side effects from the generic form of tamoxifen, but not from the non-generic brand. There always has to be a right for GPs to say, “In this case, I will use the brand.”

The most important bit of this statutory instrument is that it allows a change to a completely different drug. It may be a drug that is approved by a panel sitting somewhere in London with the colleges, who say that it is a reasonable replacement for the other drug, but that does not take into account the fact that patients are all individuals. I can tell you that they are all individuals.

Pharmacists are very knowledgeable—in Scotland, we have had community pharmacists for over a decade and they contribute massively—but they work to their

[Dr Whitford]

own protocol, they work within limits and they do not have access to the patient's notes. Therefore, they cannot see that the patient has been on a drug in the past and had terrible side effects. They will replace with a protocol drug, but what about the responsibility? Why is this happening right now?

It suggests to me that the Department of Health and Social Care is expecting massive shortages, to the point where the simple act of picking up the phone and saying to the GP, "I don't have drug A. Would drug B be reasonable for Mrs Smith?", is somehow impractical. I find that very worrying. It may be that Mrs Smith has had six drugs to control her blood pressure. Drug 2 and drug 5 caused her to faint or have blackouts, but the pharmacist does not know that.

Epileptics have been mentioned. The issue with epileptics is that any change can destabilise their epilepsy. They are therefore never prescribed by generic, but are prescribed by brand to avoid precisely that.

Norman Lamb: The hon. Lady makes a very good point. Does she agree that there is often an interaction between epilepsy drugs and other drugs that the patient may be on and that any interruption of that relationship may cause problems?

Dr Whitford: The right hon. Gentleman makes a very good point, and one that applies to many drugs. When we prescribe, we sit and look at the interactions. I would expect a pharmacist to look at that. They will have the patient's full prescription and should, therefore, be able to look at interactions.

Norman Lamb: They do not have the patient's records.

Dr Whitford: That is the key thing: they do not have the patient's records and they do not know what problems a drug may have caused in the past.

This change could have a real impact on epileptics. It brings the danger of a fit, and the fit itself may be a threat to them. Obviously epileptics are exposed to sudden unexpected death in epilepsy and can suffer from trauma, depending on where they are when they take the fit. They can even lose their driving licence for a year because they have one fit. The social impact of that on epileptics is enormous.

It says in the explanatory notes that, because of that, epilepsy drugs and biological drugs would not be considered suitable for the protocol. However, it does not say that in the SI—they are not excluded. It is important that such people are protected.

Lyn Brown (West Ham) (Lab): I have been listening closely to the hon. Lady. This is already happening. A friend of mine went to her chemist to pick up some drugs and the dosage was halved by the pharmacist, not by her doctor. She had enough drugs to keep her going until she went to the doctor again, who reinstated the original drug. I just think it is really scary at the moment; people do not understand why this is happening. It cannot be about Brexit, because it is happening now.

Dr Whitford: I am just coming on to that issue. I reiterate that it is the strength, rather than the dose, so I imagine the hon. Lady's friend would be expected to take two smaller tablets, not to reduce her dose.

As I have said, the obvious thing would be to share the protocol with the prescribers, not to aim it at the pharmacists who are right at the end of the process.

Why is it that we are seeing the shortages now? Quite simply, there are two ways to stockpile: either by forcing increased production, which it is not necessarily within the gift of the Department or even the Secretary of State to do, or by setting aside some of the drugs within normal production. When I talk to my GP friends, they talk about a massive surge in shortages over the past nine months. That coincides almost exactly with the acceleration of stockpiling. My concern is that drugs are being set aside into the stockpile and that is causing shortages right now.

There should be publication of the list of drugs that are at risk of shortage, so that a GP can say, "For this lady or gentleman it is not that important, so if it is a shortage drug I won't use it, but for this other patient I will have to use it." Apparently, that is currently hidden behind commercial sensitivity.

It is important that a consultation and an impact assessment are carried out. I was shocked that the BMA was given a week to respond and the General Medical Council was not even consulted. This statutory instrument totally reverses medical and prescriber legal responsibility, so who is legally responsible? How do pharmacists feel about the fact that they might be held answerable for changing the drug, or will the Government underwrite that? I think that this has been appallingly handled and has been snuck in with no scrutiny and no debate.

The hon. Member for Leicester South (Jonathan Ashworth) talked about cost and time saving for GPs and, secondary to that, the impact on patient safety. If we look at the basis for the review in a year, it says that No. 1 will be the function of the market and that No. 2 will be the impact on patients, so again we see that patient safety is not being put at the heart of this. This proposal has not been properly thought through, particularly if it is envisaged as a long-term solution to drug shortages. No deal should now be off the table, as of last week. There should be time to look at this issue properly, consult properly and come up with something that will not endanger patients.

8.29 pm

Norman Lamb (North Norfolk) (LD): I very much agree with the concerns that were raised by the Scottish National party spokesperson, the hon. Member for Central Ayrshire (Dr Whitford). Let me make a general point first. I recognise that this statutory instrument is not being introduced purely for no-deal planning, but clearly, there is a recognition that the risk of shortages increases in a no-deal scenario. To me, it absolutely beggars belief that Cabinet Ministers in this Government were willing last Thursday purposefully to vote against an extension and therefore in favour of the risk of no deal in just a few days' time, knowing that the risk to patients would increase as a result. It is extraordinary that Ministers in a Government could choose to vote in that way knowing that patients would be put at greater risk.

I want in particular to address the concerns of patients with epilepsy, including the concerns raised by the really good organisation, SUDEP Action. For those who are unaware, SUDEP means sudden unexpected death in epilepsy, so we are talking here about all those people

who lose their lives as a result of epilepsy. There are very real and legitimate concerns about the impacts that the measure will have on those people. To bring this into really sharp focus, Simon Lees, one of the trustees of SUDEP Action, who has epilepsy, was today refused the supply of one of his three epilepsy medications because of a shortage. His brother died from epilepsy shortly after his medication was changed, so the risk to patients is very real.

As others have said, pharmacists are highly skilled professionals, but they are not specialist prescribers or skilled in assessing the risk of unexpected death through epilepsy. There is a particular concern about people with a learning disability who may also have epilepsy, who are particularly at risk. As the SNP spokesperson said, pharmacists do not have access to the full patient record. The need for consistency for these patients in the supply, dosing, timing and formulation of anti-epileptic drugs is absolutely critical. There is a real risk when medications change. That is why specialist prescribers play such an important role in any change for a patient with epilepsy. Person-centred prescribing and medication management is the most effective way to keep these patients safe, so it is little wonder that those people and the organisation that supports them are so concerned about this issue.

I also want to make some particular points that SUDEP Action has raised. The current documentation on the protocol indicates that there is no requirement for patients to be made aware of medication changes—that seems extraordinary to me—or a recognition of the channels available to them should they wish to challenge or question those changes. Without those safeguards, people with epilepsy may be unaware of medication changes that have occurred, putting them at significant risk, particularly if these changes result in increased side effects or changing seizure control. It is also unclear whether the pharmacist, the original prescriber or the Government are ultimately accountable for adverse effects—I made this point in my challenge to the Minister—caused by one of the protocols being activated. Should a death occur following a lack of consistency of supply of the usual medication, who will be held to account for that change? As others have said, it seems essential that the Government make publicly available a list of the medications that are at risk of shortage. There should be an early warning system for prescribers so that they are aware of the risks of medications running short in supply.

In conclusion, there are legitimate and serious concerns here, and that is why I will be joining others in voting in favour of the motion to revoke the regulations.

8.34 pm

Mr Ivan Lewis (Bury South) (Ind): I am glad we have had the opportunity to have this debate. Like other hon. Members, I want to focus on the impact these changes could have on those with epilepsy. I thank SUDEP Action, which the right hon. Member for North Norfolk (Norman Lamb) mentioned, for the work it has done to bring concerns about this issue to the fore. I also agree with many of the concerns my hon. Friend the Member for Leicester South (Jonathan Ashworth) expressed in his opening remarks.

The Secretary of State was unable to address bereaved families and clinicians at the recent summit held by SUDEP Action, but will he meet me, other hon. Members

and representatives of SUDEP Action and talk directly to families about the concerns they have? If he could agree to do that, it would be very helpful.

Medicines shortages pose a serious risk to people with epilepsy. As hon. Members are aware, it is a high-risk condition, requiring complex, tailored care. As other hon. Members have said, many people with epilepsy are particularly vulnerable to changes to that care. I have recently met families, such as that of Rachel Shah, whose daughter Emily died aged 19 shortly after a non-specialist prescriber made an error with her medication. The family and the non-specialist were entirely unaware of the risks of sudden unexpected death in epilepsy, and the error was not noticed. That is quite shocking.

Studies show that people on existing medications are put at risk when those medicines are changed. Tried and tested systems mean that, when there is a medicines shortage, specialist prescribers with expertise and access to the full patient record are involved in any changes. There are known risk factors that can increase the risk of death among people with epilepsy. However, those can be carefully managed through open, positive relationships between clinicians and patients. Those clinicians have often had responsibility for the patients' medication schedule, which has often been worked up with the patient over many years.

The serious shortage protocols, passed under the Human Medicines (Amendment) Regulations 2019 give pharmacists the right to supply a different quantity or pharmaceutical quality of medicine in the event of the country experiencing a serious shortage of prescription-only medicines. As other hon. Members have said, pharmacists are skilled professionals in medicines and medicines management, but they are not specialist prescribers. Nor are they specialists in assessing SUDEP or other epilepsy risks in individuals, and they do not have access to full patient records.

Jackie Doyle-Price: With your indulgence, Madam Deputy Speaker, I would just like to reassure the right hon. Member for North Norfolk (Norman Lamb) and the hon. Member for Bury South (Mr Lewis). We do not consider that treatment for epilepsy would be appropriately covered by a serious shortage protocol, for exactly the reasons that they have both outlined: this is specialist prescribing and very bespoke to the patient. In the event of a shortage of epilepsy drugs, the clear guidance would be for the pharmacist to refer the patient back to their prescriber. The shortage protocols will be very tightly defined, within given circumstances, as to what drug will be an appropriate alternative treatment; they are by no means meant to be very one size fits all.

Mr Lewis: I think the Minister for that reassurance. I think we will want to see that in writing. Having that clarity is incredibly important, so that when the guidance is published, the reassurance is there for people with epilepsy and their families. That is incredibly important.

We should remember that laws that sought to allow change in the prescription of epilepsy medications were rejected in 2010 after a public consultation that highlighted major patient safety concerns. MHRA guidance in 2017 included vital safeguards against switching medication for people with epilepsy. These issues have therefore been interrogated in the past.

[Mr Ivan Lewis]

A precautionary approach concerned with patient safety would include analysis and openness about the causes of medical shortages; include an impact and risk assessment; aim to avoid any risk of worsening medical shortages; follow good practice in the regulation of medical shortages; include training and communication arrangements for all affected; and include clear, robust and timely accountability to patients and the public for adverse events and avoidable deaths. Nurses and clinicians are currently unable to gain access to a number of medications. They need to know which are on the list of likely shortages, and whether all the possibilities of measures to prevent such shortages have been exhausted.

People with epilepsy are recognised to be a high-risk group in current legislation. They must be protected against shortages of any medications that they take—not just their epilepsy medication—by a requirement in the legislation, and in any accompanying guidance, for the involvement of a specialist prescriber at all times. To be fair, that is the assurance that the Minister sought to give this evening.

It is not good enough to say in the explanatory memorandum that protocols will not apply to certain epilepsy treatments for which a brand is required. Any change in the 2017 MHRA guidance on epilepsy medication should be avoided, although, if such a change is required owing to a serious shortage, it must follow public consultation with the involvement of the third sector and patients. I think that patient groups feel they have been excluded from the process thus far. I urge the Minister to agree—in the spirit in which she has engaged with the House this evening—to meet SUDEP Action along with me, and other Members, if the Secretary of State is not willing or does not have time to do so.

The Government should make publicly available the list of medications that are at risk of shortage. If people living with long-term health conditions, and their clinicians, know about serious shortages that may affect them, they should have opportunities to contribute to any consultations and debates. An early-warning system for prescribers is essential, but it must be extended to all specialist prescribers. Many are on the front line, trying to ensure continuity of medication for patients, and they will be able to provide the necessary reassurance for those patients if they are aware of potential shortages.

We should not forget the anxiety that this will cause among people who are already extremely vulnerable, and the fact that that anxiety could lead to further health problems. All who are involved in the chain need to be able—where appropriate—to offer the maximum clarity, information and reassurance. The Government should also publish an operational framework and guidance to ensure that there is good practice and medicine shortages can be managed safely. They should commit themselves to patient-centred and shared care decision-making.

Perhaps this is the most important point that has been made so far: it is still not clear where accountability lies in the event of an adverse event—worst of all, a death—when there has been a failure of continuity of supply lines. That issue has been highlighted by the Pharmacists' Defence Association. Obviously the association is very concerned about the potential negative effect on pharmacists, but a greater concern relates to the potential impact on patients and families.

This legislation is not simply another complication caused by Brexit. It may present serious challenges for many years to come. It is first and foremost about patient safety, and in those circumstances, the Government need to take appropriate time and care when making their decisions.

8.43 pm

Helen Goodman (Bishop Auckland) (Lab): I am pleased to have an opportunity to make a short contribution to the debate.

It is ironic, given that one of the main Brexit campaign slogans, on the side of a bus, promised £350 million for the NHS, that one of the most serious problems we are having to consider is the problem of medicine shortages in the event of Brexit. The Minister has still not made clear the extent to which those shortages are related to Brexit. Common sense suggests that this is a Brexit statutory instrument, and I am assuming that it went through the usual Brexit process of being dealt with by the European Statutory Instruments Committee, but the Minister has not made clear why we are having these shortages in medicines, which are happening already. I have a constituent with a child with epilepsy who is finding it difficult to get their child's prescription. If this is not Brexit-related, how come all these shortages are suddenly happening now, at a time when the pharmaceutical industry is being told it needs to stockpile?

Matt Rodda (Reading East) (Lab): I wholeheartedly support the points my hon. Friend is making and the concern she is raising about the potential link to Brexit, which would seem to many Members to be an obvious connection. Does she agree that Brexit is not only threatening the NHS through these potential shortages of medicines, but threatening the staffing of our NHS? I represent a seat where 13% of the staff at the local hospital come from EU countries, and many are leaving and going home, which is of deep concern to our residents.

Helen Goodman: Of course what my hon. Friend says about staff shortages and Brexit is absolutely right.

I was going on to say that I have a GlaxoSmithKline factory in my constituency, and obviously I have discussed this issue with it. It is extremely underwhelmed by the Government's no-deal planning, and extremely underwhelmed by the fact that it is having to pay for these extra stockpiles. All these Brexit costs that are being put on to the industrialists mean that there is less money for research and development, investment, job creation and all the things we would all like to see.

It is notable that there are very high numbers of people with the conditions most likely to be affected. There are 4 million people in this country with diabetes, 500,000 people with epilepsy, and 250,000 people whose allergies are so serious that they need an EpiPen. Given that we clearly have 5 million, 6 million or perhaps 10 million people whose health is likely to be at risk if there are medicine shortages, I would have thought that the Government would have not just done a full risk and impact assessment but produced for us today, alongside the statutory instrument, the protocols. The Minister knows which drugs and conditions we are talking about; surely, given all the problems we have had with the industry, doctors and patient groups not being properly consulted, it would have been sensible to make those

protocols at this moment, so we could look at them alongside the statutory instrument. I hope the Minister will come to the Dispatch Box and answer some of these points. She is shaking her head.

Jackie Doyle-Price: This is a tool to manage serious medicine shortages. I do not expect any medicine shortages, but this tool exists in the event of them arising. As for the idea that we could bring together a list, we do not anticipate that there will need to be a list.

Helen Goodman: Brexit is now 11 days away. Collapsing out of Europe with no deal is obviously far less likely following the votes of last week, but it is still a possibility, and at that point the possibility—the probability—of these medicine shortages will increase very significantly. Here we are, less than a fortnight away, and the Minister has not got these protocols in draft at the moment. *[Interruption.]* The Minister is still chuntering; I am sorry, but she has not provided us with the reassurance that we want. I speak as someone who carries an EpiPen; I am not very taken with the idea that I will not be able to get an EpiPen, and my husband will not be very taken with the idea that he cannot get his epilepsy tablets. If the Minister and Department of Health and Social Care officials think that this is a way to save money, they could not be more wrong.

When things go wrong—when a person has a fit, or goes into anaphylactic shock—they are taken into A&E, and they might be there for 12 hours. That is not cheap; that is not a saving. Of course, it is extremely dangerous, too. The rate of death for people with epileptic fits is one in 100; one in 100 fits leads to death. Ministers are taking much too great a risk with their fellow citizens' lives.

Question put.

The House divided: Ayes 240, Noes 292.

Division No. 365]

[8.50 pm

AYES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Amesbury, Mike
Antoniazzi, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Benn, rh Hilary
Betts, Mr Clive
Blackford, rh Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brock, Deidre
Brown, Alan
Brown, Lyn
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cameron, Dr Lisa
Campbell, rh Sir Alan

Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Cherry, Joanna
Clwyd, rh Ann
Coaker, Vernon
Cooper, Julie
Cooper, Rosie
Cowan, Ronnie
Coyle, Neil
Crausby, Sir David
Creagh, Mary
Creasy, Stella
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
Dakin, Nic
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Debbonaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh

Docherty-Hughes, Martin
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Ellman, Dame Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farron, Tim
Fellows, Marion
Flint, rh Caroline
Fovargue, Yvonne
Foxcroft, Vicky
Furniss, Gill
Gaffney, Hugh
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Haigh, Louise
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hill, Mike
Hillier, Meg
Hollern, Kate
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Killen, Ged
Kyle, Peter
Lake, Ben
Lamb, rh Norman

Lavery, Ian
Law, Chris
Lee, Karen
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Linden, David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly (*Proxy vote cast by Mark Tami*)
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonald, Andy
McDonald, Stuart C.
McFadden, rh Mr Pat
McGovern, Alison
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Monaghan, Carol
Moon, Mrs Madeleine
Morgan, Stephen
Morris, Anne Marie
Morris, Grahame
Murray, Ian
Newlands, Gavin
Norris, Alex
O'Hara, Brendan
Onasanya, Fiona
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Pidcock, Laura
Platt, Jo
Pollard, Luke
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Rachel
Reynolds, Jonathan
Rimmer, Ms Marie
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra

Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip (*Proxy vote cast by Vicky Foxcroft*)
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, Cat
Smith, Eleanor
Smith, Jeff
Smith, Laura
Smith, Owen
Smyth, Karin
Snell, Gareth
Sobel, Alex
Spellar, rh John
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Stringer, Graham
Sweeney, Mr Paul
Tami, rh Mark

Thewliss, Alison
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Turner, Karl
Twigg, Derek
Twigg, Stephen
Twist, Liz
Vaz, Valerie
Walker, Thelma
West, Catherine
Whitehead, Dr Alan
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Wilson, Phil
Wishart, Pete
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Colleen Fletcher and
Bambos Charalambous

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
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berger, Luciana (*Proxy vote cast by Mr Chris Leslie*)
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Caulfield, Maria

Chalk, Alex
Chishti, Rehman
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
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, rh Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Evennett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Frazer, Lucy

Freeman, George
Freer, Mike
Fysh, Mr Marcus
Gapes, Mike
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Girvan, Paul
Glen, John
Goldsmith, Zac
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
Griffiths, Andrew
Gyimah, Mr Sam
Hair, Kirstene
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
Hermon, Lady
Hinds, rh Damian
Hoare, Simon
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, Mr Alister
James, Margot
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, Mr Marcus
Kawczynski, Daniel
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Lamont, John
Lancaster, rh Mark

Latham, Mrs Pauline
Leadsom, rh Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leslie, Mr Chris
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Little Pengelly, Emma
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
Maynard, Paul
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Moore, Damien
Mordaunt, rh Penny
Morgan, rh Nicky
Morris, David
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
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
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, rh Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas (*Proxy vote cast by Tracey Crouch*)
Rowley, Lee

Rudd, rh Amber
 Rutley, David
 Ryan, rh Joan
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Skidmore, Chris
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Iain
 Stewart, Rory
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomson, Ross
 Throup, Maggie

Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 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
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:

**Jo Churchill and
 Michelle Donelan**

Question accordingly negatived.

Integrated Care Regulations

9.9 pm

Jonathan Ashworth (Leicester South) (Lab/Co-op): I beg to move,

That an humble Address be presented to Her Majesty, praying that the Amendments Relating to the Provision of Integrated Care Regulations 2019 (S.I. 2019, No. 248), dated 13 February 2019, a copy of which was laid before this House on 13 February, be annulled.

I am grateful that we have found time to debate this prayer motion in my name and the name of my right hon. Friend the Leader of the Opposition. For the Government to have attempted to make these changes without proper scrutiny is a huge discourtesy to the House. These changes are fundamental, with potentially far-reaching implications for the NHS, and they have aroused concern—[*Interruption.*]

Madam Deputy Speaker (Dame Eleanor Laing): Order. It is not fair to the hon. Gentleman that people who have voted are now having conversations here. I would be grateful if people who wanted to talk about other things left the Chamber.

Jonathan Ashworth: The changes in the regulations have aroused considerable concern in the country, and proper parliamentary time should have been made available for a proper debate on them; they should not have been made through secondary legislation.

The Opposition oppose the regulations and will seek to test the House's opinion on them. We oppose the changes not because we are against integration. We have long called for greater integration of services to offer seamless care to patients, because the demands on the NHS are of a different nature from those of 71 years ago, when a Labour Government created the NHS with a tripartite structure. In those days, life expectancy was so much shorter, and infectious disease was the overwhelming medical challenge. In 2019, we are worlds away from the days when 30,000 hospital beds were set aside for the treatment of tuberculosis, or when wards were filled with row after row of iron lungs to treat those suffering from polio. Today, we are all living longer, with a variety of complex conditions, from diabetes to cardiovascular disease and chronic obstructive pulmonary disease—conditions that increase the risk of a poorer quality of life and mean a greater risk of premature death. Indeed, around 14.2 million people in England—nearly a quarter of all adults—have two or more conditions. More than half of hospital admissions and out-patient visits, and three quarters of primary care prescriptions, are for people living with two or more conditions.

The issue is not just ageing and frailty; poverty takes its toll. People in the most deprived areas of England can expect to have two or more health conditions at 61 years—10 years earlier than people in the least deprived areas. Health inequalities are widening, while advances in life expectancy are stalling. An ageing population, the increase in long-term conditions, and the increasing number of people with multiple health conditions means that we need to integrate services. Sometimes in these debates, when we talk of long-term conditions, we suggest that we are talking about a homogeneous group, but it is quite the opposite. We could be

[Jonathan Ashworth]

talking of a 61-year-old man with renal failure and high blood pressure, or a 101-year-old woman with profound deafness and blindness. The way that such conditions affect quality of life, and the extent to which they are amenable to medical intervention, is likely to vary.

If health services are not better co-ordinated and not integrated, there is a greater risk to patient care through the poor co-ordination of medical care and increased time spent managing illness. The need to manage multiple medications may lead to poorer medication adherence, adverse drug events, and the aggravation of one condition by the symptoms or treatment of another. It can also mean damaging self-management regimes in which there are competing priorities, and a bewildering landscape for patients, who are often of an advanced age, with cognitive impairment and limited health literacy, so we support integration.

I have seen integration working on the ground. Just last week, I was in Bolton, where I visited the Winifred Kettle centre to see the model of integrated multi-agency work bring together mental health professionals, pharmacy, physio, occupational therapy and social workers. In Bury, I heard about how the local council's chief executive doubles up as the chief executive of the clinical commissioning group. In Luton and Dunstable I saw with my own eyes that the hospital trust has various social care workers in its discharge unit, helping to avoid the indignity of huge numbers of elderly patients being trapped in hospital, ready for discharge but delayed for days on end, as happens too often. In Wolverhampton, a fascinating example is being developed: the hospital trust is taking on and employing GPs directly. In Wolverhampton, they call it vertical integration, although some might wish to go as far as to suggest that it is the nationalisation of general practice, something that not even Nye Bevan was able to achieve.

A Labour Government would move away from a competitive landscape of autonomous providers to one of area-based care delivered through integration, collaboration, partnership and planning. We will restore a universal, publicly provided and administered national health service. Locally, we envisage something akin to health and care boards, with a duty to provide health not only for those on a CCG list but for all residents. Nationally, the Secretary of State's duty to provide care will be reinstated. We are consulting on these matters with patients, staff and wider stakeholders.

Mr Jim Cunningham (Coventry South) (Lab): Very quickly, does my hon. Friend not agree that the big problem with integration, if we support it, is the lack of funding, and the lack of proper training in the various disciplines? Only a couple of years ago, there was a cut in the funding for pharmaceuticals.

Jonathan Ashworth: My hon. Friend makes a very important point. Integration is not about saving money. For integration to work properly, it needs to be fully funded, and, of course, the NHS has been through the biggest financial squeeze in its history. We do not oppose integration. Indeed, that is why the previous Labour Government introduced a section 75 partnership arrangement, and why we were so vociferous in our opposition to the Andrew Lansley Health and Social Care Act 2012, which went completely counter to

international evidence and exacerbated local fragmentation of health structures. It is a delicious irony that Ministers, all of whom were dragooned through the Lobby to support the Lansley Act, despite expert after expert warning them what a mistake it would be to press ahead with it, are now trying to propose regulatory changes, so that we can essentially work around that Act. The reason why we cannot support the regulations today is that the most damaging part of that Act is still on the statute book.

Tracy Brabin (Batley and Spen) (Lab/Co-op): On the point about the Health and Social Care Act, a third of the contracts have been awarded to private providers, and millions were wasted when they collapsed. The explanatory memo for this statutory instrument says that it is expected that organisations holding an integrated care provider contract will be statutory providers, such as NHS foundation trusts, but that is not legally binding. To protect our NHS, do we not need to know definitively that providers will be public, not private?

Jonathan Ashworth: My hon. Friend is absolutely right. Of course, the Minister cannot give that reassurance because of the Lansley Act that Ministers voted for in 2011.

Justin Madders (Ellesmere Port and Neston) (Lab): I am only sorry that I cannot be with my hon. Friend on the Front Bench tonight. I have really enjoyed working with him; he is a fine shadow Secretary of State, and I know that he will make an excellent Secretary of State. Unfortunately, I cannot be with him, because when we on these Benches vote against the Whip, we have to deal with the consequences.

As my hon. Friend knows from many debates I have taken part in for the Opposition, despite repeated questions to various Ministers, there has been no absolutely no reassurance that the private sector will not continue to be involved in these matters.

Jonathan Ashworth: My hon. Friend makes his point typically eloquently and with force. May I say to him that we miss him on the Labour Front Bench? He was a real rock in the shadow Health and Social Care team. It is typical of him that when he decided last week that he could not support the Labour Front Bench position on a referendum, he took the honourable course of action and chose to leave the Front-Bench team. I think that he has the respect of many in the House for that position.

This is the nub of our opposition tonight. Contracts are still being put out to competitive tender, even when some commissioners claim that they do not wish to do this. Here lies the danger: nothing prevents, and some things might encourage, these integrated care partnership contracts being put out to tender and perhaps being won by a private sector provider. Ministers repeatedly tell us that ICPs, and before them accountable care organisations, are not about ushering in a further role for the private sector. If that is the case, and if patients and staff are to have confidence that the ICP contracts will not end up in private hands, the Government's overarching competition legislation must be changed first. As that legislation has not been changed, and as we will still have commercial contracting for the delivery of medical services, there is a risk that a multi-billion pound contract covering hundreds of thousands of

people and packaged up for 10 to 15 years could be handed over to a big provider. That is why the Health Committee, which is broadly supportive of these integrated care models, issued this warning in its report:

“The ACO model”—

it was using the terminology of the time—

“will entail a single organisation holding a 10–15 year contract for the health and care of a large population. Given the risks that would follow any collapse of a private organisation holding such a contract and the public’s preference for the principle of a public ownership model of the NHS, we recommend that ACOs, if introduced, should be NHS bodies and established in primary legislation.”

We agree.

The impetus for this contract comes from the example of Dudley, which I am sure the Minister will want to talk about. When the chief executive of Dudley CCG attended the Select Committee, even he conceded—although he said that it was unlikely—that because of the procurement rules, it would not have been possible to have kept out private providers applying for the contract. When asked whether the contract could go to a private provider, he said:

“In theory, it is technically possible for that to happen”.

Although Mr Nigel Edwards of the Nuffield Trust shared the Minister’s scepticism that the contract could go to a private provider, he did concede before the Select Committee that:

“To privatise in the sense of handing over all the assets and staff to a private contractor is a theoretical possibility.”

NHS England’s own analysis of the contract published at the end of last week concedes:

“However, it should be understood that current NHS law and EU and domestic procurement law prohibits CCGs or NHS England from taking steps, whether through evaluation criteria used in a procurement or otherwise, to disqualify certain categories of provider (e.g. independent sector providers) from bidding or being awarded commissioning contracts.”

This is our first objection, because Labour is not prepared to nod something through when there is a theoretical possibility hanging over us that, in the words of NHS England, an independent sector provider could not be disqualified from being awarded commissioning contracts.

Liz Twist (Blaydon) (Lab): Does my hon. Friend agree that to cure these problems, we need not secondary legislation, but a thoroughgoing review of NHS legislation?

Jonathan Ashworth: My hon. Friend is right; we need to sweep away the Lansley legislation and put the NHS on a sustainable public footing. NHS England attempts to reassure those who are concerned about this contract by putting in place some further conditions. It talks about transparency and insisting on a “minimum level of assets”. Note the qualifier “minimum”—not all assets. It also talks of a

“restriction on carrying out any business other than that required by the ICP Contract”.

Again, note the words used—not a prohibition on other business activities, just a restriction. This is in the circumstance when the contract is awarded to a non-statutory provider.

NHS commissioners are obliged by law to advertise many larger NHS contracts, giving firms such as Virgin Care the chance to bid. Since the Lansley Act came in, £10 billion of contracts have gone to private providers,

and there is a further £128 million of NHS tenders in the pipeline. It is all very well for the Secretary of State to go to the Health and Social Care Committee as he did a few weeks ago and say:

“There is no privatisation of the NHS on my watch, and the integrated care contracts will go to public sector bodies to deliver the NHS in public hands.”

The Secretary of State is not in a position to make that promise to the Committee, because of the legislation that is in place.

Dr Sarah Wollaston (Totnes) (Ind): As my Committee has already been quoted, I think that it might assist the House if I were also to quote from the conclusions that we came to on this issue. The Committee said:

“We recognise the concern expressed by those who worry that ACOs could be taken over by private companies managing a very large budget, but we heard a clear message that this is unlikely to happen in practice. Rather than leading to increasing privatisation and charges for healthcare, we heard that using an ACO contract to form large integrated care organisations would be more likely to lead to less competition and a diminution of the internal market and private sector involvement.”

Jonathan Ashworth: The hon. Lady makes an interesting point. She is correct in as much as there is not currently a long queue of companies lining up to take control of whole health systems, but that could change if some new form of Transatlantic Trade and Investment Partnership is brought in by a post-Brexit deal. A number of these companies are becoming increasingly litigious in the courts, which is why Virgin Care took the NHS in Surrey to court. However, even if a private provider is not gifted a whole contract, which is the point that the hon. Lady is making, there is nothing to prevent it from buddy-ing up with NHS bodies in joint ventures as a way of exercising influence over the way in which local health systems are configured. There is already evidence of private sector involvement in the establishment of the integrated care system, with Centene UK—an offshoot of an American health insurer—working with Capita in the Nottingham ICS.

Karin Smyth (Bristol South) (Lab): Earlier in his remarks, my hon. Friend talked about confidence for people locally in what is happening in the NHS. Further to the point made by the hon. Member for Totnes (Dr Wollaston), only in February NHS England itself issued its case for primary legislative changes in which it says, with regard to these proposals, that it wants to

“start a broad process of engagement with the NHS, its partner organisations and those with an interest in how our health service operates.”

That will hopefully involve patients and the public. In Bristol, we embarked on a 10-year contract for community services on the day after the NHS plan was invoked without consultation with local people, an assessment of basic health needs or alignment with the rest of the situation. The problem is that we have yet another change that people locally do not have confidence in. It really is time for the Government to come forward with a cohesive change for the future.

Jonathan Ashworth: That is absolutely right. Notwithstanding the sincere views of the Select Committee, there is a lack of confidence out in the country about the way in which these commercial contracting

[Jonathan Ashworth]

arrangements work. We are seeing that in Bristol, as my hon. Friend so eloquently outlined. Despite the blasé attitude of the Secretary of State in the Select Committee, this is the same Secretary of State who has sat back and done nothing while a PET-CT cancer scanning contract in Oxford is privatised, leading to a fragmented service putting patient safety at risk.

Anneliese Dodds (Oxford East) (Lab/Co-op): I know my hon. Friend has been working very hard on this issue. I have had droves of patients and staff contacting me with their concern about what is happening. They are astonished that this privatisation is continuing given the comments made by the Secretary of State. There seems to be no willingness at all for any challenge to NHS England's decision, which is going above the heads of those who deliver the care and which, as my hon. Friend says, would threaten its quality and safety.

Jonathan Ashworth: We keep being told by Ministers, by those who are favour of integrated care and by various interested stakeholders that Labour Members are scaremongering and that we have nothing to worry about—that it is all going to be fine and all going to be in the public sector—yet at the same time we are seeing controversial privatisation after privatisation all across the country, of which the one in Oxford is just the latest example. This has happened since the Secretary of State went to the Select Committee and said that there would be no privatisation on his watch.

In south-east London, private companies are in a three-way fight for the biggest-ever NHS pathology contract—a £2.2 billion contract for 10 years. If the Secretary of State was sincere in his commitment to no privatisation on his watch, he would bring forward legislation to ensure that ICPs are statutory public bodies that are publicly accountable. He would first take the advice of the NHS itself, as embodied in the long-term plan and the subsequent proposals for legislative change, and rid our NHS of the morass of competition law and economic regulation that was brought in by the Health and Social Care Act 2012. Everyone agrees that this particular aberration has had its time.

While the NHS proposals do not yet go as far as Labour Members would want and would not resolve all the problems of the internal market and private sector involvement that our NHS struggles with, they would remove the default assumption for competitive tendering that would currently make many ICSs feel obliged to put contracts for ICPs out to tender for fear of falling foul of the competition rules. Overall, they provide a far preferable base from which to pursue integrated care than the maze of contradictions and obstacles that Andrew Lansley's Act forced on them. Rather than this regulated change, why is the Minister not bringing forward the legislation that NHS England has called for?

I have two other quick points for the Minister. The new secondary legislation seeks to substantially change the regulations underpinning the existing contractual arrangements for the provision of NHS GP services. We should remember that general practice is already hard to recruit for and we are already losing GP numbers, yet the proposal to incorporate GP practices into ICPs appears

to cut across the idea of GPs beginning to work in wider networks covering 30,000 to 50,000 patients, retaining their GP contracts but sharing common resources. That was highlighted as a direction of travel to be celebrated by the Prime Minister when launching the long-term plan.

GP practices can already network and collaborate without this new contract. The contract will offer a sweetener to GPs of new money if a GP practice signs up to the new contract, but the proposals have been opposed by the BMA. Dr Richard Vautrey has said:

“We have repeatedly expressed our serious concerns about ICP contracts which leads to practices giving up part or all of their General Medical Services contract as a result. Practices should not feel pressured into entering an ICP contract as to do so could leave their patients worse off.”

Perhaps the Minister can explain why he is correct and Dr Vautrey is wrong.

I want to make a quick point about the pooling of budgets with respect to universal free-at-the-point-of-use NHS and means-tested social care. If the boundaries between health and social care are dissolved, will the Minister mandate ICPs and clearly specify that which is considered healthcare and that which is considered social care? I raise that because we are already seeing CCGs across the country cutting back on their responsibilities to provide continuing healthcare for some of the most vulnerable people. Can he guarantee that some services currently provided free on the NHS—whether rehabilitation care or nursing care provided by district nurses, such as wound care or continence care—will not suddenly be designated as social care, so that charging creeps into the system?

Kevin Hollinrake (Thirsk and Malton) (Con): The hon. Gentleman talked about the funding of social care. One of the recommendations made by the Health and Social Care Committee, in concert with the Housing, Communities and Local Government Committee, as a solution to adult social care funding, was a system of social insurance. Would he support that on a cross-party basis?

Jonathan Ashworth: The hon. Gentleman is a passionate campaigner for his social insurance proposal, and I have heard him make that point many times. I say to him gently that when the Government bring forward their Green Paper—I emphasise the word “when”—we will engage fully in the debate, and I am sure he will make that point then, whether the debate happens this year, next year or the year after; we will wait and see.

There is a problem with the dissolving of boundaries between health and social care and what that could mean, with charges creeping into the system for some services that were previously considered NHS services but are now designated as social care services. Is the Minister prepared to mandate ICPs, so that we have clear guidelines about that? Finally, where is the patient voice in any of this? Where are the guarantees that decisions will be made not only in public but with the public involved in the decisions that affect them locally?

We on the Opposition Benches support integration; we have long called for it. We support greater collaboration. We support the planning of health and social care delivery in local areas. We support restoring local area-based health bodies delivering care, rather than the fragmented

mess we have today. We have, of course, had such bodies before—we used to have district health authorities and strategic health authorities, and some have suggested rather mischievously that we seem to be going back to what we used to have in the past.

Until the default assumptions of tendering and wasteful procurement exercises are removed from primary legislation, such secondary legislation will always create further dangers of private operators gaining control of NHS services. Until that is done, Ministers will have no one to blame but themselves if the spectre of privatisation continues to haunt their ICP plans. We oppose NHS privatisation. We oppose NHS cuts. We oppose anything that undermines the fabric of a public national health service. We oppose these regulations. We seek to annul them, and I commend our motion to the House.

9.34 pm

The Minister for Health (Stephen Hammond): Although we oppose the motion, I welcome the opportunity to debate the regulations. The NHS long-term plan, which was published in January, set out a clear blueprint for fully integrated community health in the NHS for the first time in its history. The plan highlighted the intention to dissolve the historical distinction between primary and community health services and to break down the traditional barriers between care institutions, teams and funding streams, so as to support the increasing number of people with long-term health conditions, rather than viewing each encounter with the health service as a single unconnected episode of care.

NHS organisations will increasingly focus on population health by delivering the so-called triple integration of primary and specialist care, physical and mental health services, and health with social care, which is consistent with what doctors have consistently reported they need. I obviously welcome the commitment from the shadow Secretary of State, the hon. Member for Leicester South (Jonathan Ashworth), to integration. Today, the integration of services can take place through collaboration and co-operation, including some local alliance arrangements. However, in some areas, people working on the ground have told us that it would be better to have a lead provider to take responsibility for the integration of services for a population through an integrated care provider contract.

It is worth making the distinction between integrated care providers, which we are discussing tonight, and integrated care systems. An integrated care system growing out of the current network of sustainability and transformation partnerships will provide a platform on which commissioners can make shared decisions with providers about how to use resources, design services and improve population health. The long-term plan has set out an ambition for all STPs to evolve into ICSs. Integrated care providers, or ICPs, will be a new way of integrating health and care services so that people's care is co-ordinated around them.

NHS England has developed the ICP contract to enable local areas to commission local health and care services, including primary medical services through a single contract. The intention is to establish the right organisational and financial incentives for providers to collaborate in order to deliver preventive, proactive and co-ordinated care. It is important to underline that ICPs are not new types of legal entity, but provider

organisations that have been awarded ICP contracts. In the long-term plan, NHS England underlined that, when the contract is made available for use, it expects ICP contracts to be held by public statutory providers, and I want to discuss that a bit more in my remarks later.

Turning to the particular statutory instrument we are discussing tonight, we have identified a number of regulations that need to be amended to allow the first ICP contract to be awarded.

Thelma Walker (Colne Valley) (Lab): In the last year, I have been on numerous Delegated Legislation Committees, and I have been shocked by the complex and far-reaching changes the Government have forced through without appropriate scrutiny. Can the Minister justify why substantive change to existing regulations should not be part of a Bill and subject to parliamentary scrutiny?

Stephen Hammond: As the hon. Lady knows, this has been subject to considerable scrutiny. It has been scrutinised by the Health and Social Care Committee, as she has already heard from its Chairman. She will also have heard that it has been subject to a number of other scrutiny processes, including judicial reviews.

Dr Paul Williams (Stockton South) (Lab): The Minister is correct in saying that there has been some analysis of integrated care partnerships by the Health and Social Care Committee, but it has not scrutinised this statutory instrument. The Select Committee actually recommended very clearly that ACOs or ICPs should be NHS organisations. Will the Minister say why he should not accept the Committee's recommendation?

Stephen Hammond: As the hon. Gentleman knows, the long-term plan has set out that the ICP contracts will be held by public statutory providers. That point has been made and reiterated several times not only in the Select Committee's scrutiny, but in the remarks that the Committee and a number of people have made about privatisation. The Chairman of the Health and Social Care Committee has already intervened on the shadow Secretary of State, but she has said:

"The evidence to our inquiry was that ACOs, and other efforts to integrate health systems and social care, will not extend the scope of NHS privatisation and may effectively do the opposite."

Dr Wollaston: Will the Minister assure the House that only public statutory providers will hold these contracts? That would be reassuring, as the language on this is not completely clear. Will he also give some assurance regarding the Select Committee's other proposal, which is that the policy should be carefully piloted and evaluated? If it is done first in Dudley, followed by careful evaluation, I would be prepared to support it. If he cannot give reassurance on those points, it would be difficult for me to support the regulations.

Stephen Hammond: I can give the Chair of the Select Committee the assurance that the ICP contract will be made available in a controlled and incremental way, conditional on the successful completion of NHS England and NHS Improvement assurance through the integrated support and assurance process. That incremental process is, I think, in line with what she and her Committee recommended.

Jonathan Ashworth: Will the Minister confirm that, because of the competition and procurement rules and the regime brought in by the Andrew Lansley Act, he cannot rule out the possibility of an independent provider winning a contract? He might say it is unlikely, but he cannot rule out the possibility, so why does he not introduce a measure—a simple one-clause Bill, perhaps—to give the assurances that many campaigners want?

Stephen Hammond: The hon. Gentleman is right: it is highly unlikely. More than that, it is stated and restated in the long-term plan that NHS England has the clear expectation that the ICP contracts will be held by public statutory providers. He knows that, and others who have discussed this point have made it clear.

Justin Madders: I have a simple question and we would like a simple answer. Yes or no: do the Government intend to repeal section 75 of the Health and Social Care Act 2012?

Stephen Hammond: As the hon. Gentleman knows, the NHS has proposed in a recent legislative document that it looks at a number of issues. It is important that that round of engagements takes place, and the Government will consider what is said.

The majority of the amendments we propose simply ensure that the regulatory framework that applies to contractual arrangements for the provision of healthcare services continues to apply where services are provided under the new ICP contract and to those organisations that hold a contract. That is an important safeguard that, in simple terms, helps to ensure that care provided under an ICP contract is subject to all the same rules as care provided under existing and other NHS contracts, such as those governing the handling of complaints and the reimbursement of travel expenses.

The shadow Secretary of State has asked me to comment on the substantive change being proposed, underpinning the existing contractual arrangements for the provision of NHS GP services. The regulations will allow GPs who are currently providing services under existing contractual general medical services or personal medical services arrangements to suspend, rather than terminate, those arrangements in order to provide services under an ICP in what is known as a fully integrated arrangement. The British Medical Association has underlined that GPs should not be pressured into joining an ICP arrangement, and we want to make it clear to the House tonight that the participation of any individual GP practice is entirely voluntary. Any role in any ICP will be for them to decide. Allowing the suspension of GP contracts allows GPs to take part in an ICP arrangement but keeps the option available to them of returning to their previous contract.

The hon. Gentleman expressed a number of concerns about the ICPs. He implied that they had been brought in by stealth. In fact, the proposals have been subject to significant scrutiny by Parliament and the public, particularly in the past year. We have already discussed the examination of the evidence by the Health and Social Care Committee, which published a report last summer, which is, I believe, largely supportive of ICPs, recognises potential benefits and sets out helpful recommendations on introducing them in England. I have described the consultation processes previous iterations of the ICP contract and the regulations have gone through.

Moreover, as the Health and Social Care Committee was promised, NHS England has completed a full public consultation on the ICP contract and announced through the long-term plan that the ICP contract will be available for use. NHS England's full response to the consultation was published on 15 March.

Various people have made points tonight about the privatisation of the NHS and said that ICPs are a route to privatising the NHS. They are clearly not.

Lyn Brown (West Ham) (Lab): Yes they are!

Stephen Hammond: The NHS has stated clearly that NHS England's expectation is that these contracts will be held by public statutory providers. The hon. Lady, who is making a number of points—[*Interruption.*] She says she is not making them, but shouting at me. Indeed, she is shouting at me.

Lyn Brown: Chuntering.

Stephen Hammond: Oh, she is chuntering at me. While she is chuntering at me, she might like to consider what the King's Fund has said about the claims of mass privatisation, which is that they are “hugely overstated”. I have already quoted the Chair of the Select Committee, who said that the evidence to its inquiry was that ICPs and

“other efforts to integrate health systems and social care, will not extend the scope of NHS privatisation and may effectively do the opposite.”

It is important to recognise that NHS England has taken measures to build a clearer narrative around integrated care. The long-term plan, which will be backed by £20.5 billion extra by 2023-24, will introduce integrated care for patients in England over the next decade.¹ Where local commissioners propose to use ICP contracts, they will have to ensure that it is an effective and beneficial option for the local area. The regulations will ensure that the healthcare of this country is improved by integrated care providers. I commend them to the House.

9.46 pm

Dr Philippa Whitford (Central Ayrshire) (SNP): As I have said in many debates, I totally support integration. That is the journey we have been on in Scotland for almost 20 years. We amalgamated some trusts after devolution, we got rid of hospital trusts in 2004 and we got rid of primary care trusts in 2009. We had the health side run by health boards, which are statutory bodies that carry out area health and social care planning for a population. The integration between health, which is free, and social care, which is means-tested, was passed in legislation and introduced in 2014.

I warn Members that that is much more difficult than integrating the NHS itself. The NHS in England has become really fragmented. It is important to put that back together before integrating it with social care. What integration stops is the arguments between acute care and social care about which purse the money comes out of to look after a particular patient, but there does have to be money in the purse to start with. In Scotland, we spend £163 a head more on health and £113 a head more on elderly social care. The money is needed to provide the service. Scotland is the one place

1.[*Official Report*, 19 March 2019, Vol. 656, c. 6MC.]

in the United Kingdom where we provide free personal care, because we think it is cost-effective as a way of allowing people to stay at home.

The Minister says that these will be statutory bodies and that they are unlikely to be private companies. If that is what the Government believe, they should put it in legislation, because that removes any doubt or concern. The response to the consultation says that

“further requirements around financial controls, transparency and accountability will be developed before the ICP Contract is made available for use.”

When will that be? Will it be before contracts are put out? The transparency is critical. If any private companies are running ICPs, they will hide behind commercial sensitivity and will not be open to freedom of information. That would be unacceptable. What about their contracting, which is mentioned in this SI? Will section 75 be revoked so that we do not have a replay of what happened in Surrey, when commissioners tried to bring the new contract back to the NHS, were sued by Virgin for over £2 million and settled out of court?

If outsourcing continues, fragmentation rather than integration will continue. Will tariffs be abandoned because they reward admission to hospital, whereas the aim of this proposal is to support people at home? How will the components of an ICP between a main acute hospital, a small cottage hospital and social care or community services be funded? It may all sound very good if it is a gentleman's agreement, but if one part of that system goes bankrupt because the financing system has not been changed, all bets will be off and all co-operation will disappear.

Social care is critical to this and Age UK says that well over 1 million people are not getting the social care that they need. It is necessary that the ICPs deliver prevention, early treatment, chronic disease management, acute care, mental health, social care and end of life. That is a lot of different players to bring together and it is important that the Government recognise that the Health and Social Care Act 2012 fragmented and blew apart the whole system. For integration to work, they need to admit that it failed, bring back proper legislation and put the system back together in a way that is wrapped around the patient, so that there is patient-centred, not budget-centred, care.

9.51 pm

Sarah Newton (Truro and Falmouth) (Con): Promoting integrated health and care services for my constituents in Cornwall has been a top priority for me since I was elected in 2010. I am delighted that promoting integrated care is a priority for the NHS long-term plan, enabling an NHS that is increasingly joined-up and co-ordinated, overcoming the traditional barriers between care institutions, teams and funding streams.

The NHS has been developing, testing and evaluating new models of care to integrate services for some time. I was delighted to support the Kernow clinical commissioning group to participate in the integrated care and support pilots, a precursor to the vanguard programme. The vanguard programme built on that work, and evaluation shows that the new models of care enabled more people to be cared for closer to home and at home, supported by joined-up services. That leads to fewer unplanned and emergency admissions to hospital.

That learning is enabling the further changes that this SI will make. I know from conversations that I have with local commissioners of health and care services that, too often, different funding streams, organisational structures and governance arrangements get in the way of commissioning patient-centred, joined-up services for people who need support from NHS primary and secondary care, as well as Cornwall Council. The integrated care contract that we are considering tonight has been carefully consulted upon and will give a new opportunity and more choice to local health and care professionals on how they can improve the services that they provide locally. No two communities are the same. Providing world-class health and care services to people in Cornwall needs a very different approach from the approach in Manchester. I welcome the intention of the SI to enable the right clinical, organisational and financial incentives for providers to collaborate to deliver preventive, proactive and co-ordinated healthcare for the communities that they serve. This is an important SI that will enable improved patient care and I am delighted to support it tonight.

9.53 pm

Lyn Brown (West Ham) (Lab): Should my Whip, who is not listening at the moment, wish me to sit down, he needs to indicate that to me and I will do exactly what I am told. The changes that we are discussing today are technical, but important. The creeping fragmentation and privatisation of our NHS, where more and more services are contracted out to unaccountable profit-making companies, has occurred precisely because of such obscure, technical changes.

My constituents need integrated care services across different organisations, as well as more preventive health and public health action. That is urgent, it should be a priority, and there should be legislation and full debate to make it happen. Currently, just 54% of my constituents—barely more than half—receive the breast cancer screenings they need. We have lower rates of physical activity than the national and London averages, as well as higher rates of smoking, and 44% of local children leave primary school obese. If the legislation we are talking about were just about joining up care for patients, creating genuine efficiency by avoiding duplication of services, or enabling patients to receive effective care closer to home in the community, rather than in hospital, I would absolutely welcome it.

Jonathan Ashworth: My hon. Friend is making an excellent speech, and I hope she continues to make an excellent speech. On the point about what is happening in east London, there is a very good integrated programme there for dealing with diabetes. The point is this: there are very good examples of integration taking place across the country without the need for this contract, which could usher in greater privatisation.

Lyn Brown: My hon. Friend is absolutely right. I believe, and I know he believes, that these changes are important and should not be done by statutory instrument. The goal of healthcare integration can and should be pursued with the full scrutiny provided by primary legislation.

Locally, these plans have raised huge concerns. Currently, Newham is in a sustainability and transformation partnership with seven other boroughs—Havering, Redbridge, Barking and Dagenham, Waltham Forest,

[Lyn Brown]

Tower Hamlets, Hackney and the City of London. Those are really very different places, not only politically but in terms of age, ethnicity and levels of deprivation. Any integration plan that covers that wide an area will be incredibly difficult to get right.

I understand that the current thinking is more about dividing that eight-borough STP into three new integrated care systems, or ICSs. Newham will be lumped together with Waltham Forest and Tower Hamlets. I am very worried that pushing these areas together, with one extremely overstretched budget, will result in money being taken away from my constituents in Newham, whose needs are extremely high. If the Government were talking about enabling greater integration at local authority level, where democratically elected councillors could be properly involved, the issue would not be that much of a concern.

To be frank, I have absolutely no confidence that there would even be a proper consultation about integrating Newham into a three-borough ICS. I know that that is what local leaders expect only because I asked them about it before the debate. I am told that not one health body locally actually wanted to sign up to the STP—not one local body. But that did not matter to those who are really in control, so it was just put in place anyway as the East London Health & Care Partnership. This supposed partnership was given an incredibly complicated governance structure. Again, no one actually wanted it. That was not because health bodies do not want to collaborate; it was because this Government's failed reforms do not have the confidence of clinicians.

There are many basic questions that need to be answered and that have not been. I have five for tonight. One, how do the Government plan to prevent fragmentation, given that there are so many different ways that these arrangements could be made? Two, how will existing borough-level partnerships slot into these new structures? Three, how are dedicated NHS staff, elected local representatives or even—horror!—patients themselves going to have control over how these structures are implemented, which areas are joined together and which services are included? Who will have that control?

Four, once one of these integrated bodies has been set up, what actual accountability will there be? As we know, public health and social care services are currently in the hands of councils. Even beyond that, many health and wellbeing objectives are the statutory responsibility of local councils too. Therein lies accountability to local people, but it is totally unclear to me how councillors will be able to hold the new ICPs to account in turn. If those new bodies are going to be responsible for making decisions, they should have to be transparent and accountable. I am not at all opposed to the integration of services, but we must create more accountability, and not risk losing the little that is currently there.

My fifth and final question is this. How will the Government guarantee to my constituents that this change will not become another back-door privatisation? How can they reassure me that the enormous, inefficient, profiteering “health maintenance organisation” monsters that exist in the United States will not be given a foothold here in exchange for, say, a trade deal post Brexit? This is what I find most offensive about the statutory instrument. Ministers have been offered the chance, time and again, to say that private companies will not be able to act as integrated care providers, and will not be able to bid for the huge contracts that will be created. But I have heard no good reason why the Government will not make those commitments.

Rosie Cooper (West Lancashire) (Lab): The House of Commons Library recently confirmed that 26 health service contracts worth more than £128 million are currently out to tender, on the basis of legislation that NHS England recently urged the Government to repeal. Does my hon. Friend not think that private companies should be blocked from securing these contracts, and that the Government should deal with the counter-productive effect that these competition rules and powers have on the integrity of NHS care? There is a branch of Virgin Care in my local community. Someone who attends a podiatry appointment, for example, will be told that no qualified staff are on hand, but only people who can cut nails. It is outrageous that those people are being paid on the same basis as everyone else.

Lyn Brown: My hon. Friend is absolutely right. Private companies are able to work within the structure set out in primary legislation such as the 2012 Act. The Minister said in an interview that one of the reasons why we cannot have this in a Bill is that it would be too complicated to draft. As far as I can see, however, it is quite simple. The Government should bring forward new legislation to put these reforms on a proper transparent footing with full scrutiny, and should argue for the decisions that they want to make—including decisions about openness to private contractors, if that is something that, ideologically, they want to defend.

The Government should give the English electorate a plan that they can see and can judge for themselves. The Government should tell the electorate what they are doing with the NHS. My feeling is that their proposals are contained in an SI because they hoped that they would slip by, would not be seen and would not be judged, but I tell the Minister that he will be judged.

Question put.

The Deputy Speaker's opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 20 March (Standing Order No. 41A).

Exiting the European Union (Agriculture)

Madam Deputy Speaker (Dame Rosie Winterton): With the leave of the House, motions 4 and 5 will be debated together.

10.3 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (David Rutley): I beg to move,

That the draft Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 13 February, be approved.

Madam Deputy Speaker: With this we will consider the following motion:

That the draft Organic Production and Control (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 13 February, be approved.

David Rutley: These statutory instruments are made under the European Union (Withdrawal) Act 2018 which incorporates EU law into UK domestic law on exit. This Act also gives powers to the UK to make amendments to the retained law to make it operative. One of the things these instruments do is take powers currently held by the Commission and transfer them to the appropriate Ministers in the UK.

These instruments are grouped as they both relate to amendments to EU organic legislation, namely Council Regulation (EC) No. 834/2007 on organic production and labelling of organic products and Commission Regulation (EC) No. 889/2008 laying down detailed rules for the implementation of Council Regulation (EC) No. 834/2007, with regard to organic production labelling and control, and Commission Regulation (EC) No. 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No. 834/2007 as regards the arrangements for imports of organic products from third countries.

I should make it clear that the instruments do not make any changes to policies; they are purely technical in nature. They correct technical deficiencies in organics legislation to ensure it remains operable on exit and to preserve the organic standards of the current regime. The Government are strongly supportive of organic standards, many of which were developed in the UK and adopted by the EU. The UK has a world-recognised standard of food production and labelling which we wish to see maintained.

The UK organics industry is currently regulated by EU law, which sets out standards for organic production. Regulations apply to the production of food, animal feed and livestock, including bees and farmed fish, marketed as organic. The regulations set out the requirements for organic production, processing, labelling and imports as well as the inspection systems that must be in place to ensure the requirements are met. They stipulate that organic food must be inspected and certified within the scope of a tightly regulated framework and originate from businesses registered and approved by organic control bodies on the basis of a rigorous annual inspection.

The UK has over 6,000 organic operators and the sector is worth over £2.3 billion in the UK economy. Many operators are farmers and small and medium-sized

enterprises. Indeed, the Soil Association reports that in 2018 the organic sector was worth £2.3 billion to the UK economy, with organic sales increasing by 5.3% in 2018. The market is in its seventh year of growth. Home delivery of organic produce through online and box schemes is growing fastest, at 14.2%, and independent retailers maintain strong sales of organic, with sales increasing by 6.2%. Key categories driving growth in the market are beers, wines and spirits and chilled foods, and in 2017 exports are estimated to be worth £225 million, excluding food from other processing and animal feed. Ambient grocery products, which include tinned and packaged food, are the largest export.

The first instrument, the Organic Production (Control of Imports) (Amendment) (EU Exit) Regulations 2019 makes operable retained EU legislation in Council Regulation (EC) No. 834/2007. Commission Regulation (EC) No. 889/2008 and Commission Regulation (EC) No. 1235/2008 deal with reserved measures covering imports and trade in organic food, feed and vegetative propagating material or seeds for cultivation. For example, the instrument transposes powers from the Commission to the Secretary of State to recognise countries and control bodies that can operate for the purposes of export to the UK. Organic control bodies in third countries will be able to apply to the UK to be recognised to certify products from around the world to import to the UK.

The instrument also sets out minor technical amendments and maintains the status quo until 31 December 2020. To maintain the status quo, this SI gives recognition to certified organic products imported from the EU, the EEA and Switzerland for 21 months. The instrument also applies for the same period of time limit during which the UK would not require additional border checks for organic products imported from the EU, EEA and Switzerland.

Bill Wiggin (North Herefordshire) (Con): My hon. Friend will, I hope, come to this later in his speech, but how will we ensure that the standards of our organic farmers in the UK are not undermined if we are not overly attentive of what is being shipped in at the borders?

David Rutley: My hon. Friend can be assured that we are in no way seeking to water down our standards. We will no doubt talk further about that during the rest of the debate.

The approach that I have referred to responds to industry concerns and helps to maintain continuity, ensuring a flow of products. The organic regulations will now apply to imports at UK borders rather than EU borders and will ensure the continued regulation and certification of imported organic products to the standards currently applicable in the UK—I underline that point. The import system allows traceability of each product at all stages of production, preparation and distribution. This gives consumers confidence that imported organic products have been produced to the same high standards as UK organic produce.

The draft Organic Production and Control (Amendment) (EU Exit) Regulations 2019 ensure that organic standards remain the same for organic operators within the UK by making operable EU legislation in Council regulation 834/2007 and Commission regulation 889/2008. Without these amendments, part of the legislation would not be operable when applied in a UK-only context—for example,

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references to the UK as a member state. The certification and traceability of organic food and feed products will continue and standards will remain the same. This instrument sets out minor technical amendments. It also references the time-limited period of 21 months during which we would not require additional border checks for organic products being imported from the EU, European economic area and Switzerland.

The first set of regulations concerns reserved matters, as these regulations relate to the control of imports and exports. The second set concerns devolved matters. That is why we have two SIs before us today. Although there is no formal duty to consult as there are no substantive changes to the status quo, we have engaged with the United Kingdom Organic Certifiers Group, UKOCG, and from that engagement it is clear at the outset that the UK organic control bodies are particularly concerned about continuing recognition of UK certified organic products by the EU and recognition of EU imports by the UK. Our decision to continue to recognise products from the EU, EEA and Switzerland for a time-limited period has been welcomed by the group as it provides certainty on imports for the immediate future. We continue to work closely with the group on this and on the future implementation of the UK regulations.

These statutory instruments apply to the United Kingdom, and we have worked with the devolved Administrations on their development. Officials have had very helpful discussions with their counterparts in the DAs, and we are working with them on all aspects of the organics regime to form an agreement on how we can all work together moving forward.

Jim Shannon (Strangford) (DUP): The Minister is probably aware that concern has been expressed by some agri-food companies in my constituency, although perhaps not those in the organic business, about packaging, labels and access to those things. There seem to be some delays either from the Department of Agriculture, Environment and Rural Affairs in Northern Ireland or the Department for Environment, Food and Rural Affairs here in London. They are asking what food stamp they will have to have on their packaging so that they can export their products. There is some cloudiness or mystery about exactly what that will be. Can the Minister clarify where we are?

David Rutley: I understand, I think, the hon. Gentleman's point, in the sense that there are a number of labelling issues, as he appreciates—I know he is an expert in these matters. I think the point he is making is about the EU logo, which is mandatory for all products packaged in the EU. In the event of no deal, such products should not use the EU organic logo, but producers can continue to use the logos of their organic control body and certification code and sell in the UK and in countries that have agreed that the UK has sufficiently similar organic standards. That said, as he knows, there are still issues—I have no doubt that Members will speak about this—to do with the EU's recognition of UK organics. There are issues with labelling that I can take up with him in more detail separately.

I will now wrap up my initial remarks, hear what other Members have to say and come back to these points in more detail. These measures remain essential

to ensure that UK organic businesses can maintain their organic certification. These statutory instruments will ensure that the strict standards in place for organic production are maintained when we leave the European Union. I commend them to the House.

10.14 pm

Dr David Drew (Stroud) (Lab/Co-op): I am delighted to be taking part in this debate at this fairly late hour. We could have done this in a Committee Room upstairs at 6 o'clock, so it is good to know that the timetabling really is working well. At least we have a packed Gallery wanting to listen to our every word. We would not have had that if we had been doing this upstairs at 6 o'clock, because our Second Delegated Legislation Committee earlier was also packed—with no members of the public. There is something about what we are saying or doing that is not quite hitting the public's imagination. However, these draft regulations relate to an important issue for the organic industry. The topic of the earlier Committee—the movement of animals—was also important, for reasons that I set out then, and I do not intend to repeat them.

The Lords debated the two statutory instruments that we are considering now on 13 March, so there has been some scrutiny. However, our caveat, as always, is that the process has been terribly rushed, and none of us knows quite what the repercussions will be. Although the civil servants are doing a wonderful job of cutting and pasting 43 years'-worth of European regulations, no one knows how well that is being done. We will not see the impact for some time, but there will be an impact.

We do not have any particular problem with taking the two statutory instruments together, but the issue at the heart of all this, as has been picked up by the National Farmers Union and the Soil Association, is to what extent we can guarantee that the quality of our organic industry will not be undermined by cheaper imports. That is a real threat, because the proposed trade deals are with countries that have different organic standards. The US, for example, does things very differently from us when it comes to the treatment of organic produce, both in growing it and in trying to keep it as fresh as possible for as long as possible.

It took some time to work all this regulation through with our EU neighbours. There was no quick fix, and our approach to organic standards is different from that of some other EU countries. It is good to see the former Minister, the hon. Member for Camborne and Redruth (George Eustice), in his place, because he signed off one of these statutory instruments, so I am glad that he has come to check that we are doing a good job. He may have something to say about what he did in signing it off. The draft regulations are about ensuring that we not only do not dilute our standards, but keep our export markets in place. The last thing we want is to shut down our potential future exports when we have been successful. Even though we are still a major importer of organic produce, we have a good reputation based on what we sell abroad.

I have some questions for the Minister; it would be a surprise if I did not. The first is about what would happen if we crashed out of the EU on 29 March. What guarantees that existing regulations and, dare I say, the certification bodies are able to handle a purely UK-based measure of good organic quality? We already have

different measures, as there are six mainland bodies and two from Northern Ireland, about which the hon. Member for Strangford (Jim Shannon) will no doubt say something later. We need to be absolutely clear that those bodies can undertake proper scrutiny of what is good-quality food, because if our standards slip, we will lose our export markets.

Although the Soil Association is by far the largest certification body, it is not the only one, so if things go wrong next week, what is in place to ensure that this industry, which is a microcosm of British agriculture, but a very important part of it, can cope with whatever is coming its way? Those are the concerns that have been expressed to me and, no doubt, the Minister. If we go through this transition period, as we hope, we will have 21 months available. What measures will be put in place to ensure that we do not in any way undermine the quality of produce in this country during that period? Labelling is so important. In this area of agriculture, we need to know that what is on the label is actually being delivered. We have to get that right, but we also have to be clear that anyone in the EU from whom we import materials during those 21 months is keeping to their side of the bargain.

This is really about how important the Government see this industry as being. It is still a nascent industry in which we want more farmers involved; 6,000 producers are defined as organic, and we want that number to increase, because this is a successful niche market. We would hope that the Government had good strategies to ensure that growth continues.

As usual, I have my ask about access to the TRACES—trade control and expert system—database. Presumably, that has been pretty important in enabling us to know that things that are defined as organic across the EU can be defined in that way, and so can be put on a database in which there is some commonality. What progress is being made on that? I asked the Minister earlier about the animal issues that we were looking at during debate on the agricultural statutory instrument. It would be interesting to know what progress the Government were making on the alternative to the TRACES database, or whether they are able to pay money to keep their place on the database. I am not totally sure about that. In the interim, will we be stuck with some manual processing of the certification measures?

It would have been helpful if we had got the Agriculture Bill through, because what we are dealing with here might have been part and parcel of that. Sadly, we hear nothing of the Agricultural Bill or, sadly for my hon. Friend the Member for Plymouth, Sutton and Devonport (Luke Pollard), the Fisheries Bill. We rushed through those before Christmas, so that we could have a comprehensive approach to fishing and agriculture, but sadly those Bills seem to have disappeared into the ether. I hope that we will not be faced with their having to be reintroduced in a new Session, as some of us worked hard on them. It would be hard for some of us to have to go through them all again, given that even though we disagreed on elements of those Bills, we did make some progress. We were hoping that on Third Reading, and particularly on Report, we would be able to make further progress and improvements to that legislation.

In conclusion, I hope that the Government have got the message that we have tried to play our part in scrutiny, and in looking seriously at these important bits of legislation, albeit at nearly half-past 10 at night.

We have a number of other SIs before us this week—I believe I have seven, which for me is a record—so we will be meeting on a regular basis. It is important that we undertake this scrutiny to the best of our ability, and we can do that only if the Government are absolutely clear on why they are bringing legislation forward, and on how they will at least maintain standards and, if at all possible, improve them.

10.24 pm

George Eustice (Camborne and Redruth) (Con): I rise to support these two statutory instruments. I will be brief because, although I intended to serve on the original Committee, I appreciate that I have not had a chance to give you a great deal of notice of my intention to speak in this debate, Madam Deputy Speaker.

I pay tribute to our civil service and the officials in the Department for Environment, Food and Rural Affairs who, on these regulations and many others, have done a sterling job in making sure that retained EU law is operable should we leave without an agreement at the end of this month. Over the past six months, I have seen at first hand the huge amount of work put in by DEFRA officials, working late at night, to ensure that we have such statutory instruments in place so that retained EU law is operable when we leave.

We often read media reports that we are not ready for a no-deal exit and that we could not possibly leave without an agreement, and on that basis Parliament decided last week to vote to say that we should not leave without a withdrawal agreement. My experience in the Department until quite recently is that a huge amount of work has been put in, and the civil service has made sure it is an option for us to leave without an agreement, should that be necessary and should Parliament have the courage to do so. Obviously, we will find out in the next couple of weeks whether, indeed, that is still necessary.

Both sets of regulations, in common with all statutory instruments tabled under the European Union (Withdrawal) Act 2018, make very minor changes simply to make existing retained EU law operable.

Sandy Martin (Ipswich) (Lab): Does the hon. Gentleman share my fear that people working extremely hard very late at night to get through vast quantities of regulations might make some mistakes?

George Eustice: No, I do not. Having worked in DEFRA for five and a half years, I have tremendous admiration and respect for all those people. Although they work very hard through the night, somebody will mark and check their work the next day. That is how our civil service works, and it has made a sterling effort to make sure we have all these regulations in order.

As a general rule, almost every regulation of these two statutory instruments substitutes “Secretary of State” for “European Commission”. These regulations are not complicated but rather straightforward. We often hear a lot about so-called Henry VIII powers in such debates, and there is a suspicion that, through the use of statutory instruments, we might be making changes to primary legislation that should not be made.

In truth, the most pernicious use of a Henry VIII power in modern times has been section 2(2) of the European Communities Act 1972, which has run rampant through whole pieces of primary legislation, even important

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flagship Acts that predate our membership of the European Union. We are in a rather odd situation in debating on the Floor of the House whether it is okay to change “European Commission” to “Secretary of State”, as the original powers implied by these statutory instruments were imposed by the European Union without any debate in this House, typically through either an implementing Act or a delegated Act, and therefore with little or no scrutiny by the European Parliament and often with little or no scrutiny by the European Council. The role of this Parliament, if it was lucky, was to receive an explanatory memorandum but, by and large, only ever to receive letters to the European Scrutiny Committee advising on what the European Union had done to us.

Nevertheless, this is what taking back control means. It means that our Parliament, for once, is starting to take an interest in these matters, rather than leaving them to the European Union.

Rebecca Pow (Taunton Deane) (Con): I pay enormous tribute to my hon. Friend. I was his Parliamentary Private Secretary when he was an Agriculture Minister, and I went through a great amount of this important work with him. On organic standards, is it not the case that we very much see ourselves as setting the bar not just nationally but across Europe and across the world, that we have influenced Europe on these standards and that we ought to keep these standards as high, if not higher, in leaving?

George Eustice: My hon. Friend makes an important point. Of course, that is exactly what the regulations are about. We have had some influence on the organics regulations. Indeed, when I first became Agriculture Minister, something called the organics dossier was going through the European Parliament, and it concluded that journey only around six or nine months ago. Along with the smarter rules for safer food dossier, it became something of an internal joke about an interminable debate taking place in the European Union. In the end, we managed to get that agreement into something that was satisfactory to us, although it meant that not much had changed.

Finally, let me recognise something in the statutory instrument related to the control of imports. As the shadow Minister said, we are indeed ready to replace the EU trade control and expert system with a new UK system that has been in development in DEFRA for at least the past nine months. There has been a prototype version for several months and it will be ready to replace TRACES from the point at which we leave the European Union. I welcome the Minister’s point about the recognition of existing EU logos and standards for a 21-month period. Of course, we all hope that the European Union will do the honourable and sensible thing and reciprocate.

10.31 pm

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): You wait ages for one Drew to come along, Madam Deputy Speaker, and then two come along together.

Agriculture is a critical industry for the rural communities throughout Scotland. It is very important to the people who elected me and many of my colleagues. The regulations

are part of a process that takes away rights from people, takes away guarantees and opportunity, takes away power from the Scottish Parliament and puts business and food production at severe risk.

The agriculture sector in Scotland currently depends on 10,000 non-UK migrant workers in the soft fruit and vegetable sectors for the harvest in the summer and autumn, especially in the highlands. Tens of millions of pounds could be lost as there is no certainty about whether the LEADER programme will continue. The programme has provided £50 million from the EU with match funding of £50 million. Nor is there any certainty that funding for agri-environment schemes that support climate-change objectives will be available post-Brexit. That means a potential loss of around £40 million per year.

No rural constituency in Scotland voted for Brexit—none of them voted in favour of leaving the EU—yet Scotland is having to leave with the rest of the UK. All Brexit scenarios are bad for Scotland. We are 11 days away from leaving the EU and we still do not know whether we will leave with no deal or, if there is a deal, how that will affect rural Scotland. All sectors of the Scottish rural economy would be negatively affected by a no-deal Brexit, but the farming and food and drink sectors are particularly exposed. Brexit is bad for our EU friends, neighbours and colleagues.

A no-deal Brexit is projected to result in EU migration falling and potentially turning negative. That would create skills shortages for industries such as agriculture and food processing, which, as I said, rely on EU and seasonal workers. EU citizens who are currently working and living in the rural economy will be able to stay only if they apply for settled status. The Migration Advisory Committee’s proposals and the £30,000 salary requirement for skilled workers would mean that many sectors in Scotland’s rural economy would find it hard to recruit seasonal migrant workers.

Under the common agricultural policy, the EU provides £500 million for Scotland’s rural economy. There have been no guarantees from the UK Government on that funding after 2020. We do not know whether funding will be available to pay farmers and crofters after the scheme year 2021; the UK’s guarantee on agricultural support is to the end of this Parliament only.

The food and drink sector estimates that a no-deal Brexit could lead to a loss of £2 billion-worth of food and drink sales, with implications for the rural communities where many producers are based. We will lose the European Food Safety Authority’s expertise in the risk assessing of marketing applications for genetically modified organisms, unless the UK remains in the European economic area or European Free Trade Association after leaving the EU.

Owing to strict health rules, the EU bans the importation of seed potatoes from third countries with the exception of Switzerland. Therefore, leaving without a deal would close the EU market to around 20,000 to 30,000 tonnes of seed potatoes exported annually, which currently generates around £6 million.

There is no certainty that the alternative markets for this seed, at home and abroad, can be found, resulting potentially in price depression across the whole of the Scottish seed industry. We will no longer be part of the EU’s Community Plant Variety Office and if we leave

without a deal, applications for registrations of plant varieties and intellectual property protection will have to be made in both the UK and the EU, resulting in a doubling of registration costs for plant breeders. We will also not have access to the advisory group on food chain and animal and plant health, which covers Scotland's tree health interests.

The Scottish Government's position is that the EU organics legislation is devolved and that functions in the proposed regulations could be exercised for a devolved purpose. The provisions in the organics legislation are observing and implementing obligations under the CAP. These should not be transferred solely to the Secretary of State. Food standards, post-Brexit, will be a critical issue and it is crucial that neither food safety nor standards are diluted or diminished. That is a commitment that should be legislated for in the forthcoming Report stage of the Agriculture Bill.

The stockpiling of food in preparation for Brexit demonstrates the drastic effect that the Brexit process has on the most basic of human needs. It is scandalous that this is even having to be considered. The UK Government must now either extend article 50 and set in motion plans to hold a second EU referendum with remain on the ballot paper or revoke article 50. Staying in the EU is the best for all. It is what Scotland and Northern Ireland voted for. It is the only way to protect jobs, living standards, our public services, economy and food standards and supply. Scotland did not vote for Brexit and we should not be dragged out of the EU against our will. The way that Scotland has been treated throughout means that the case for Scottish independence has never been stronger.

10.37 pm

Neil Parish (Tiverton and Honiton) (Con): It is a great pleasure to speak in this debate; I think that we should perhaps get back to organic farming. It is nice to speak after my hon. Friend the Member for Camborne and Redruth (George Eustice). I would like to put on the record my thanks for all the work that he did as Minister and all the great, detailed help that he has given the whole agriculture sector over this five-year period.

I welcome this debate tonight. We must remember that organic production in the UK is probably one of the best—if not the best—in the world. Converting to organics takes longer in this country than it does in other EU countries, even under present legislation. We must remember that our poultry, pig, beef, lamb and dairy industries all operate under very high standards of organic production and people respect and trust that production. We must remember, as we move forwards, to make sure that imports meet our very, very high standards.

We also have a lot of vegetable and fruit production, but much of that is organic. Again, it needs a great deal of labour. If a farmer weeds organically, they are not using any form of chemicals to destroy those weeds, which means that they have to use extra labour in order to keep that production going. We may in the future be able to electrocute weeds provided that we get them at a very early age. Seriously, this is something that may well help with the labour requirements in production in the future, but again that will not happen overnight, so we must be realistic as we move forward. I agree very much

with the Minister and the previous Minister, my hon. Friend the Member for Camborne and Redruth, that DEFRA has done an awful lot of work to prepare either for a deal on Brexit or for no deal.

We can deal well with the imports of organic food, because we can bring products in, check the standards and ensure that they flow freely into the country. Where I have slightly more of a problem—DEFRA has admitted this to me, although it is not its fault—is that every time the Department contacts the European Union about registering as a third country and ensuring that there is third country equivalence, we just do not get a reply. To a degree, we can let the imports flow in because we can recognise the previous EU standards, but it will be much more difficult to get that food across the channel if the EU decides to play hardball.

George Eustice: My hon. Friend makes an important point about being listed as a third country so that exports can continue. Shortly before I left the Department, there was a request from the European Union that we dynamically align our regulations for a period of nine months, and in return the EU would recognise our third country status from the start. We are obviously willing to agree to that.

Neil Parish: I very much welcome that comment, because two or three weeks ago, the Environment, Food and Rural Affairs Committee went to DEFRA, where we saw the regulations being laid out and had a look at what was happening. I welcome what my hon. Friend said, but I reiterate that as much as I may love our French cousins, they can be very difficult when it comes to trading into the European Union. Much of our produce will have to pass from Dover through into Calais, and we have to be absolutely certain that they will process our food and let it into the EU.

Dr Sarah Wollaston (Totnes) (Ind): My hon. Friend rightly makes the point that we can unilaterally decide to be freer about letting goods come across our border. However, surely one issue is that a free-for-all and a lack of proper checking could put the organic sector at risk.

Neil Parish: The hon. Lady raises a good point. Milk production is a good example. Organics is a selected market; although a good number of people buy organics, there is a ceiling of around 10% of people who actually buy organics overall. Therefore, exporting organic food is as important as importing it. On the dairy side of organics, the big milk co-operative Omsco trades very successfully into the United States, but that has to be maintained—and we must have the certification, and all these other things must work, in order for that to happen. That is why we have to be very careful to ensure that we can trade successfully in a no-deal situation.

I spent a number of years in the European Parliament, so I know that our great French cousins are able, for example, to stop cheese coming in from Holland when they suddenly decide that there might be a problem with it and that it might actually help the French market to keep it out for a while. The European Commission then challenges them, and eventually they capitulate and the cheese comes back in from Holland. The point that I am making quite clearly tonight is: let us go in with our eyes open to the fact that there could well be a problem

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in the future if we do not get these rules right and recognised, and if we do not actually get that produce back into the EU. As we leave the European Union, it is very important that we take as much of trade with us as possible, and then we can also have future trading relationships across the world.

Thank you for letting me speak in this debate, Madam Deputy Speaker.

10.44 pm

Rebecca Pow (Taunton Deane) (Con): I am delighted to take part in this debate.

The organic sector in this country prides itself on its high standards. We set a very high bar and are renowned for expertise in this area. Indeed, we have been leaders in the field globally. I therefore welcome these regulations ensuring that our organic standards will remain exactly as they are when we leave the EU. We will embrace the current regulations but I am led to believe that, as and when the EU, after we have exited, decides that it might change its regulations, we will consider the regulations and decide, on their merits, whether they are right for us and whether to adopt them. This is one of the benefits of leaving, in that we can start to plan much more freely for ourselves.

Crucially, we have to keep these high standards. That is very important because we currently have 6,000 organic producers in this country who will be wanting certainty so that they can continue business as usual. We have many such businesses in the south-west.

Peter Heaton-Jones (North Devon) (Con) *rose*—

Rebecca Pow: I will of course give way to a fellow Member from the south-west.

Peter Heaton-Jones: I am grateful to my hon. Friend. She raises exactly the right point. It is good to see so many south-west constituencies represented across the House today. It is a very important region for producers in the organic sector. The crucial point is that many of them are very small businesses. They are often not large farms or large producers but small farmhouse-table businesses. These small producers with narrow margins have to know where they stand and get certainty. That is why this statutory instrument, and all the work that was done under the previous Minister and is being done under the current Ministers, is vital.

Rebecca Pow: Absolutely. I thank my hon. Friend—I could not agree more. He is right about the south-west. I was going to name just some of the businesses in the area. We have Riverford Organic Farmers, which has franchises all over the region; there may be some in his constituency. We have Merricks Organic Farm in Langport and Stream Farm in the Quantocks. They often do a whole range of products—beef, chicken, lamb, and even trout and strawberries. They are holistic but often small businesses that are absolutely dependent on keeping the purity of the standards for organic produce.

Bill Wiggin: What I find most important is that the consumer has confidence, when they see what the label says, that that is actually what they are going to buy.

That is not always true of pasture-fed produce, but it needs to be. The support that the organic sector has had from the legislation and the Government has been tremendous. I would like us to spread this much further and encourage more businesses like those my hon. Friend mentioned. I hope she agrees.

Rebecca Pow: I thank my hon. Friend for that intervention. I thoroughly agree. I know that his own beef animals are pasture-fed—an excellent system in its own right that is really good for sequestering carbon in the grass. He is so right about the labelling. The consumer needs to know what they are buying. That is why these regulations are really important. If people are buying organic, they need to know that it is organic and up to our high standards, not some watered-down standards from somewhere else.

We have quite a large number of organic milk farms, as my hon. Friend the Member for Tiverton and Honiton (Neil Parish) mentioned. In Somerset, we have Coombe Farm Organic—milk producers who have three main farms and 1,000 cows. It is imperative for companies such as that that we know that their produce is organic, why it has been classed as organic and that it has been checked. Often, it has been checked by the Soil Association, which is the main organisation in this country that certifies organic produce. It has 27,000 members and is very much valued. It developed the world's first organic certification system, way back in 1967. The standards have been widened since that time, so they encompass agriculture, aquaculture, ethical trade—I have a company in my constituency, Hambleden Herbs, that imports lots of spices and herbs, all organic—food processing, forestry and horticulture. It is really important that we maintain this system of standards so that these businesses can carry on operating from day one on leaving the EU and we can know that they are doing the right thing. It is important that we keep our high standards.

The organic sector is valuable, as we have heard—it brings £2.2 billion per annum to the UK economy, and our exports are worth £200 million, so that is also significant. The sector is growing because there is now a lot more emphasis on what we might call environmental farming or eco-farming. That is all referenced in the Agriculture Bill, the new environmental land management schemes, the 25-year environment plan and the forthcoming environment Bill. I believe that the organic system will grow, which is why it is even more important that we maintain our standards.

Just today, as luck would have it, I hosted an event on soil in Westminster, which was attended by more than 200 people. We talked about the degradation of our soils and the cost to the economy, which is a staggering £1.2 billion a year. I am pleased to say that there is a great deal of talk about soil going on through the Bills that are being introduced. The way to prevent soil degradation is to introduce policies that ensure healthy soils and biodiversity, with all the things that soil brings to us, including carbon capture, which will help with our climate change targets and mitigation—I see the Minister for Energy and Clean Growth sitting on the Front Bench—as well as flood resilience and providing healthy food.

Inevitably this soil health agenda will drive us towards management systems that are along more environmentally friendly farming lines and, for purists,

along more organic lines. The standards will remain very necessary, as they will if we work towards improving biodiversity in this country, which is equally important. For example, there has been a desperate crash in insect numbers here and globally, with flying insect populations globally down by two thirds. Insects are the workforces of agriculture—they pollinate our crops, and we rely on them. The sustainability of the planet depends on redressing these crashes in biodiversity across the board for all sorts of species. That inevitably means that we will use less pesticides and adopt more environmentally friendly methods of farming through land management systems, and if we head towards organic, the standards that we will maintain through the regulations will be more important than ever. The regulations apply to imports and exports; that is very important. We must ensure that they cover vegetative material for propagation in the horticultural industry and others and seeds for cultivation.

One of the most exciting and interesting television series I ever presented back in the day was called “Loads More Muck and Magic”. It was an organic gardening series—I think it was the only one ever on television—on Channel 4. It was filmed in conjunction with the Henry Doubleday Research Association, which was the expert in organic growing at the time and is now called Garden Organic. That series instilled in me a great knowledge; I learned a great deal. I will never profess to be an expert, but I realised what purists organic farmers are and how valuable they are to the environment. They remain so, and I believe they will have more influence. The regulations will ensure that those standards are maintained, and I fully support them.

10.52 pm

David Rutley: This debate has been interesting; I think we should do it more often at this hour. I will keep this short, because my good friends in the Whips Office are giving me the evil eye—I always want to ensure that I do what they want—and I know that Madam Deputy Speaker is keen for us to move quickly on.

We have had some fantastic contributions, not least from my hon. Friend the Member for Taunton Deane (Rebecca Pow). I did not know about her involvement with “Loads More Muck and Magic”, but clearly we have some real talent and expertise on this subject in the House, for which we are grateful. We also heard the enthusiasm of my hon. Friend the Member for North Herefordshire (Bill Wiggin).

I want to reassure the hon. Member for Totnes (Dr Wollaston) that there will not be a free-for-all. In my brief comments, I hope I can reassure her, the hon. Member for Stroud (Dr Drew) and others who raised concerns about this issue. We are committed to ensuring that the UK maintains its high standards for organic production and retains a strong testing regime for organic goods. The hon. Member for Stroud talked about control bodies. They will continue to certify operators as they do now. They are all accredited by the United Kingdom Accreditation Service as suitable to be a certification body, and that important work will continue. Before the UK accepts any applications from third countries or control bodies, rigorous checks will be carried out to ensure that the current high organic standards in the UK will be maintained.

Comments have been made about TRACES. We are replacing the TRACES NT import system, which is different from TRACES, with a manual system for an interim period for organics, until an electronic replacement is available. The manual system mirrors the one that was in place 17 months ago. A trial with a number of importers, with support from port health authorities, is being carried out to refine guidance, and it will help to ensure a smooth transition. We are looking at autumn 2020 for the electronic replacement.

There are of course opportunities ahead, not least because my hon. Friend the Member for Camborne and Redruth (George Eustice) was the Minister of State. He was an illustrious Minister of State, which is probably an understatement, given that he was in post for five years. He carried out really important work to set out the framework for the Agriculture Bill. I am really pleased to have sitting beside me his successor as the Minister for Agriculture, Fisheries and Food, my right hon. Friend the Member for Scarborough and Whitby (Mr Goodwill)—another outstanding Minister—who is just back in the Chamber, hotfoot from the EU Agriculture Council meeting today. The Agriculture Bill sets out how farmers and land managers will in the future be paid for public goods, such as better air and water quality and improved soil health. All of this will help the organic sector to move further forward.

We are working with organic and control bodies, and we have been holding technical discussions with the European Commission about the UK's organic third-country recognition and to explore routes to help to ensure that UK organic products can continue to access the EU market. I recognise the fact that we have heard from both the former Minister of State and the current Chair of the Environment, Food and Rural Affairs Committee, and I hope that the EU will be listening to their very wise words.

We had a wide-ranging—and wide, I would say—speech from the hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry). [*Interruption.*] No, not him, but his comments. He made points about devolution, but these statutory instruments apply to the United Kingdom, and we have worked with the devolved Administrations on their development. Officials have had very helpful discussions with counterparts in the devolved Administrations, not least in the Scottish Government—I was up there speaking to one of the Ministers about this—and we are working with them on all aspects of the organics regime to form an agreement on how we will all work together. I thank them for their work on these important statutory instruments in recent months.

I conclude by saying that, for the reasons I have set out, I commend these statutory instruments to the House.

Question put.

The Deputy Speaker's opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 20 March (Standing Order No. 41A).

Motion made, and Question put.

That the draft Organic Production and Control (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 13 February, be approved.—(*David Rutley.*)

The Deputy Speaker's opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 20 March (Standing Order No. 41A).

Business without Debate

DELEGATED LEGISLATION

Madam Deputy Speaker (Dame Rosie Winterton): With the leave of the House, we will take motions 6 to 16 together.

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

EXITING THE EUROPEAN UNION (ANIMALS)

That the draft Environment, Food and Rural Affairs (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 14 February, be approved.

EXITING THE EUROPEAN UNION (AGRICULTURE)

That the draft Food and Feed (Chernobyl and Fukushima Restrictions) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 4 February, be approved.

That the draft Food and Feed (Maximum Permitted Levels of Radioactive Contamination) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 4 February, be approved.

EXITING THE EUROPEAN UNION (FOOD)

That the draft Food and Feed Imports (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 5 February, be approved.

EXITING THE EUROPEAN UNION (AGRICULTURE)

That the draft Official Controls for Feed, Food and Animal Health and Welfare (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 4 February, be approved.

EXITING THE EUROPEAN UNION (PUBLIC PROCUREMENT)

That the draft Public Procurement (Amendment etc.) (EU Exit) (No. 2) Regulations 2019, which were laid before this House on 11 February, be approved.

EXITING THE EUROPEAN UNION (ARCHITECTS)

That the draft Architects Act 1997 (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 18 February, be approved.

EXITING THE EUROPEAN UNION (CRIMINAL LAW)

That the draft Criminal Justice (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 11 February, be approved.

EXITING THE EUROPEAN UNION (PRIVATE INTERNATIONAL LAW)

That the draft Law Applicable to Contractual Obligations and Non-Contractual Obligations (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 11 February, be approved.

EXITING THE EUROPEAN UNION (LEGAL PROFESSION)

That the draft Services of Lawyers and Lawyer's Practice (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 12 February, be approved.

EXITING THE EUROPEAN UNION (FAMILY LAW)

That the draft Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) (No. 2) Regulations 2019, which were laid before this House on 14 February, be approved.—(*Jeremy Quin.*)

Question agreed to.

INTERNATIONAL TRADE COMMITTEE

Motion made,

That Mr Chris Leslie be discharged from the International Trade Committee and Gareth Thomas be added.—(*Bill Wiggin, on behalf of the Selection Committee.*)

Hon. Members: Object.

Bill Wiggin (North Herefordshire) (Con): On a point of order, Madam Deputy Speaker. The Selection Committee only makes recommendations to the House. Last week, we had objections to our recommendations. Normally, we would hope that the House would come to a decision. That has not happened. I am rather hoping that, sometime this week, time will be found for the House to make a decision because Members are affected by the make-up of Select Committees. Perhaps the objection we have heard this evening might also be considered, so that the Members concerned at least know what is likely to happen.

Madam Deputy Speaker (Dame Rosie Winterton): I am grateful to the hon. Gentleman for his point of order and for giving me notice of it. I understand that some previous Select Committee membership changes that were objected to appear on tomorrow's Order Paper and can be debated. I am sure he understands that it is a matter for the Government to decide when to provide time for the debate on the change objected to tonight, but the Ministers on the Treasury Bench will have heard his words, and I am sure they will feed that back through the appropriate channels.

Dr Sarah Wollaston (Totnes) (Ind): Further to that point of order, Madam Deputy Speaker. Can you give some guidance on whether the objection raised today will be debated at the same time as last week's objections, or will the debate have to take place on a different date?

Madam Deputy Speaker (Dame Rosie Winterton): As I understand it, it may be possible for Select Committee changes to be debated together, but it is a matter for the Government to decide whether to take that matter tomorrow or to take it separately.

Transition Towns and Fossil Fuels

Motion made, and Question proposed, That this House do now adjourn.—(Jeremy Quin.)

11.1 pm

Thangam Debbonaire (Bristol West) (Lab): Last week on the Radio 4 “Today” programme, one topic was covered every day several times. I am of course talking about Svalbard—no, not that other topic, which is taking our attention away from virtually everything else, but Svalbard, a Norwegian archipelago in the Arctic ocean roughly midway between mainland Norway and the north pole. As well as beautiful tundra, fossils, rich geology, incredible flora and fauna, including polar bears, there are glaciers as far as the eye can see, but climate change is happening much more rapidly in the far north, and as temperatures rise, the ice melts, with serious consequences for us all. The international director of the Norwegian Polar Institute, Kim Holman, who lives in Longyearbyen on Svalbard, says of climate change that:

“this town is certainly the place where it’s happening first and fastest and even the most.”

Holman notes that Svalbard used to be where students came to observe Arctic conditions, and now it is the place they come to study climate change.

Svalbard is indeed a hotbed of scientific research. In just one month last year, there were more than 600 scientists from 23 countries doing research on and around Svalbard. One of those scientists was my very own niece, Aliyah Debbonaire, who is researching the microbiology of those melting glaciers for her PhD. Understanding these microbes may help us to solve other urgent global problems, such as antimicrobial resistance, but her research is a race against time—against the global emergency which is climate change.

There is little doubt that fossil fuels are responsible for the vast majority of UK and world carbon emissions, which make up the majority of greenhouse gases causing climate change. If we limit average global temperature rises to 1.5° C by rapidly reducing our use of fossil fuels, that would avoid some of the most catastrophic effects. That is the goal our Government have committed to in the Paris agreement on climate change, and I applaud them for that. The current Climate Change Act 2008 target is an 80% reduction of carbon emissions by 2050, but we can and we should increase our ambition—perhaps to net zero carbon emissions by 2050, or even sooner. Transition towns can help, and I will speak more about that shortly.

I recently visited our Aliyah’s old school, Cotham—in my constituency of Bristol West—which inspired her scientific future, to speak to the current students and answer their questions. Almost all of them said that what they were worried about most was climate change. One student asked, “What would happen if we banned fossil fuels?” I really loved that question, and I promised to bring it up today, because it is the obvious question to ask. If fossil fuels are the main source of the problem of carbon emissions, why are we still using them? Of course there are many reasons, and we all have to think about what we are prepared to change to end the use of fossil fuels, and that is where transition towns come in.

I believe that the abolition in 2016 of the Department of Energy and Climate Change has removed governmental focus. That Department was established by the last

Labour Government, along with the world’s first Climate Change Act and the world’s first legally binding carbon emission reduction targets. Unfortunately, the Committee on Climate Change says that the UK is unlikely to meet its fourth and fifth carbon reduction targets from 2023 onwards. I would be interested to know the Minister’s thoughts on that.

Meanwhile, transition cities, transition towns and other groups are trying to lead. The first transition town was Totnes in Devon in 2006. Transition towns are communities taking responsibility for creating sustainable ways of living, including by addressing climate change, starting locally. There is now a global network of towns, cities, villages and universities in more than 50 countries.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Lady on bringing this matter to the House. I spoke to her before the debate to associate myself with her ideas. Does she agree that it is essential that all communities consider the ethos of transition towns, try to be more environmentally aware and seek to change their impact on climate change? Does she further agree that wonderful initiatives like my local council’s recycling community investment fund, which puts the money saved by achieving recycling targets into community projects to raise environmental awareness, are examples of councils doing exactly what she is referring to?

Thangam Debbonaire: The hon. Gentleman is right that that is a very good example of a local initiative and I applaud his council.

Transition Bristol was founded in 2007 and is the longest running city transition initiative in the world. I am sure that the example given by the hon. Gentleman is leading pioneering work like Transition Bristol. Transition Bristol is a network and an initiator of city-wide and local projects that are helping us transition away from fossil fuel use and towards a sustainable future. As the Transition Bristol website says:

“Decreasing our use of fossil fuels is not negotiable. We have a choice—to make this shift in a way that builds community.”

Transition towns are not just about the why and the what of becoming carbon neutral; they are about the how.

The activities and organisations within Transition Bristol include Bristol Energy Network, which is supporting communities to build an energy system that works for everyone.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): Does my hon. Friend agree that organisations such as like Plymouth Energy Community, which is crowd-funding solar panels to go on primary schools, have a huge role to play not only in providing low-carbon solutions, but in engaging members of the public in the process?

Thangam Debbonaire: My hon. Friend is right. That is a perfect example of what is great about transition towns and the energy networks and other organisations within them. I salute what they are doing. I would be interested to visit his project.

Bristol Energy Network supports communities to build those energy systems and Bristol Food Network helps people to grow, eat and cook seasonal locally grown fresh food. Neighbourhood groups, including

[Thangam Debbonaire]

the Montpelier, Bishopston, Easton and Redland groups in my constituency, help to carry that right down to the hyper-local level.

Bristol is well known for its environmental ethos. Last year, the city council declared a climate emergency on a motion proposed by a Green councillor, Carla Denyer—thank you, Carla—pledging to become carbon neutral by 2030. Similar motions have been passed by many local authorities across the country, including, I believe, the Minister's own county council. Will the Minister join me in commending those councils for their actions, which help to support the focus of transition towns?

Dr David Drew (Stroud) (Lab/Co-op): My hon. Friend is making an excellent speech. Does she agree that one of the most disappointing aspects in this area is the stalling of the renewable industries?

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

Dr Drew: We had a very good record until quite recently, but that seems to have gone somewhat into reverse. Does my hon. Friend agree that that is disappointing?

Thangam Debbonaire: I thank my hon. Friend for his intervention. I can only say to the Minister and her colleagues that whatever is happening in renewables, we need to double or triple it if we are to meet our carbon reduction targets. My experience is that we have seen it stalling, whereas we need to be increasing it. I will be interested to hear what she has to say in her remarks.

What commitments will the Minister make to policies and resources to support and expand the impact of transition towns to end our use of fossil fuels? The rapid development of renewable energy sources over the past few decades had helped to reduce hugely the UK's carbon emissions. Transition towns show how emissions can be reduced in practice by involving people in sustainable energy choices, but individual and hyper-local actions can only go so far. They need Government leadership and support.

The Transition Bristol linked organisation, the Bristol Energy Co-operative—this is similar to the example cited by my hon. Friend the Member for Plymouth, Sutton and Devonport (Luke Pollard)—has raised more than £10 million to build solar farms in our area. These projects reduce emissions and build support for transition, but, frustratingly, recent Governments have cut support for the feed-in tariff introduced by the last Labour Government for small-scale renewable energy and changed planning laws, which apparently makes it harder to get planning permission for onshore wind.

Sandy Martin (Ipswich) (Lab): Does my hon. Friend agree that the Minister ought to be made aware of the places where onshore wind was planned but, because of the changes in the financial regime, has been dropped, such as the two large turbines just south of Ipswich?

Thangam Debbonaire: I was not aware of that particular example, but I am sure that the Minister will be interested to hear that and will perhaps have a response to it in her summing up.

I understand that the deployment of solar and new onshore wind has fallen drastically since 2016. I am also worried by the interest in fracking, because that is surely pouring fossil fuel on the fossil fuel fire, when we really should be doing everything that we can to put that fire out. Does the Minister agree that we should support transition towns by leaving fossil fuels in the ground?

On a study fellowship that has been organised for me by the Industry and Parliament Trust, I have learnt about the potential for expanding renewable energy. That includes the potential for energy from wave and tidal—from marine sources. I believe that it is the Government's job to help to fund, invest in and support emerging technologies precisely at the point when they cannot yet turn a profit but have the potential to do so. Only by supporting these early stages can this country become a world leader in these technologies, allowing us to export them, as well as to create jobs and reduce fossil fuel use. This reflects the transition towns' spirit of involving communities in the transition away from fossil fuels. For instance, in Swansea, everyone seems to be very knowledgeable about and supportive of the Swansea bay tidal lagoon project and the science behind it.

Other forms of marine energy are of course available, as I know the Minister knows from a recent meeting that she and I were both involved in. I would be interested to know whether she has had chance to reflect on what we learnt in that meeting, because the UK has massive untapped potential for marine energy generation, but it needs investment and support. Will the Government commit to investing in helping emerging renewable technologies to move from the developmental stages to being fully commercially viable, with subsidies or other support, especially in industries of the future?

One of the most striking places that I visited was the Offshore Renewable Energy Catapult in Blyth. That area, devastated by the collapse of the traditional coalmining and shipbuilding industries, is now helping to creating the jobs of the future as it tests the biggest wind turbine blades in the world—I have been to see it and it is pretty impressive. This is transition in action, but I would like to see more. Will the Minister tell us what the Government are doing to invest further in renewable energy industries, such as wind, tidal and wave, especially in the most deprived parts of the UK?

We can also do much more to make our homes more efficient. Labour's zero carbon homes standard was designed to reduce energy use in new houses, but unfortunately, the standard was scrapped in 2015, causing great disruption to industry preparing for it to be implemented. It would also have saved families living in new properties around £200 a year on increased energy bills. Labour policy is to reinstate the zero carbon homes standard, but in any case, new standards only deal with new houses. What about existing homes, which are some of the poorest insulated in western Europe? Our cold, damp homes lead to recurring illnesses that Age UK and the Institute of Health Equity have warned are costing our NHS over £1 billion each year.

Transition Bristol members have taken on that challenge, insulating existing homes and making them more energy-efficient, but unfortunately, we have seen a Government cut to the energy company obligation, resulting in a 97% fall in the installation of new boilers and home energy-efficiency measures under this scheme and a significant fall in funding for cold homes. Labour policy

is to bring all homes up to a good standard by 2035, with all fuel-poor homes fixed by 2030. I would love that to be something that the Government decide to take on, because frankly, we need this now. Given that insulating homes reduces fuel poverty and energy demand, what are the Government doing to reinstate energy-efficiency measures?

Transition Bristol and campaigners have been very effective in changing our ideas about travel, and I am proud to represent a constituency where people walk and cycle more than almost anywhere in the UK. However, freezing fuel duty for almost a decade has effectively subsidised car use by tens of billions of pounds, while train fares have gone up by approximately twice the rate of inflation. I therefore ask the Minister what more can be done to encourage more sustainable transport use, thereby supporting transition towns in their efforts to reduce fossil fuel use further.

There are many other ways the Government could support and build on transition towns' excellent work, and I would like the Minister to consider some suggestions, which are meant in the spirit of generosity. Recent analysis from the European Commission found that the UK gives the most subsidies to fossil fuels of any EU country, while equivalent subsidies to renewable energy industries were apparently much lower. I would like that to be rebalanced. If the Minister wants to correct me in summing up, I would be grateful.

We also need to stop supporting polluting projects abroad. UK Export Finance has a record of financing fossil fuels in low and middle-income countries. It is estimated to have provided £551 million in support of fossil fuel production overseas per year between 2014 and 2016, and that must stop.

Currently, the planning application fee for a large solar farm is the same as that for developing a shopping centre covering the same surface area. That should also change. If we continue to support the excavation of fossil fuels, and fossil fuel power stations, these fuels will continue to be burned. The barriers are no longer technological or even financial; they are political.

On Friday, I met some young women at the climate change demonstration on Parliament Square. Rosa, Rebecca, Tilly and Grace were all so inspiring, and they made so many great suggestions, such as a real ban on single-use plastics. I know that that is the Government's intention, but they would like a real ban, and they would like it right now. They told me they want that sort of leadership from the Government; they do not just want to see individuals being made responsible for making all the changes. They also said they wanted the net zero carbon emissions target to be met by 2025 and that they did not want us to wait to 2050.

As I draw to a close, let me say this. For all the young people demonstrating in Bristol, in Parliament Square and everywhere else against climate change; for the people of Bristol West who tell me how much this issue matters to them; for their children and grandchildren; and for my own nephews and nieces and their children—the next generations, for whom the Minister, myself and all hon. Members come to work every day to make the world a better place—I ask the Minister: will she consider declaring a national climate change emergency and work with Members on both sides of the House to do everything she can to support the local work of transition towns through Government action and take a lead internationally as well as nationally?

To conclude, I return to Aliyah and to Svalbard. Svalbard and its extraordinary geography and ecosystem need us to act right now. Meanwhile, Aliyah has recently finished all the field and lab work for her PhD, and she gave birth earlier this month to the first Debbonaire of the next generation—baby Olive Emilie Debbonaire-Crabb. I am going to meet Olive for the first time this weekend, and I cannot wait, but she and others of her generation also cannot wait for us to act. I know the Minister will share my ambition, because children being born now in Bristol, in her constituency and across the country depend not just on transition towns but on businesses, scientists and us politicians to protect them from climate change.

When new baby Olive turns 18, I want to be able to look her in the eye and I do not want to say, "I tried to stop climate change, but I failed. I'm sorry." I want the polar bears on Svalbard to survive, and I want this beautiful planet to thrive for her. I want to say to Olive, and to all the next generations, "My generation of transition town campaigners, businesses, scientists and politicians in the House of Commons and in local councils everywhere, motivated by our love for you and for our beautiful planet—from Svalbard to the south pole—stopped climate change."

11.18 pm

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

I was hoping that the hon. Member for Bristol West (Thangam Debbonaire) might provide some sugar-rich vegetarian snacks, as we are going on so late this evening, but we have been thwarted once again on a Monday night. However, I congratulate her on securing a really important debate.

I was hoping that we would hear a little more about transition towns, Bristol, of course, being my home city. I commend the very long-standing and active groups that have led to so many changes in that beautiful city. It seems very appropriate on Global Recycling Day to be discussing what some of these extraordinary communities have done. Of course, Bristol was one of the very early cities that set out on this path, and it has had some highly ambitious and really successful initiatives. In my constituency, the Sustainable Devizes group was set up in 2008. Most recently, it focused on a waste-free February. Similar groups are being set up in 303 other locations across the United Kingdom.

What is so wonderful about the network is that it is bringing people together to discuss problems, solutions and changes, many of which are easier to make on a local than on a national scale. It is coming up with creative ways of using local assets, innovating and making links with local universities. I see that happening throughout the United Kingdom. I recently attended a UK100 event in Leeds, a national green finance conference, which showcased the actions that various local authorities and groups were taking. The hon. Lady and I both love our railways. A group called 10:10, working with Community Energy South and Network Rail, is looking into how the railways can be decarbonised. Solar power and battery storage could be used to provide some of the current that the electric railway system uses at present.

We have talked about Bristol. It was amazing to see its City Leap prospectus, which moves away from some of the more "micro" initiatives and involves thinking, in a broad and holistic way, about how to build heat networks, smart energy systems, energy efficiency initiatives

[*Claire Perry*]

and renewable energy generation in a joined-up way. That joining up is very important. The Government are committed to building millions of homes, and we have an opportunity to include many system-integrated solutions in their design before that actually begins.

The hon. Lady made some slightly critical comments, with which I shall deal shortly. However, as she knows, I am passionate about bottom-up support. I have set up five new regional local energy hubs, because—as, again, she will know—some areas, including towns and cities, are very much in the lead in this regard, while others would love to try but are not sure where to start. Our aim has been to invest in the hiring of experts and to enable best practice to be shared. The hubs are intended to increase local capacity and to hire dedicated energy or sustainability officers to support local authorities and local enterprise partnerships.

We have talked about towns, but, as someone who represents a very rural area, I was keen to ensure that the rural community energy fund would continue to support rural communities. Through what is elegantly known as a MoG—machinery of government—transfer of Government assets, I managed to move it from the Department for Environment, Food and Rural Affairs to the Department for Business, Energy and Industrial Strategy, so that we could integrate it with much of the local work that we are doing. The fund will open for business again within a few short weeks.

The hon. Lady referred to the benefits of local action. That, of course, does not just mean reducing carbon dioxide emissions; it means warmer homes, people who are healthier as a result of cycling or walking, air quality improvements, and the creation of what I think we have increasingly realised is an incredibly exciting part of these changes through the green business opportunities that exist. About 400,000 people in the United Kingdom work in the low-carbon economy, which means that it is bigger than the aerospace sector in that regard. It is growing at between 5% and 6% a year. That is part of the global transition to low-carbon economic growth.

The hon. Lady tweaked me slightly about the shutting down of the Department of Energy and Climate Change. In fact, subsuming it in the Department for Business, Energy and Industrial Strategy has allowed us to understand far more about the opportunities and to broaden the conversation about low carbon. What was perhaps rather a niche conversation has become a fundamental conversation about how the economy should be working, and how businesses should be working. I hope that the hon. Lady was as pleased as I was by the Chancellor's green spring statement last week. He made clear not only the desirability of, for instance, removing fossil fuel heating from new buildings, but the huge economic opportunities that it provided. I think that putting the two Departments together has allowed us to become much better at understanding those opportunities and attracting investment in them.

We are, of course, very focused on the leadership of the public sector, which can also be a major drive for many local transitions. The hon. Lady will know of the Salix scheme, a zero interest rate scheme enabling local authorities and devolved parts of the public sector to invest in their own low-carbon activities.

The hon. Lady made a powerful point about the need to come off fossil fuels completely and the role of transition towns in doing so. I hope that the hon. Lady is as pleased as I am that we will be phasing out coal, the dirtiest form of fossil fuel, completely from our generation system. For a country that built its economic success on the hard-won mining of coal to be one of the first major countries to be phasing it out completely as part of its generation system is hugely valuable. That has allowed us to take our commitment to phasing out coal and turn it into a global movement, the Powering Past Coal Alliance, where we have now persuaded over 80 countries, cities and states to also commit to phasing out coal. If only the world would phase out coal, we would be in a substantially better place.

The hon. Lady mentioned the feed-in tariffs and the hon. Member for Stroud (Dr Drew) raised the challenge about renewables investments. We should not define success in delivering renewables energy just based on how much we subsidise it. The feed-in tariff we have provided has cost us about £6 billion to date and will continue to cost us several billion pounds over its lifetime at a point when subsidy-free solar is becoming a reality, particularly at the commercial level. While we might have seen a tail-off in some solar installations on domestic fittings, there is an enormous increase in subsidy-free solar in the planning system at a more commercial level.

We are up to 32% of our energy system from renewables. I was lucky enough to launch the offshore wind sector deal last week—on a very windy day where wind was picking up over 30% of the total on that day alone. We have set out a 10-year market horizon for offshore wind, with the confident expectation that we will be at over 70% zero-carbon energy in our energy system before baby Olive even gets to her 16th birthday. This is a major transition that we are undertaking, and we have the largest and deepest offshore wind market in the world and we continue to invest.

The hon. Lady asked me about tidal. I grew up a few miles from the Bristol channel; I have seen the power of those tides washing in and out every day. The challenge is that I have to invest other people's money in the most cost-effective carbon reduction energy systems and also the ones that have the most global potential. I look at everything through the grid of asking what is the lowest cost, what is the carbon dioxide reduction potential and what is the competitive advantage. Sad as it is, there are some brilliant ideas for tidal and marine and we have lots of new ideas coming forward, but tidal lagoons at the price being quoted would have been the most expensive power station we had ever built in the UK, with quite limited global reach for that technology.

We are always looking for new ideas, however. My Department has about £2.6 billion of taxpayers' money to invest in research and development in this clean energy area over the course of this Parliament, the largest R&D budget we have ever had in this area, and we see huge opportunities in many areas, including marine and tidal at the right price.

I want to briefly touch on where I think some of the community groups and local authorities can be helpful. I often think that it is difficult to sit in Westminster and try to pull levers, because situations are different on the ground; we have very different levels of knowledge, commitment and circumstances, and as in so many areas learning from innovation and vision at the local

level and looking upwards is important. I am thinking in particular of Leeds. The work that Leeds City Council has done in introducing hydrogen into the heating system, a major opportunity to decarbonise heating going forward, should not be underestimated.

I know the hon. Lady does not think this, but somebody listening might think she had rather a dismal view of what we have achieved as a Government. She is right that we were the first country in the world to pass a Climate Change Act. It was brought forward with very strong cross-party support as quite a radical piece of legislation at the time. Since then, as indeed before then, we have led the world in decarbonisation. We have dropped our carbon emissions consistently, more than any other developed country, compared with our economic growth, because of course, as the hon. Lady knows, what we want to do is grow our economy and reduce our carbon emissions. That has only accelerated. In 2016-17, our emissions were down 4.7%. This is happening in many areas.

We do have challenges, particularly in the housing space and in decarbonising heavy industry and transportation, but we are absolutely leading the pack with our decarbonisation story through continued investment, continued ambition and a legislative framework. I hope that the hon. Lady and her party will support our bid to help the climate change talks next year—the all-critical conference of the parties talks in 2020, at

which countries will come together for the first time since the Paris agreement to show what the numbers will be, so that we can assess how on-track or off-track we are. The UK could also showcase much of the incredible innovation we have in this area. I hope there will be strong support from all Members for our bid, although we are cognisant that other countries also want to host the talks.

The hon. Lady will also know that we were the first industrialised country to ask for advice on a net zero economy, following the report from the Intergovernmental Panel on Climate Change. We look forward to that advice.

What I would say to baby Olive and all the other young people—although she is a little young to come and protest, many others did—is that we should be proud of what we have done in the UK through a combination of ambition, cross-party working and some good policies. We have delivered a good track record and we know we have more to do. There is a strong commitment across the House to deliver more, and I heartily commend the transition movement on its impact, its vision and its ongoing commitment to stopping climate change.

Question put and agreed to.

11.31 pm

House adjourned.

Westminster Hall

Monday 18 March 2019

[MR GEORGE HOWARTH *in the Chair*]

ISIS Members Returning to the UK

4.30 pm

Luke Hall (Thornbury and Yate) (Con): I beg to move,

That this House has considered E-petition 231521 relating to ISIS members returning to the UK.

It is a pleasure to serve under your chairmanship, Mr Howarth. The petition has been signed by more than 580,000 people—more than any other petition that the Petitions Committee has received in this Parliament. It calls on foreign fighters who travel to Iraq and Syria in order to join the terrorist organisation Daesh—also referred to as ISIS—to have their citizenship revoked. It has gained extreme momentum in recent weeks following the publicity surrounding the case of Shamima Begum, her efforts to return to the UK and the subsequent saddening news of the death of her infant child. Despite the actions of the baby's mother, Jarrah was a British citizen guilty of no crime. I mourn his death. The case of Shamima Begum is complex and highly emotive, and it is still ongoing. The Minister will have access to realtime details of it, so I will make no further mention of it. Rather, I will discuss the petition text in the broad context in which it was originally started.

The terrorist threat facing the United Kingdom and other western nations comes not just from one front. Even as we debate this matter here today, details of a shooting on a tram in Utrecht are still coming through. I am sure that the thoughts of the whole House will be with everybody affected in the hours ahead. The horrendous atrocities in Christchurch on Friday serve as a reminder that terrorists claim to operate in the name of many different races and religions, on behalf of many groups and ideologies, and in different regions across the world. That is a timely reminder that a single, catch-all approach may not be the most suitable means of dealing with all terrorists. I will therefore use this opportunity to consider the petition text—the proposal that restricting the return to the UK of anybody who has decided to join a terrorist group, and removing their citizenship and passports, would help keep the UK safe from terrorists and their actions.

The Home Secretary recently stated that as many as 900 people who have been deemed to be a concern to our national security have travelled to Syria and Iraq to join terrorist organisations. About 20% of those 900 have been killed on the battlefield, 40% remain in the region and 40% have returned to the UK. That means that about 360 people who are deemed to be a security concern have travelled to Iraq and Syria and since returned. Of those 900 people, more than 100 have been deprived of their British citizenship.

Andrea Jenkyns (Morley and Outwood) (Con): More than 11,000 of my constituents have signed the petition. I believe that enemies of our country should not be allowed back into it. Does my hon. Friend agree that British citizenship should not be taken for granted, and

that the decision not to allow ISIS members back into the country will act as a deterrent to others who are thinking about betraying our country?

Luke Hall: My hon. Friend gets to the heart of the matter. The fact that so many of her constituents signed the petition demonstrates the strength of feeling in many communities. Later, I will look in a bit more detail at whether and when it is right to remove citizenship. I thank her for that intervention.

The petition text states that a ban on all foreign fighters returning to the UK would send a message to others that membership of terrorist organisations is not tolerated. That is representative of a concern raised by many people that, in recent years, our democracies have taken too lax an attitude in dealing with extremism, allowing people the freedom to act in unacceptable ways that contravene traditional British values. Many people who have contacted me since this debate was scheduled worry that a precedent is being set, and that people are allowed to act as they please with no fear of consequence, resulting in an environment in which people feel able to join terrorist groups without any retribution.

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): Is the hon. Gentleman aware that it is illegal under international law to strip away someone's nationality if thereby they are left completely stateless?

Luke Hall: I thank the right hon. Lady for making that point. At the moment, I am trying to articulate the concerns of the people who signed the petition. In a minute, I will talk about my own thoughts on the petition text. I am very aware of the point she makes, and I thank her for doing so, but that cannot cloud the fact that a lot of people feel this, which has resulted in the huge support for the petition. Those who have contacted me feel strongly that these are reasons for change alone.

A number of people who signed the petition think that, when foreign fighters realise that the area they have travelled to is not the utopia they anticipated, they feel able freely to return to their old lives in Britain without being prosecuted, and that taking a stronger line in denying those people the right to return to the UK would remove a substantial burden from our police force, which is required to spend time and resources in responding to terrorism-related incidents. The police's time could be better used on other issues to maintain security and keep people safe on our streets.

A third argument that has been put forward is that the Government could do more to ensure that people who travel to countries such as Iraq and Syria to aid and abet terrorism can be reliably prosecuted for their actions on return to the UK. At present, every person returning to the UK is questioned and investigated. The Government have made it clear that, wherever possible, prosecutions are brought. However, statistics show that, of the 360 people who have returned to the UK, only 40 have been successfully prosecuted. It is of course incredibly difficult to gather evidence from regions such as the territories held by Daesh. Most people recognise and understand the difficulties that are likely to arise in trying to build a case against foreign fighters in order to level a charge against them that can be successfully prosecuted when they are in those regions.

[*Luke Hall*]

People support the new public offence of entering or remaining in a designated area, which will enable prosecutions to be brought against people travelling to regions that the Government have designated as a terror risk. Therefore, although deprivation of citizenship may be suitable in certain unique situations, there are advantages to establishing that broader approach while retaining the ability to strip citizenship if the circumstances dictate that that would be the best course of action to keep our country safe.

John Woodcock (Barrow and Furness) (Ind): The hon. Gentleman is setting out well the concerns raised in the petition. Does he agree that we ought to look exceptionally at the idea of applying the declared area offence retrospectively? That unusual but not unprecedented measure could be a way of prosecuting many of the hundreds of people who have come back to this country and are escaping prosecution at the moment.

Luke Hall: The hon. Gentleman raises an extremely important issue. If that was something that our police and security services felt would aid them in their work, I would support it. We should consider our responsibility as a country for dealing with British nationals who have become radicalised by domestic terrorists. We should have faith in our British court system. If someone is born, raised and radicalised in Britain, it ought to be the British Government's responsibility to hold them to account for their actions. They should be tried in front of a British jury by British judges, and held accountable to the standards required of our great legal system.

The precedent that blanket deprivation of citizenship, in contravention of international law, would set for other nations around the world should also be considered. Consider this scenario: a person from another country becomes radicalised by a terrorist group and has their citizenship from their country of birth revoked on the grounds of their eligibility for British citizenship. Were that individual's country of birth to take the view that it wished to disown them, would it be right for the UK to be required to be responsible for the detention, rehabilitation and guarding of the future welfare of that individual?

Were such policies to be pursued by countries around the world, the extent of the problems created would be untold. For example, suspected terrorists would end up littered across the globe, with no state prepared to take them, own them and prosecute them for their crimes. Some countries could choose to go further and cancel citizenship for someone who has committed a crime at any point while they are away from their country, which would render them the responsibility of whichever state they happen to be in at that particular time.

Part of the solution to the question can be found in the Counter-Terrorism and Security Act 2015, which introduced temporary exclusion orders enabling the Secretary of State to render invalid a foreign fighter's British passport and require that individual to apply for a permit to return to the United Kingdom—that was clearly a positive step. In some cases, the severe penalties for failing to comply, including lengthy prison sentences, go some way to providing a deterrent—my hon. Friend the Member for Morley and Outwood (Andrea Jenkyns) mentioned this—to people considering making the journey to join terrorists groups.

We should acknowledge that the circumstances are different in every case, so the approach that we adopt must allow Ministers, informed by this country's security services, to evaluate every instance based on its own circumstances. A framework that allows that to happen effectively is required. We must be able to demonstrate that membership of terrorist organisations is never tolerated under any circumstances, and provide a greater deterrent to people considering becoming a foreign fighter. That can be effective only as part of a wide-ranging Government framework for tackling the problem head-on and confronting it at an earlier stage.

The measures that the UK's counter-terrorism strategy takes to prevent people from becoming radicalised in the first place are vital to ensure that risk is minimised. I support the Government's Prevent strategy and the Counter-Terrorism and Border Security Act 2019, which updates offences relating to the obtaining and sharing of terrorism-related materials. I was pleased to sit on the Public Bill Committee for that Bill as it was steered through the Commons. The new legislation ensures, for example, that material that is only viewed or streamed—rather than downloaded to form a permanent record—is also now considered an offence. There is room for the Government to go further. A July 2018 report, co-authored by the Chair of the Select Committee on Foreign Affairs, considered the possibility of designating treason as a new offence.

The matter of how the UK ought to deal with returning foreign fighters is clearly complex. Although a number of arguments support proposals to remove the citizenship of anybody who decides to travel to Syria or Iraq to join Daesh or any other terrorist organisation, evidence shows that adopting a catch-all solution is not always so simple. With the Government's Prevent and Contest strategies, along with the new Counter-Terrorism and Border Security Act 2019, I feel confident that we are taking positive steps, but more can be done.

What steps is the Minister's Department taking to build a case for prosecuting people who have travelled to regions such as Iraq and Syria? What assurances can she give that the legislative framework is now in place to prosecute effectively any returning foreign fighters? What more are the Government doing to improve the prosecution rates of people who we know have been in the region and are a threat to our national security when they return to the UK? Finally, what consultation has she had with our security services and police forces to get a better understanding of what further powers they would like us to legislate for?

I conclude by sending my condolences to everybody affected by the attacks in Utrecht and in Christchurch. A tough and balanced approach from the Government will allow us to uphold our principles of access to justice while continuing to be one of the safest countries in the world, with security services that are the envy of the world.

4.44 pm

John Woodcock (Barrow and Furness) (Ind): It is good to see you in the Chair, Mr Howarth, and it is a pleasure to follow that very measured and balanced opening contribution from the hon. Member for Thornbury and Yate (Luke Hall). It is unfortunate that the debate clashes directly with an urgent question in the main

Chamber about far-right violence and online extremism in the wake of the Christchurch terrorist atrocity. That means that a number of us have had to choose between one and the other, which we did not originally think would be the case.

I will set out why I do not agree with the central proposition of the petition. The Government could be far more effective in tackling the menace of foreign fighters returning to the UK. Their current measures probably alienate people on most sides of the debate, and not for the first time.

It is abhorrent for anyone who claims to be British, who was born here and who has benefited from the manifest advantages that our country and society offer our citizens, to declare themselves effectively in opposition to everything that the UK stands for, to go as far as to travel to another country to take up arms—or to aid those taking up arms—fundamentally against the British state, and to aid actions that could result in members of the British armed forces being killed on the battlefield. Why, then, although I sympathise with its aims, do I think that the petition is wrong? There are two reasons.

The first is on the grounds of effectiveness. If we pronounced that no British citizen who went abroad as a foreign fighter would be allowed to return to the UK, we would essentially be tearing up long-standing international agreements on the exchange of citizens. That would make this country less, not more, safe, which is the opposite of the petition's intention.

In the wake of the focus on the Shamima Begum case, I asked the Home Office to list the number of foreign citizens whom it has attempted to deport from the country, both for terrorist-related reasons and for other reasons. The officials who drafted the parliamentary answer on behalf of Ministers said that that information was not available. That sounds absurd; of course the Government know how many foreign nationals they have deported over recent years. The Government should be open about figures, particularly when that information probably stands to strengthen their overall position, which is to adhere to international rules on deporting citizens who are guilty of sufficiently serious offences.

I would be surprised if the figures, once we have them, do not show that, overall, the UK has deported more foreign extremists from our territory over the past five, 10 or 20 years than it is looking to accept back via deportation. Therefore, if we were to declare unilaterally that we will no longer accept British people back from foreign countries, not only would we be in breach of international rules, but why then would any other country accept back one of its nationals who has been found guilty, or is even suspected—people can be deported on the basis of less than a full conviction by a British court—of committing a terror offence. That approach could spectacularly backfire.

The second reason is a moral one, and I believe this strongly. When British society has created the problem—Shamima Begum was born in Britain, she is a British person and she was radicalised in Britain—she is our problem to sort out. How is it acceptable for the Government to deport the problem to another country through whatever strangulated means they used and without fully explaining them? In such circumstances, surely we need to be careful about the message we are sending as lawmakers. I am afraid that statements such as, “These people aren’t really British”, often have an

undercurrent of meaning—that such a person does not look right, that they do not have the same skin colour as a British person or dress in the same way or follow the same religion as a British person. That is fundamentally wrong. We are an open society. We welcome people in and, once someone has been born here or has been accepted as British, that is it. We need to make our society work and to be far better at rooting out extremism in our country and in our communities, but the Government are not doing that sufficiently well enough.

We should pay attention not to stopping those Brits who have gone over and committed atrocities coming back, but to finding a way properly to prosecute them for any evil acts they might have done. That would be the deterrent effect to stop future generations going over.

Ms Abbott: Does my hon. Friend agree that telling first-generation British citizens of Bangladeshi origin that their citizenship can be stripped from them at will is potentially counterproductive, and that Shamima Begum should have been brought home, interrogated, and put on trial if that was the right thing to do?

John Woodcock: I thank the right hon. Lady for that intervention. Yes, I believe strongly that Shamima Begum should be brought home and put on trial. The possibility that there is insufficient evidence to try her is deeply alarming, however, and I will come on to how the system ought to be strengthened. Anyone who looks at the case, apart from those from a narrow and legalistic background, will see a woman who travelled over to the so-called caliphate of Islamic State with the express intention of supporting it. She admitted that openly to the journalists who found her and who interviewed her subsequently. She admitted to supporting the caliphate as part of a community. How on earth can she not be prosecuted for terrorist offences? If the legal position is that proof is needed of the active aiding and abetting of violent acts, or of carrying out such acts directly, clearly the legislation is far too lax.

That is the first point on which I want the Minister to come back to me on, although I understand that she is standing in for her colleague, the Security Minister. By the way—if this is not too much of a detour, Mr Howarth—I commend the Minister, probably on behalf of everyone present and of much of the House, on what she apparently said on the margins of a vote to the former Foreign Secretary, the right hon. Member for Uxbridge and South Ruislip (Boris Johnson), about the issue of historical child abuse. I will say no more than that and I do not expect her to comment on it for *Hansard*.

We should ensure that the terrorism laws are fit for purpose. If people go over there and admit to being part of and in general support of that organisation, in whatever way, that means that they are guilty of a terrorism offence, and they should be prosecuted for it. Some of my colleagues and I have long pushed for an Australian-style declared areas offence in British law—to be fair to the Security Minister, he was also on that track. That is finally being done, although it is being weakened in a way that I am concerned about, but let us see. It is good for it to be on the statute book. The Iraq and Syria conflicts will not be the only such conflicts so, in future, with such an offence, a case could be made against someone simply for going to an area that has been prohibited.

[John Woodcock]

As I mentioned in my intervention on the hon. Member for Thornbury and Yate, a potentially severe threat to national security is posed by the hundreds of returnees whom it is apparently not possible to prosecute—or the enforcement agencies are not willing to prosecute them—so, in these serious times, we should make that law retrospective to cover people who went out to the area during the conflict with Daesh, to make it possible to prosecute them. If they had good reason to be there—they were genuinely part of an aid mission or were there with journalists, for example—they will be able to prove that.

What is palpably obvious, however, is that the majority of those returnees went over to support the caliphate. The failure to prosecute, or the apparent unwillingness to countenance such radical measures to hold them to account, leads people to lose faith in our judicial system and to favour the kind of measures set out in today's petition. If the Minister cannot give an answer, I would very much appreciate one from her colleague.

The Government have announced a review of the Prevent programme. It is important for Members in all parts of the House—unfortunately, in particular, those in the Opposition—not to undermine and damage the purposes of the Prevent programme by, in essence, mimicking the criticism pushed forward and pumped into our communities by Islamists determined to delegitimise the intervention of the British state. Too many times in recent years, we have seen good people in effect taken in by the idea that the British Government should in some way not get involved at all in such issues. That is a deliberate strategy—it is exactly what Islamists of different shades, from the apparently non-violent to those committed to violent jihad, have intended to do, and it is very dangerous.

I hope that the Government will reflect on the culture of secrecy that they still maintain on this issue. We recognise that there are difficulties and that it can be awkward to talk about the lack of success, but the Government are doing themselves no favours by making it difficult to drag out information about their measures to tackle extremism. It took months for me to prise out of the Security Minister the figure of 40 successful prosecutions, and the Government still refuse to give any details of the nature of those prosecutions, despite repeated requests from journalists. In a recent meeting of the Home Affairs Committee, the Home Secretary, with the permanent secretary sitting next to him, agreed to my request to look at that issue. I would like a response soon.

It is a total fallacy to suggest that the British state's inefficiency in prosecuting people can be kept secret. The Government may be worried that a message is going out to communities that people can get away with extremism, but there are hundreds of people who are living examples of that message. Government secrecy will not prevent potentially vulnerable people from finding out. With respect, I suggest it is solely a measure to cover the Government's embarrassment. If they want co-operation across the House to find more effective ways to prevent extremism, they need to begin with more transparency.

Like the hon. Member for Thornbury and Yate, I hope that the Government are looking realistically at modernising treason laws. We should not simply stick

that on a press release to sound more draconian and in touch with the 19th century; in these difficult times, we ought to examine that closely. I would welcome an update from the Government: what steps are they taking to look at how the law could be modernised to apply to the current situation?

Toughening up our data-sharing laws could be an important part of stopping foreign fighters before they make the journey abroad. There was debate in the main Chamber about the proposed data-sharing agreement with the United States, which I do not propose to rehearse. In recent days, following the appalling tragedies in Christchurch, social media companies have been unwilling to acknowledge their responsibility and the impact they can have. I have not tried to look for the video, shared far too readily on social media, of deeply distressing images of peaceful Muslims being gunned down as they went to pray. It is shocking that social media companies refused to pull the plug on their platforms while the vile video was being shared, which clearly could incite further acts of terror.

There is something deeply wrong in the relationship between community, Government and the social media giants. An effective way to address that could be to take down the platforms in international emergency situations. A palpable contribution to fighting the extremism that leads people to go to foreign lands could be to require companies to share with Government the IP addresses and log-in details of every user who hosts extremist content that companies take down.

Social media companies are getting better, although far slower than we would like, and are upping their game at taking down extremist materials. But there is a weird situation because, although far more is being taken down than just a year ago, the vast majority disappears into the ether. Every time that extremist material is shared online, spotted and taken down is an opportunity for Government to spot someone who has been or is being radicalised. That is better than waiting until it is too late, when they have committed a terrorist act on British soil—God forbid—or have become foreign fighters or supporters of foreign fighters abroad. The Government can do so much more. In this debate and in the weeks ahead I hope they will step up their fight.

5.6 pm

Gavin Newlands (Paisley and Renfrewshire North) (SNP): It is a pleasure to serve under your chairmanship, Mr Howarth. I thank the hon. Member for Thornbury and Yate (Luke Hall)—something I have not said before—for setting out the petition so well. It can be quite difficult to do that in a balanced way on such a sensitive issue, but he handled it very well. He spoke of the declared area offence, which is intended to make it easier to convict those who travel to conflict areas. We tried to put appropriate safeguards in place, and we welcome the measure, provided that those safeguards are in place. I join him in sending our condolences to those involved in the atrocities in Utrecht and Christchurch—an urgent question is being asked about that in the Chamber. It is important to remember the victims of extremists and terrorists.

The hon. Member for Barrow and Furness (John Woodcock) mentioned the clash between this debate and the urgent question in the Chamber. I am curious

about why we are often quick to label far-right violence and extremism as that, rather than as terrorism. We are quick to describe members of Daesh and al-Qaeda as terrorists, but we seem to talk about the far right in stages; we call it extremism and violence, and only after a certain amount of time do we call it terrorism. I am a little uncomfortable with that, to be honest.

I jokingly said before the debate that I do not think the hon. Member for Barrow and Furness and I have ever knowingly agreed on anything since my election in May 2015. However, halfway through his speech I found myself agreeing with almost everything he was saying—I even said, “Hear, hear” at one point. That was a shock to both of us. We did diverge at one point, where we have subtle differences of opinion, but I welcome much of what he said. He made a good point about the impact on international relations in an incredibly sensitive area if we were to disallow the return of Daesh terrorists to the UK. His point about social media companies is incredibly important. I think we would all accept that there has been an improvement in those companies’ reactions with regard to taking down content and so on, but too often their reaction is still far too slow. There is still a long way to go with regard to social media platforms doing their bit.

There is no doubting the gravity and importance of this issue and of the petition. We must all recognise that there is a deep sense of anger in the country. That is evidenced by the nearly 600,000 signatures on the petition, 582 of which came from my constituency. Regardless of our opinions on the petition or anything else, we are all deeply concerned about the threat from Daesh, al-Qaeda and other terrorist organisations and ideologies. I very much feel the anger—I hear it in surgeries, and I get emails the same as everybody else—of those who signed the petition. However, I do not agree with the solution they call for.

The petition asserts that removing citizenship from Daesh members would keep the UK safe from terrorism, but that is fundamentally flawed and, as we heard, flies in the face of international law. The UK must meet its international obligations, allow the return of its citizens and ensure that they face the full consequences of their actions. If we do not take responsibility for that, on whose shoulders should it fall? Stripping extremists and terrorists of their citizenship would leave a line of angry, radicalised and violent people in post-conflict regions and give them, through their extremist lens, further reason to wish violence upon the people of our countries.

Alex Younger, the chief of MI6, insisted that although he is “very concerned”—as we all are—about the individuals making their way back from Syria and elsewhere in the region, British nationals have a right to come to the UK. *The Times* also reported that MI5 sees individuals who have joined Daesh as potentially valuable intelligence assets in continuing the fight against Daesh and its murderous ideology at home and in the region.

However, no one who has fought for or assisted a terrorist group will ever face a warm welcome on their return to the UK. Many of these fighters have committed unimaginable acts of terror and violence against innocent people in the name of a fascist ideology; of that there can be no doubt. It is vital that we recognise that if a UK citizen becomes isolated from society and susceptible to radicalisation, it is we—our society and our Government

—who failed to prevent that. As has been said already, if the UK allows radicalisation to happen, it is our responsibility to make amends and bring the UK national in question to justice.

Having been the SNP’s Front-Bench spokesman on the Counter-Terrorism and Border Security Bill—I am sure that I took interventions from the hon. Member for Barrow and Furness—I very much look forward to the review of the Prevent strategy that the Opposition secured during the Bill’s passage. We will seek to ensure that the review is independent and that its scope is wide enough for it to be truly effective. The point was made earlier that that is not about watering down our approach to Prevent; I say in response that it is about ensuring that it is effective, which I think we all want.

Between 2014 and 2017 there was a dramatic rise in the number of UK citizens who lost their citizenship, so will the Minister carry out a full review of the powers available to the Home Office to strip an individual of their citizenship? Statistics show that citizenship deprivation was used only a handful of times a year, but its use rocketed from 14 times as recently as 2016 to 104 times in 2017. Under the Immigration Act 2014, the UK Government are required to carry out a review of the Home Secretary’s power to revoke citizenship. The first such review was conducted in 2016 by the eminent QC David Anderson—he is now Lord Anderson—in his capacity as the independent reviewer of terrorism legislation, but no subsequent review has been published, and the position of independent reviewer is currently vacant. The next review would need to cover the period from July 2015 to July 2018.

On that note, it is worth considering these comments by Duncan Lewis Solicitors:

“The power to deprive UK citizens of their citizenship can only be used against the children of immigrant parents—meaning that the application of the policy is inherently discriminatory. It cannot be used on a white English person with white English parents.”

That aspect of the current powers must surely be dealt with in the next review to address fully the obvious concerns about the policy.

The Home Secretary also has powers to ensure that foreign fighters can return to the UK to face justice, and powers that would enable him to manage the return of foreign fighters. Provided he reasonably suspected that an individual had been involved in “terrorism-related activity” and posed a threat to security in the UK, he could impose a temporary exclusion order, which have been mentioned, under the Counter-Terrorism and Security Act 2015. That would permit return only on strict licence conditions. If an individual was still considered a threat to national security, further restrictions could be imposed on his or her liberty through a terrorism prevention and investigation measure, or TPIM. It may be possible to prosecute under the Terrorism Act 2000, which includes offences of being a member of, or aiding and abetting, a proscribed terrorist organisation.

I shudder to think what state we would find our world in if all countries abdicated responsibility for the terrorists born in their country. The UK has been described as being in the “vanguard of citizenship deprivation”, with an approach that contrasts starkly with that of other European countries, such as France and the Netherlands, which have returned their citizens from Iraq and Syria to face justice at home. In a recent

[Gavin Newlands]

similar case, Ireland most likely will not revoke the citizenship of a Daesh fighter returning there. Even Donald Trump tweeted that the UK should “take back” Daesh fighters captured in Syria and “put them on trial.” Surely that shows just how out of step with the rest of the world we have become.

I have not mentioned her by name thus far, although she has been brought up, but the reason this issue has gained so much attention of late is of course the case of Shamima Begum, who had her citizenship revoked by the Government—a move I wholeheartedly disagree with. Surely she must come to the UK to face justice. What has not gained the same attention is the death of her son, Jarrah, an innocent newborn baby and a British citizen who died in a refugee camp in Syria—a child who, if he had returned, may eventually have gone on to live a normal life in the UK. I hope that the Government reflect on their actions, or lack thereof, in that case.

Our position is clear: the UK bears responsibility for all its citizens, and the actions of the Home Secretary are to be condemned. It is time for Daesh members to come back to the UK and face justice.

5.17 pm

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): In the light of the terrorist atrocity in Canterbury, New Zealand, this debate about a petition that quite correctly expresses horror and condemnation of terrorism, whatever its source, is extremely timely. The petition expresses a deep sense of anger about terrorism, but it also poses the very important policy question, “What are we going to do about returning foreign fighters?”

Government Members said that British citizenship should not be taken lightly. You do not have to tell the daughter of West Indian migrants that British citizenship is a pearl beyond price. I do not take it lightly, my parents did not take it lightly and I do not believe the parents of some of these foreign fighters take it lightly. I do not think the contention that, because someone’s parents or grandparents migrated from somewhere, they do not take the notion of being a British citizen very seriously, stands up.

A lot of this debate revolves around the particular case of Shamima Begum. I have said before in the House—I will repeat it, for the avoidance of doubt—that Shamima Begum made some very bad, very stupid and quite possibly illegal choices. She has also made some terrible statements in the media. I do not, and Labour does not, sympathise with or excuse her views or her actions. What we on the Opposition Front Bench are concerned about is what should be done genuinely to make this country safer.

On the question of Shamima Begum, we have to recognise that she was just 15 when she left this country to join ISIS. She had clearly been groomed in her bedroom by the disgusting agents of ISIS. There has been talk from Members who seemed to imply that she is wholly responsible for her fate; I thought that since the Rotherham child sex abuse cases the House had moved beyond blaming 15-year-olds who had been groomed entirely for their fate.

We have recently discussed cases of British people being deprived of their citizenship, including Shamima Begum. We now learn that other British women were

made stateless under the previous Home Secretary, but in secret. At least the current Home Secretary has disclosed, with a little prompting, that he has made someone stateless, which is an improvement on his predecessor. However, he seems unable to tell us if he has received any advice from MI5 or MI6, and what they have said about his decision to strip Shamima Begum of her citizenship. He is unable to clarify what other legal advice he may have received.

It is not clear what steps, if any, the Home Office took to ensure the safe return of Shamima Begum’s son, Jarrah, who was a British citizen and who was born before the Home Secretary’s decision. That son now lies dead. Shamima Begum has buried three babies in Syrian soil in less than a year. Will the Minister tell us whether there will be coroner’s inquest for Jarrah and whether the Home Office is willing to facilitate contact between Shamima Begum and her legal representatives?

When we debated this issue, the Home Secretary repeatedly hid behind the words that he cannot talk about individual cases. He appears to be pretending that Shamima Begum’s case is somehow sub judice and therefore cannot be safely discussed. I put this as kindly as I can: that is nonsense, as everyone knows—the Speaker had to point this out. The Home Secretary had no compunction about naming Shamima Begum directly, for the benefit of 400,000 readers of *The Times* in an article he wrote on 17 February. That article was headed:

“If you run away to join Isis, like Shamima Begum, I will use all my power to stop you coming back”.

He clearly had no problem discussing an individual case then. Can Ministers not see that that defence will not do?

The House can only speculate what line of defence Ministers will take when the almost inevitable legal challenge to their decision comes, if not in this case then in other cases. I remind Ministers that they have lost twice in court when attempting to strip British citizens of Bangladeshi descent of their nationality. As Ministers like to remind us, the duty of the Government is to ensure the safety and security of all our citizens. I contend that it is not for Ministers to pick and choose who enjoys those rights; it is a matter of law. One is almost obliged to ask Ministers if they regard it as their duty to uphold the law and to defend British citizens, such as the defenceless baby, Jarrah.

Let me remind the House of article 15 of the universal declaration of human rights, which says:

“Everyone has the right to a nationality...No one shall be arbitrarily deprived of his nationality”.

Could the legal position be any clearer? The idea that Ministers can unilaterally deprive British citizens of their nationality and render them stateless is clearly contrary to international law. Hopefully, the Minister will explain how she proposes to get away with that. Shamima Begum had only one nationality; now she has none. The same applied to her children. The Home Office decision, which I contend was clearly against international law, has deprived them all of their citizenship.

Citizenship entails obligations as well as rights. The basic obligations include not breaking the law of the land. If Shamima Begum and others in similar circumstances have broken the law, they should be allowed to return, but they should be investigated, interrogated and, if appropriate, prosecuted. They are

the responsibility of the British Government. We are talking about British citizens. If Shamima Begum or anyone else is identified as representing a threat, our judicial system is there to deal with it. We are a country of laws, and it should be clear that dealing with a threat is preferable to not dealing with it, and dumping it on foreign countries.

Ministers like to say that they are acting in defence of us all from the terrorist menace. We see from Christchurch, New Zealand, that the terrorist menace, whether Islamic or far right, is real, but does anyone seriously claim that Shamima Begum was more dangerous than the upwards of 400 foreign fighters who have returned from conflict zones, having fought for ISIS, al-Qaeda or their disgusting offshoots or splinter copycat organisations? It is reported just 40 of those fighters have faced any charges, and that the others remain at liberty. We need a more systematic approach and a proper programme for returning foreign fighters—perhaps an extension or an enhancement of the Prevent programme—but the idea that one 19-year-old girl with a two-week-old baby was somehow more dangerous than the 400 foreign fighters who have already returned seems to me to be a difficult position to defend.

No less a person than the President of the United States, Donald Trump, has said that European countries ought to be prepared to take their foreign fighters back from Syria and related territories, and put them on trial, where necessary. It is not often that I find myself agreeing with the President of the United States, but on this point he is correct. How can we expect other countries and jurisdictions to deal with British citizens who have broken British law?

Returning foreign fighters are a real threat to our security. That is a genuine terrorist threat, and I contend that the Government have yet to respond to it adequately. We cannot ignore the fact that there are many hundreds of British foreign fighters in Syria and associated areas. We need a proper programme to deal with them. Arbitrarily stripping people of their citizenship, contrary to international law, is not the answer, not least because it can be challenged in court.

Instead of seeking cheap headlines and grandstanding against Shamima Begum, Ministers' time would be better spent—and our security enhanced—by addressing the real risks and threats posed by foreign fighters, and understanding that if they are British they are Britain's responsibility and should be subject to the British criminal justice system. As the security services have said in the past, we need a genuinely tailored programme to deal with the threat. It cannot be a case of knee-jerk reactions to newspaper headlines. Some 400 foreign fighters have returned to this country; we need a more systematic approach to keeping this country safe.

5.29 pm

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): It is a pleasure to serve under your chairmanship, Mr Howarth. May I join colleagues from across the House in reflecting on the fact that the debate follows upon the weekend's terrible events in New Zealand and Surrey and, today, Utrecht. As has been said before, we will reflect on the fact that terrorism takes many forms but the purpose of terrorist acts is to undermine the rule of law, to frighten,

and to put a stop to the values that we hold dear in western society. It is sickening that people choose to undermine our societies by killing the most innocent of people—people going about their daily lives, whether at a place of worship or in a car park as they go about their day-to-day business in a working day.

Many colleagues are in the main Chamber, focusing on the issue of far-right violence and online extremism, and bearing that in mind I thank my hon. Friend the Member for Thornbury and Yate (Luke Hall) for the measured and balanced way in which he opened the debate. It is quite something that the petition has secured some 570,000 signatures which, as my hon. Friend told us, makes it the most heavily endorsed petition to have come before the House. It is with those great expectations of the public weighing heavily on our shoulders that I hope to answer some of the points raised today.

Ms Abbott: Can the Minister provide the House with figures about the number of far-right terrorists we are engaged with, or who are perhaps currently going through the Prevent programme?

Victoria Atkins: I am sorry; I was talking about the people who signed the petition. I do not understand the link. Perhaps the right hon. Lady could clarify.

Ms Abbott: I apologise to the Minister. I was referring to her earlier remarks about far-right terrorist responsibility for the atrocity in New Zealand. I wanted to understand whether she has figures available for the number of far-right terrorists whom Government agencies are currently engaged with, and who are passing through the Prevent programme. If she does not have the figures to hand I will quite understand, but perhaps she can write and furnish me with those figures.

Victoria Atkins: I am happy to provide that information. As the right hon. Lady knows, the Prevent programme, which I shall talk about later, focuses on the threats and risks posed by individuals regardless of the ideology under which they claim to be acting or which people who are worried about them, and who have referred them to the Channel programme under Prevent, are worried they are operating under. The Government have been clear that people of far-right tendencies are part of the programme and are being helped through it. We are clear that it is a matter of threat and risk. The efforts to stop radicalisation apply regardless of the false ideologies that people appear to subscribe to when they are put through the programme.

I thank other Members—including the hon. Member for Barrow and Furness (John Woodcock), who has paid particular attention to this subject during his parliamentary career—for their contributions and thoughtful comments on such matters as the passage of the most recent counter-terrorism Act, the Counter-Terrorism and Border Security Act 2019.

The Government's priority is the safety and security of the United Kingdom and the people who live here. That includes managing the risk posed by those who have gone to fight in Syria or Iraq or to support terrorist organisations such as Daesh or al-Qaeda. We have a range of powers and tools available to us to protect the UK from the national security risk posed by returning Daesh members. Members have referred to

[Victoria Atkins]

specific cases in their speeches, but I cannot as the Minister discuss individual cases in response, for many reasons including the possibility of related or future investigations or legal proceedings. Of course the Government never comment on the operational capabilities and methodologies of the security services, for obvious reasons.

All decisions that we make must be rooted firmly in British values and must be made in accordance with the law. That means that we cannot make people stateless, and UK nationals have the legal right to return to this country. However, anyone who returns from taking part in the conflict in Syria or Iraq can expect to be investigated by the police and prosecuted, where there is evidence that they have committed criminal offences that meet the requirements in the code for Crown prosecutors. About 900 people have travelled from the UK to engage with the conflict in Syria and Iraq, against the advice of the Foreign Office. Of those, approximately 20% have been killed in the conflict and about 40% have returned to the UK. They have all been investigated and the majority have been assessed to pose no or a low security risk. The hon. Member for Barrow and Furness asked about the number of foreign nationals who have been deported and I am afraid I do not have that information at hand, but I will ask the Security Minister to write to him with it.

We know that those who remain in the conflict zone include some of the most dangerous, who choose to stay to fight, to raise families or otherwise to support Daesh. They turned their back on this country to support a group that butchered and beheaded innocent civilians, including British citizens. Those individuals pose a greater threat to the UK than those who returned earlier in the conflict. They will have become desensitised to violence and may have received combat training and intense indoctrination. They will have had the opportunity to expand their terrorist network. Where they pose any threat to this country we will do everything in our power to prevent their return. The Foreign and Commonwealth Office advises against all travel to Syria and since 2011 there has been no consular support available to British nationals there. We are resolute that we will not put British officials' lives at risk to assist those who have left the UK to join a proscribed terrorist organisation, and therefore we cannot and will not actively provide assistance to any individuals who have travelled to the region.

The Home Secretary can exclude non-British nationals from the UK, and under the British Nationality Act 1981 has the power to deprive any British national of citizenship status. Deprivation of citizenship is used in extreme cases where it is conducive to the public good and where it would not leave the individual stateless, which would be unlawful. Deprivation is a powerful tool that can be used to keep the most dangerous individuals out of this country. Each case will be considered based on the information that is available, regardless of gender, age or family status. Since 2010, the power has been used about 150 times for people linked to terrorism or serious crimes. I know that that is a matter of concern to colleagues, so I emphasise that Parliament has clearly set out the legislative basis for the exercise of the power, and that it is a decision to be taken by the Home Secretary. Removing an individual's British

citizenship is a weighty decision and, for that reason, it is a matter reserved to the Home Secretary. He takes those decisions in the light of carefully considered advice prepared by officials and lawyers. However, a statutory right of appeal is attached to each deprivation decision, and individuals can and do exercise that right, so that the courts can review the appropriateness of a decision independently.

Several colleagues have raised the issue of bringing to justice people who return to this country. My hon. Friend the Member for Thornbury and Yate did so on behalf of the petitioners, and the hon. Member for Barrow and Furness emphasised its importance. Those who have fought for or supported Daesh, whatever their nationality, should wherever possible face justice for their crimes in the most appropriate jurisdiction. Sometimes that is in the region where their offences have been committed.

Individuals who return will be investigated and, where there is evidence that crimes have been committed overseas, they should expect to face prosecution in the UK. There have been about 40 convictions of individuals prosecuted following their return from Syria for a range of offences, either connected with their activities overseas or as a result of subsequent CT investigations. That includes a 10-year custodial sentence for Mohammed Abdallah, a British national convicted in December 2017 of Daesh membership after leaked documents from a defector revealed his role as a specialist sniper, and a minimum of 40 years imposed on Khalid Ali, who was sentenced in 2018 for planning a terrorist attack in Westminster. I will, however, remind the Security Minister of the specific request by the hon. Member for Barrow and Furness.

In answer to questions posed by my hon. Friend the Member for Thornbury and Yate regarding new offences, or offences available for law enforcement and the Crown Prosecution Service to prosecute, our courts could try cases involving overseas terrorism offences relevant to foreign fighters even before the recent extensions of extraterritorial jurisdiction in the Counter-Terrorism and Border Security Act 2019. Those offences include preparation of terrorism, for which the maximum sentence is life imprisonment; encouragement of terrorism, the maximum sentence for which has been extended from seven to 15 years by the 2019 Act; training for terrorism, which also has a maximum sentence of life imprisonment; and membership of a proscribed organisation, which has a maximum sentence of 10 years.

Hon. Members also asked whether the Government are considering a new law of treason. That is a matter for debate and the Government have not yet reached a settled position, but our concern is that to prosecute terrorists for treason risks giving their actions a political status or a glamour that they do not deserve, rather than treating them merely as criminals. That is why we recently passed the 2019 Act, which updates terrorism offences and introduces new powers to reflect the threat we face today from foreign terrorist fighters, thus providing the police and intelligence services with the powers they need to protect the public. At this point, we do not believe there are grounds for introducing an offence of treason, but of course the Government keep all these matters under review.

It is of course for the police and the Crown Prosecution Service to decide whether individuals should be prosecuted, in accordance with the code for Crown prosecutors. As

has already been acknowledged, for crimes committed in a conflict zone where there is no national infrastructure and no police force taking section 9 witness statements or making notes about who said or did what, obtaining evidence admissible in a UK court is extremely difficult. That is the problem we have to face.

That is why, where prosecution is not possible, we have a range of powers available to protect national security and to monitor and manage the risk posed by terrorism suspects in the UK, including terrorism prevention and investigation measures and temporary exclusion orders to place conditions on individuals' return, including regular reporting to a police station and mandatory attendance on our de-radicalisation programme. The best way to reduce the risk posed by these individuals will be judged on a case-by-case basis. Those decisions are based on advice and intelligence from the security services, counter-terrorism police where relevant, and specialist security and legal officials in the Home Office.

We publish statistics on the total number of TEOs in place in the annual "Disruptive and investigatory powers: transparency report". Last week the Home Secretary asked officials to expedite the publication of the next transparency report, which will include the most up-to-date annual figures on disruptive and investigative powers, including TEOs and deprivation orders, because we recognise that it is a matter of great concern to the House.

The Counter-Terrorism and Border Security Act updated our terrorism laws for the digital age and modern patterns of radicalisation, closing gaps in some existing offences and adding new ones, such as recklessly expressing support for a proscribed organisation, or publishing its flag or logo online. The Act also creates a new power to ban British citizens from entering designated terrorist hotspots without legitimate reason. The designated area offence, along with most of the Act's provisions, will come into force automatically in April, two months after Royal Assent. Decisions to designate an area will be based on careful assessment of all relevant information, including sensitive intelligence as well as open-source information, while applying the tests of necessity and proportionality.

The hon. Member for Barrow and Furness raised the question of retrospectivity—an understandable point to make. This is where balance is required; our priority to protect the security of the United Kingdom must be within the confines of the rule of law. In line with normal judicial principles, the power will not be retrospective and it will not be possible to prosecute for travel to an area before it is designated, but it will be an offence to remain in an area after it has been designated, even if the person has been there for some time. Individuals will have one month to leave the area, following which they will face prosecution if they remain. I hope that goes some way towards answering his concerns.

These powers and tools send a clear message to individuals that membership of or support for terrorist organisations will not be tolerated. Of course, as has already been discussed, this is against the backdrop of the Prevent strategy, which seeks to help those who may be at risk of radicalisation and extremism and to put them on to another path of lawfulness, away from criminality and potentially terrorism offences, by ensuring that they are able to obtain help locally from Prevent officers and others to steer them on to that better path.

The UK is doing all it can to help innocent people caught up in this conflict. We have committed £2.8 billion to Syria since 2012—our largest ever response to a single humanitarian crisis—and we are on track to resettle 20,000 vulnerable refugees who have fled the country, with our national resettlement programmes resettling more than any other EU state in 2017. We do not have a consular presence within Syria from which to provide assistance. Our position therefore applies as much to children as it does to adults. However, if British children were able to seek consular assistance outside Syria, then we would work with local and UK authorities to facilitate their return.

Children returning from Syria are likely to have been exposed to the conflict and to have experienced trauma. In some circumstances they may also pose national security concerns that must be carefully managed. A range of specialised support, some of which is funded directly by the Home Office, is offered to address many concerns ranging from safeguarding to national security. Our support will be tailored to the needs of each individual child. Local authorities and the police can use existing safeguarding powers to protect returning children, support their welfare and reintegration back into UK society, and minimise any threat that they could pose within schools and to their local community.

Ms Abbott: On the question of children, which the Minister addressed a few sentences ago, we have seen that journalists, aid workers and United Nations officials can go in and out of Syrian refugee camps. Why is it so impossible to make arrangements to protect British children?

Victoria Atkins: As the right hon. Lady knows, and as I have said twice already, we do not have a consular presence in Syria. The firm advice of the Foreign and Commonwealth Office is that it is not safe to travel there. I know that journalists and aid workers travel there against that advice, and they must take that decision very carefully and seriously. However, we are clear that we do not wish to put British officials at risk in a part of the world that we have designated as so dangerous that we have withdrawn consular support from it.

Ms Abbott: I am well aware that the Government advise people that it is not safe to travel to Syria. However, the Minister will be aware that children, particularly those who may only be a few months old, are not in a position to abide by that advice. I ask her again: would it not be possible, working with NGOs, to get these very young—often weeks or months old—British children out to the nearest British consular presence, which may be on the border with Turkey?

Victoria Atkins: First and foremost, we do not want babies to be born in war zones, so the longer-term answer is that we do not want people traveling to Syria in the first place. It is not good for them and it is against clear FCO advice; we have clearly advised people for some years not to travel to the area. As I have already set out, if children are in a camp, it may well be that aid workers and others seek access. That is against our advice. I am afraid we cannot put officials at risk in that way.

[Victoria Atkins]

This is very difficult—I do not think that anyone pretends otherwise—but Syria is in a part of the world from which we have withdrawn consular support, and anyone going there does so against Foreign Office advice. Given the situation in the region, everyone who returns from Syria or certain parts of Iraq, including some children, must expect to be investigated by the police, to determine whether they have committed criminal offences, to assess any safeguarding concerns and to ensure that they do not pose a threat to our national security.

Before I bring my remarks to a close, I note the completely reasonable comments that have been made about the role of social media and tech companies in this regard. Colleagues will know that the Home Office and others are working with tech companies to ensure that they clean up their own backyards. We have seen some progress by some of the major technology companies, including the development of technology that can automatically detect and take down terrorist content. However, such material continues to remain accessible. More needs to be done.

As part of our efforts to prevent the dissemination of terrorist content online, the Government are not only preparing a White Paper on online harms, but working

with those in the advertising industry to make them more aware of the types of content that is appearing online, and to highlight that their advertisements may unknowingly appear next to that harmful content. I must say that the industry response has been very positive, and I hope that we will see some real change over the coming months. However, as this weekend has shown, there is a great challenge to the tech companies to ensure that, when invidious material is placed on their platforms, they remove it as quickly as possible, so that it cannot be forwarded or embedded in the web.

I conclude by thanking the 570,000 people who felt moved to sign the petition, causing us to debate this important issue again in the House. The Government's priority is to ensure the safety and security of the United Kingdom and the vast majority of our citizens who continue to uphold our shared values. We will not allow anything to jeopardise that.

Question put and agreed to.

Resolved,

That this House has considered E-petition 231521 relating to ISIS members returning to the UK.

5.54 pm

Sitting adjourned.

Written Statements

Monday 18 March 2019

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

High Streets

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): On Saturday I announced the national High Streets Community Clean-Up Programme. This £9.75 million programme will provide every local authority in England with grant funding to work with community groups to carry out locally led spring cleans on their high streets and town centres.

Our ambition is to build strong, resilient and empowered communities where local citizens feel proud of the place in which they live—and this money will empower local authorities to support residents to take control over their high streets and town centres.

Events are scheduled across the country to take place in March to coincide with clean-up campaigns, including the Great British spring clean beginning on 22 March. This funding reflects commitments given in the litter strategy and will increase the reach and impact of such events.

[HCWS1423]

WORK AND PENSIONS

Collective Defined Contribution Pension Schemes

The Secretary of State for Work and Pensions (Amber Rudd): Today the Government publish our response to our consultation, Delivering Collective Defined Contribution Schemes.

The UK has a world-class occupational pension system. But there is always opportunity for further innovation and improvement to ensure pensions work for their members, who deserve security in retirement. The Government believe that Collective Defined Contribution (CDC) pension schemes can be a key part of this.

CDC schemes are a new type of pension scheme. In a CDC scheme, like Defined Contribution (DC), contributions are paid into a fund. Unlike DC, these funds are pooled, and at retirement, individual members receive a regular

pension income from the fund. This income will be based on the value of their contributions and savers will save towards a “target” benefit whose value will depend on the fund’s performance.

The CDC approach increases investment leverage for savers, and helps members secure a regular income in retirement at lower cost. For employers, CDC, like DC, provides stability and predictability in their obligations to the pension scheme. Therefore, CDC helps improve retirement outcomes for members whilst also benefiting employers.

In that spirit, Royal Mail and the Communication Workers Union have proposed a CDC pension scheme in the belief that this will be advantageous to both the employees and the business. This is a start and will provide a firm footing for further innovation in pensions.

We set out our proposed approach for providing for CDC schemes in our consultation document Delivering Collective Defined Contribution Pension Schemes, including requirements for CDC schemes to operate with systems and approaches that ensure sustainability, transparency and effective communication. Intergenerational fairness must be at the heart of CDC schemes. All this will be underpinned by a requirement for CDC schemes to be authorised by the Pensions Regulator. Government are grateful for the constructive comments and broad support our proposals received. Also, many responses, from trade unions, master trusts, and other pension providers, expressed a desire to see more people benefiting from the advantages that CDC can bring. They urged us, in time, to extend CDC to other parts of the pensions market.

Pension reforms in recent years have transformed pension saving in this country, whether it is auto-enrolment or the new state pension. The creation of CDC schemes is part of an ambitious reform of private pensions schemes, the pensions regulator and the way that savers interact with their savings through improved information and guidance. This means people can prepare for retirement with confidence. We will provide more options for employers to ensure that scheme members can adequately save for retirement and to better protect their income in later life.

As part of these reforms we intend to bring forward legislation to facilitate single and associated employer CDC provision as soon as parliamentary time allows, and consider further what other provision would be appropriate for the future.

[HCWS1422]

Petitions

Monday 18 March 2019

OBSERVATIONS

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Green Deal Scheme

The petition of residents of Glasgow North,

Declares that the Government-backed Green Deal Scheme has adversely affected residents of Glasgow North both financially and psychologically; further that many residents have, in good faith, invested their life saving or accrued several thousands of pounds of debt to pay for work that was carried out by companies approved by the Green Deal Scheme; further that in some cases the work including the installation of insulation and of solar panels, was incomplete; further that some were sub-standard and in many cases residents were given incorrect information which led them to believe that they would save or make money when in fact they have simply lost money; and further that in other cases the installer did not apply for building warrants and as a result they are unable to sell their properties, or have the peace of mind that their homes are safe to live in, or that the insurance policies residents continue to pay are valid without a building warrant.

The petitions therefore request that the House of Commons urges the Government to compensate financially and protect people who have found themselves suffering in this way after signing up to this Government-backed scheme using Government-approved installers.

And the petitions remain, etc.—[Presented by Patrick Grady, *Official Report*, 14 January 2019; Vol. 652, c. 981.]

[P002303]

A petition in the same terms was presented by the hon. Member for Paisley and Renfrewshire North (Gavin Newlands) [P002301].

Observations from the Minister for Energy and Clean Growth (Claire Perry):

The Department recognises the distress that these issues have caused, and it is right they be resolved as quickly as possible. To that end, the following process is in place.

Consumers can obtain appropriate redress where they have suffered detriment under the Green Deal. A process for handling complaints was established under the Green Deal Framework (Disclosure, Acknowledgment, Redress etc.) Regulations 2012. The consumer makes a complaint to their Green Deal Provider, the company responsible for the work undertaken. Where this is not resolved satisfactorily, the consumer may approach the Green Deal Ombudsman or the Financial Ombudsman Service, depending on the nature of the complaint. Their decision is binding on the Green Deal Provider.

Where the consumer remains unsatisfied with the redress offered through those channels, they may refer their complaint to the Secretary of State for Business, Energy and Industrial Strategy for consideration. Where the Secretary of State is satisfied there has been a breach of the regulations, he may impose the sanction of reduction or cancellation of the Green Deal loan. This is the full extent of the Secretary of State's powers to provide redress to consumers in relation to the Green Deal.

The Department has secured additional expert support from the Green Deal Ombudsman Investigation Service and Financial Ombudsman Service to assist in the review of cases. It is the Department's intention to address the outstanding complaints within the next few months.

For one particular Green Deal Provider, that has dissolved, additional arrangements have been made whereby complainants can approach the Green Deal Finance Company who are able to make offers of loan cancellation or reduction where the evidence supports this.

The Government are undertaking a fundamental review of the Green Deal. We published a Call for Evidence in October 2017 and a summary of responses last summer. We are now considering the next steps to develop policy proposals and will continue considering what changes could be made to the Framework.

Ministerial Correction

Monday 18 March 2019

TREASURY

Packaged Retail and Insurance-based Investment Products

The following is an extract from the First Delegated Legislation Committee on the draft Packaged Retail and Insurance-based Investment Products (Amendment) (EU Exit) Regulations 2019.

The Economic Secretary to the Treasury (John Glen):
Any amendments to fix the exit deficiencies would have to be made known to the Treasury, and any new binding

technical standards derived from this ongoing review will also have to come from the Treasury and will have to be laid under the affirmative procedure.

[Official Report, First Delegated Legislation Committee, 20 February 2019, c. 9.]

Letter of correction from the Economic Secretary to the Treasury.

An error has been identified in my response to the hon. Members for Glasgow Central (Alison Thewliss) and for Stalybridge and Hyde (Jonathan Reynolds).

The correct statement should have been:

The Economic Secretary to the Treasury (John Glen):
Any amendments to fix the exit deficiencies would have to be made known to the Treasury, and any **changes to** binding technical standards derived from this ongoing review will also **have to be made known to the Treasury**.

ORAL ANSWERS

Monday 18 March 2019

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Monday 18 March 2019

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**not later than
Monday 25 March 2019**

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