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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES
(HANSARD)**

Tuesday 26 March 2019

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

HEALTH AND SOCIAL CARE

The Secretary of State was asked—

Children's Health and Wellbeing

1. **Lucy Powell** (Manchester Central) (Lab/Co-op): What steps he is taking to help ensure better co-ordination with (a) the Department for Education and (b) other Departments to support children's health and wellbeing. [910022]

The Secretary of State for Health and Social Care (Matt Hancock): The Department of Health and Social Care works across government to ensure every child can have the best possible start in life. This includes a significant increase in mental health support in schools.

Lucy Powell: I thank the Secretary of State very much for that reply. May I first pay tribute to the former Minister, the hon. Member for Winchester (Steve Brine)? I think his actions last night were very honourable, and he has been an exceptional Health Minister.

May I ask the Secretary of State also to look at how we can join up services much more strongly on the ground? Whether it is early years, child mental health or special educational needs and disability support, time and again we hear problems about how services are not joined up.

Matt Hancock: I agree with the hon. Lady on both counts. My hon. Friend the Member for Winchester (Steve Brine) was an excellent Public Health Minister, who did exemplary work and drove the agenda with great passion and determination, and he has behaved honourably in every sense.

On the point about cross-government working, the hon. Lady is completely right. The need to join up, breaking down the barriers of silos that sometimes exist between agencies, is vital. There is a huge amount of work under way in all of the areas she mentioned, and I am determined to see that work.

Tracey Crouch (Chatham and Aylesford) (Con): On Friday, I met two clinical commissioning groups that cover my constituency specifically to discuss mental health and children's health and wellbeing. While it is an extremely complex issue, does the Secretary of State

agree with me that, with the perceived rigorous spending rules requiring health providers to spend only on pure health services, it will remain extremely challenging for them to work with other agencies to support methods, such as those to build resilience, that improve outcomes for children's health?

Matt Hancock: My hon. Friend is absolutely right to raise this. The most forward-looking CCGs in the country are working with all sorts of partners—the voluntary sector, charities, local authorities—to deliver better services that make people healthier, even if they are not purely medicinal in the first instance. For instance, tennis lessons may sometimes help people, Mr Speaker, as may all sorts of other activities. This is all part of a broadening social-prescribing agenda to get people healthy, however that is best done.

Mr Speaker: Splendid.

Chris Elmore (Ogmore) (Lab): The Secretary of State will be aware that, last Monday, I published my report, with the Royal Society for Public Health, on children's mental health and social media. May I place on the record my thanks to him for his tweet in support of the report? I have asked Education Ministers and I will be doing this with the devolved institutions as well, but would he agree to a meeting with me—and with the Mental Health Minister, the Under-Secretary of State for Health and Social Care, the hon. Member for Thurrock (Jackie Doyle-Price)—to look at the report and the recommendations so that we can start working across Departments and across devolved institutions?

Matt Hancock: I would be very happy to meet the hon. Gentleman and his all-party group on social media and young people's mental health and wellbeing. It is an incredibly important topic. We must make sure that social media is safe and that we protect children's mental health, which the evidence increasingly shows can be negatively impacted by the wrong use of social media. Social media can be a great, powerful force for good, but it also has its downsides and we need to mitigate those, and there is a lot more coming from the Government soon.

Theresa Villiers (Chipping Barnet) (Con): May I ask the Secretary of State to meet the Sport and Recreation Alliance to hear its ideas on how we ensure children and young people lead healthier and more active lives?

Matt Hancock: Yes, I would love to. I think this is an incredibly important agenda. It ties in directly with the question from my former ministerial colleague when I was at the Department for Digital, Culture, Media and Sport, my hon. Friend the Member for Chatham and Aylesford (Tracey Crouch). There is lots to do on this agenda.

Dr Rosena Allin-Khan (Tooting) (Lab): There has been an alarming rise in the need for the use of baby banks for children. While I am proud that organisations such as Little Village in Tooting are doing such amazing work, it is shocking that we even need baby banks in this day and age. Does the Secretary of State agree with me that it is a stain on this Government and highlights the drastic inequalities seen in our society?

Matt Hancock: We are determined to do everything we can to support people, especially at the time—in the first 1,000 days—that is so critical to people's whole lives, and that is an incredibly important part of the work. Improving maternity services is important, but the link-up with other broader agencies is also important, and we should not denigrate or downplay the vital role that charities too can play in supporting people.

David Tredinnick (Bosworth) (Con): I thank my right hon. Friend for coming to Hinckley to see co-ordination and social prescribing in action. Will he be taking steps to further develop personal budgets, which save money and improve lives?

Matt Hancock: Yes, absolutely. Driving the social prescribing agenda, which is based on increasingly strong evidence of the power of social prescribing to help people stay healthy and get them healthy again when they are ill, will also involve wider use of personal budgets. Almost 1 million people have personal budgets.

Dr Paul Williams (Stockton South) (Lab): I join my hon. Friend the Member for Manchester Central (Lucy Powell) in paying tribute to the very hon. Member for Winchester (Steve Brine), and I also pay tribute to my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders). Has the Secretary of State seen Professor Clare Bambra's research in the *Journal of Epidemiology & Community Health* this month, showing that inequalities in infant mortality between deprived and more affluent areas fell between 1999 and 2010 when there was a Labour Government, and then increased from 2011 to 2017? Is it not true that only Labour has the range of co-ordinated, cross-governmental policies that reduce inequalities in child health?

Matt Hancock: No. The NHS long-term plan has a whole swathe of policy to reduce health inequalities. The best thing we can do to reduce health inequalities is ensure that more people are in work, and the record number of jobs that have been delivered is a vital part of that agenda.

NHS Workforce

2. **Derek Thomas (St Ives) (Con):** What steps his Department is taking to ensure that the NHS has the workforce that it needs to meet the objectives of its 10-year plan. [910023]

The Minister for Health (Stephen Hammond): The long-term plan sets out how we will make the NHS a world-class employer and ensure that the NHS has the people that it needs. The NHS, led by Baroness Harding, is engaging with people across the sector to develop a people plan. That plan will set out how the challenges of supply and demand reform can be met, and it will be published in the spring.

Derek Thomas: I thank the Minister for that response. In Cornwall, we have set up the Health and Social Care Academy, and we use the apprenticeship levy to enable local people to train within the NHS service or social care wherever they want to. However, there are many restrictions around the levy, and I wonder if the Minister will meet me and others to discuss how the levy can actually be about training and supporting people into the NHS, rather than just restrictions about paying fees.

Stephen Hammond: The apprenticeship levy was obviously introduced to cover the training and assessment costs of apprenticeships at a rate that would meet employee demand. I recognise some of the challenges that there are, and I would be delighted to meet my hon. Friend to discuss the issues that he has raised.

19. [910042] **Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op):** The NHS 10-year plan in Plymouth will be delivered not only by NHS staff but by social enterprise staff. Those staff who work for social enterprise Livewell in Plymouth have had difficulty accessing the NHS pay rise and the NHS pension uplift. Will the Minister agree to meet me and Livewell's staff so that we can resolve this issue, to ensure that all staff who work for a social enterprise receive the pensions they deserve?

Stephen Hammond: The hon. Gentleman knows that I wrote to him on 20 March on this issue, and I outlined that officials from DHSC had contacted the scheme administrator about the issues with Livewell. I can confirm that the members there would still be dealt with in the way set out prior to the implementation date, and I am happy to meet him.

Mr Philip Hollobone (Kettering) (Con): The best way that Kettering General Hospital could deliver the NHS's 10-year plan would be to have the funding for an urgent care hub. I thank the Hospitals Minister for visiting recently. What can he do to ensure that that project is delivered?

Stephen Hammond: I was delighted to visit Kettering and to meet the chief executive and the chairman of the trust again. They made very strong representations. The representations by my hon. Friend and the trust have been heard, and he knows that they are at the forefront of my mind.

Carol Monaghan (Glasgow North West) (SNP): Changes to the pensions allowance are particularly impacting consultants in their willingness to do additional shifts, or indeed stay in their roles, so what discussions has the Minister had with the Chancellor about the effect of the changes to pension allowances on the retention of consultants in the NHS?

Stephen Hammond: My right hon. Friend the Secretary of State and I have both had conversations with the Treasury and the Chancellor, and there are ongoing discussions.

Andrew Selous (South West Bedfordshire) (Con): The Government have done well to get more medical students into general practice, but we are not doing quite so well at retaining GPs later on. What more can we do to make sure that GPs stay in general practice, so that more of our constituents can go and see a doctor more easily?

Stephen Hammond: NHS Improvement has a number of retention schemes in place, for GPs and for nurses, to look at why some people are leaving. The interim plan being developed by Baroness Harding has an employer of excellence work stream, which will report on a number of potential issues.

Jonathan Ashworth (Leicester South) (Lab/Co-op): May I just take a moment, on behalf of the Opposition Front Bench team, to thank the hon. Member for Winchester (Steve Brine) for all his work? We found him a decent, fair-minded Minister, and I wish to pass on my personal thanks for the work that he did on the children of alcoholics agenda.

We have 100,000 vacancies across the NHS. The Brexit mess means that we have fewer EU nurses and health visitors. Across the NHS, voluntary resignations are up 55% since 2011, and the professional development budgets have been cut by £250 million. Does the Minister agree that for Dido Harding's review to be taken seriously, those cuts to continuing professional development must be reversed?

Stephen Hammond: As the hon. Gentleman heard me say earlier, Baroness Harding is developing the implementation plan, which will then feed into the final implementation plan published after the comprehensive spending review. The cuts, as he describes them, are not cuts. He knows that we are increasing the budget for the NHS in real terms and in cash terms up to 2023-24.

Jonathan Ashworth: The Minister is responsible for workforce, but does not seem to understand that training budgets have been cut. Baroness Harding's review will only be taken seriously if it is backed up by real investment.

Outsourcing and transferring of staff, whether to wholly owned subsidiaries or the privatisation of clinical services, further undermines staff morale and creates a more fragmented workforce. The Secretary of State went to the Health and Social Care Committee and said no more privatisations on his watch, yet cancer scanning services in Oxford are being privatised. Will the Minister reverse those privatisations, or can we simply not believe a word the Secretary of State says?

Stephen Hammond: The hon. Gentleman can believe everything my right hon. Friend the Secretary of State says. He has delivered on his promise to work with the NHS to deliver a long-term plan, to deliver the funding that will make it possible, and to deliver the workforce that will ensure the plan is not undermined.

Health Inequalities: Life Expectancy

3. **Liz Twist** (Blaydon) (Lab): What assessment he has made of the effect on life expectancy projections of health inequalities; and if he will make a statement.

[910024]

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): The latest work from the Office for National Statistics shows that life expectancy is projected to increase, but none the less there are inequalities within those figures. That is why we are taking action to reduce smoking, prevent cardiovascular disease and diabetes, improve cancer outcomes and, of course, tackle childhood obesity. I can also add that reducing health inequalities is an important component of our NHS long-term plan. All local health systems will be expected to set out how they will specifically reduce health inequalities by 2023-24.

Liz Twist: Sir Michael Marmot, the world-recognised authority on public health, has warned that the country has, since 2010, stalled in the task of improving the life

expectancy of our population. There are already wide inequalities. For example, a Gateshead man can expect to have 57 years of life in good health, compared to the England average of 63.4 years; and a Gateshead woman can expect to have an average of 59.1 years in good health, compared to the England average of 64.1 years. What is the Minister doing to redress those real inequalities?

Jackie Doyle-Price: As I mentioned, the NHS long-term plan will be asking local health systems to specifically address this issue. Certainly, there are particular trends that I personally want to address. They are the real inequalities that affect people with learning disabilities, which are worse than the figures the hon. Lady mentions. We also see that the outcomes she refers to can be laid at the door of a slowdown of heart disease and stroke mortality improvements, so we really need to focus our interventions there. We are also seeing an increase in the fall in life expectancy due to alcohol misuse.

Rehman Chishti (Gillingham and Rainham) (Con): Medway has some of the highest health inequalities in the country. As the Minister rightly says, high inequalities are linked to a greater chance of a stroke. Despite that, the sustainability and transformation partnership and the clinical commissioning group decided to put an acute stroke service in Dartford, which is very close to London and is served by King's College London. The criteria was not followed correctly. The matter is now with the Secretary of State to review. Can the Minister assure me that the criteria will be re-looked at to ensure that justice is done?

Jackie Doyle-Price: My hon. Friend will know that this has to be reviewed independently, but the Secretary of State does have duties to consider inequalities in all his work.

Dr Philippa Whitford (Central Ayrshire) (SNP): I, too, wish to pay tribute to the hon. Member for Winchester (Steve Brine), who I sparred with many times in Westminster Hall. We might not have agreed on how to go about it, but he was clearly passionate about improving health.

The Secretary of State's vision for NHS England includes video links to GPs, diagnostic phone apps and healthy people undergoing gene tests for a few hundred pounds. Considering his own experience of such a gene test, does he not recognise that this just increases access for the well-off, will drive demand in the system and will actually widen health inequalities?

Jackie Doyle-Price: I do not accept that at all. Apart from anything else, we are seeing younger generations be more technologically savvy. We are taking advantage of that technological innovation to spread good health prevention and to help people look after themselves.

Mr Speaker: I call Dr Philippa Whitford.

Dr Whitford: I wish to come in on Question 5, Mr Speaker.

Mr Speaker: I beg the hon. Lady's pardon; I thought she wanted two questions on this. Maybe I was misinformed. Very well—she can have another question later.

Medicinal Cannabis Products

4. **Sir Desmond Swayne** (New Forest West) (Con): What estimate he has made of the number of prescriptions for medicinal cannabis products that have been issued since November 2018. [910025]

The Secretary of State for Health and Social Care (Matt Hancock): The data that my right hon. Friend asks for is not available, but it is important that we take action to make sure the right drugs are available for the right people.

Sir Desmond Swayne: Was it intended to make them as rare as hens' teeth? What measures is the Secretary of State taking to support clinicians in actually prescribing?

Matt Hancock: I met the parents of some of the children whose needs are best met through the use of medicinal cannabis. My heart goes out to those who are fighting for this cause. We changed the law in the autumn to try to make it easier, and I am looking very closely at what we can do to make sure that the intention of that decision is met.

Mr Ben Bradshaw (Exeter) (Lab): The Health Committee heard last week that patients are dying unnecessarily and up to a million families are being driven to criminality by getting medical cannabis illegally, and the situation has got worse since the Government changed the law in November. When are these families going to get access to medical cannabis for their children and other sufferers that they would have access to if they lived in Germany, the Netherlands, Canada or the United States?

Matt Hancock: As the right hon. Gentleman knows, I supported and indeed participated in the decision to ensure that access was made legal in the autumn, and I am working right now on trying to make sure that some of the challenges in the system are unblocked. Ultimately, these things have to be clinician led, but my sympathy is with those who are campaigning, whom I have met, because I know of the anguish that this problem is causing.

Prescription Charges: Asthma

5. **Mary Glendon** (North Tyneside) (Lab): What assessment he has made of the effect of prescription charges on the health and wellbeing of people with asthma. [910026]

The Minister for Care (Caroline Dinenage): Extensive arrangements are already in place to help people afford NHS prescriptions. Those include a broad range of prescription charge exemptions, for which somebody with asthma may apply.

Mary Glendon: More than 90% of people on low incomes say they struggle to afford their prescriptions, and 71% told Asthma UK they skipped their asthma medication due to cost. Given the health inequalities in this country, will the Minister investigate that injustice?

Caroline Dinenage: People on low incomes who do not qualify for an exemption may be eligible for either full or partial help with prescription charges through the NHS low-income scheme. In addition, for those

who do not qualify for that, the prescription pre-payment certificate is available, under which everybody can get all the prescriptions they need for only £2 a week.

Dr Philippa Whitford (Central Ayrshire) (SNP): Of the 300,000 who have missed out on their prescriptions, a quarter have had a flare-up of their asthma and 13% have ended up in hospital. Does the Minister not accept that prescription charges simply are not cost-effective and should be abolished, as they have been in Scotland?

Caroline Dinenage: Almost 90% of prescription items dispensed in the community in England are free of charge. That includes medicines for the treatment of asthma. The fact is that people who, like me, suffer from asthma and need those prescriptions have to decide, as taxpayers—as the people funding our NHS—whether we would rather contribute to those prescriptions or see the underfunding we have seen in Scotland, where GPs have been underfunded by almost £660 million over the last four years. It is a case of priorities.

Julie Cooper (Burnley) (Lab): I miss the former Minister, the hon. Member for Winchester (Steve Brine), but commend him for his principled stance.

The Minister is missing the point on prescription charges. It is now more than 50 years since the eligibility criteria for medical exemption charges were reviewed, and next week prescription charges will rise again, placing a financial burden on many who require regular medication for long-term conditions. Does she agree that it is high time the Government moved to address the very many anomalies in the system? How can it be fair that patients with some chronic illnesses get free prescriptions for all their ailments, while asthma sufferers pay for everything? When will she review this unfair system?

Caroline Dinenage: We all miss my hon. Friend the Member for Winchester (Steve Brine), so I thank the hon. Lady for her comments.

Since prescription charges were introduced, Governments of all colours have decided that some patients should pay prescription charges to contribute to the cost of running the NHS, but almost 90% of prescription items are dispensed in the community free of charge, which I think the hon. Lady will agree is an enormous amount.

Orkambi

6. **Mr Stephen Hepburn** (Jarrow) (Lab): What recent progress has been made in the discussions between NHS England and Vertex Pharmaceuticals on making Orkambi available on the NHS. [910027]

The Secretary of State for Health and Social Care (Matt Hancock): On 11 March, I held a meeting with all the parties to discuss how best to ensure that people with cystic fibrosis and their families can benefit from the best drugs as soon as possible. Vertex, the National Institute for Health and Care Excellence and NHS England met on Thursday and have agreed to take those discussions forward.

Mr Hepburn: Does the Secretary of State support immediate interim access to Orkambi while the negotiations are going on, and has he asked NHS England, NICE and Vertex to consider this option?

Matt Hancock: We are having constructive discussions—I am delighted that finally Vertex has agreed to participate in them; the parties have committed to providing the data needed for an objective assessment of the drugs in question, and I look forward to the discussions proceeding effectively.

Rachel Maclean (Redditch) (Con): A constituent of mine came to see me in my surgery. He had been born with cystic fibrosis and told me what a transformative effect the drug had had on him. He was lucky enough to be accepted on the trial, but he says we need to raise awareness because millions of people are not getting the drug. What response can the Secretary of State give to him and fellow sufferers?

Matt Hancock: My hon. Friend's constituent is absolutely right about raising awareness of the issue and the need for these drugs. I know the impact that cystic fibrosis can have on people and of the hope that these drugs will save lives. We have made a significant offer to the pharmaceutical company, Vertex, to allow these drugs to be provided in the UK, and I very much hope we can come to an agreement.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): On NICE decision making, my young constituents Nicole and Jessica Rich have the life-limiting rare condition Batten disease. Last month, NICE turned down a proven treatment for the condition after a year of deliberation. I and several cross-party colleagues wrote to the Secretary of State to ask if we could discuss this urgent matter, but we received a reply from the Under-Secretary of State for Health and Social Care (Baroness Blackwood), saying that she could not meet us because of diary commitments. This is insulting. Will the Secretary of State meet us to discuss this urgent issue?

Matt Hancock: Yes, of course I will. I understand exactly where that process has got to. It concerns a different drug from the one in the question, but it is also a very important consideration for a number of people.

Luke Hall (Thornbury and Yate) (Con): Will the Secretary of State agree to or consider temporary interim access to Orkambi while the negotiations continue, and has he had any discussion so far on that subject?

Matt Hancock: I am happy to consider all options that can secure access in a way that provides value for money based on an objective assessment of what is clinically right. That is the basis of our discussions.

Kerry McCarthy (Bristol East) (Lab): I am glad that the Secretary of State is taking a personal interest in this matter. In Thursday's debate, I mentioned the case of Oli Rayner, who gave evidence to the Health Select Committee. He fell ill in his 30s and was given Orkambi just to make him well enough to undergo a lung transplant operation. Is it not ludicrous to wait until people are virtually at death's door before being prepared to give them the drug?

Matt Hancock: That is one very important consideration. Having met people suffering from cystic fibrosis and heard directly the stories they tell about the impact on their lives and how it potentially shortens their lives, I think it is very important that we find a solution, which is why I was so determined to bring the parties together.

Antimicrobial Resistance: Vaccines

7. **Stephen Crabb** (Preseli Pembrokeshire) (Con): What plans his Department has to help tackle antimicrobial resistance with vaccines. [910028]

The Secretary of State for Health and Social Care (Matt Hancock): The new five-year national action plan to tackle antimicrobial resistance contains the commitment to support more research into new and alternative treatments, including vaccines and diagnostic tests, to promote broader access to vaccines for both humans and animals.

Stephen Crabb: Stopping the spread of diseases such as TB by using vaccines will play a key role in tackling AMR worldwide, so what plans does my right hon. Friend have for building on the excellent work of the UK Vaccine Network, with all the funding that goes with that, to ensure continued UK leadership in vaccinology?

Matt Hancock: My right hon. Friend is right to raise this issue. Of all the challenges facing the world, the risk that antibiotics will fail to work in the future is a huge one that we cannot afford to allow to come to pass. We are putting significant research money into the production of new antibiotics and ensuring that we roll out vaccines so that antibiotics do not have to be used.

The use of antibiotics in the chicken population in the United Kingdom has fallen by more than 70% over the last five years. This is doable: we will provide the money that is necessary to ensure that people can use antibiotics well into the future.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): May I beg the Secretary of State to snap out of the trance that he now seems to be in and wake up to the fact that many of the key researchers in this area are going back to their European homes because of the threat of Brexit? We are losing Spanish nurses, for instance, on whom my constituents absolutely depend for healthcare. Up and down the country, our health system is haemorrhaging talent because of the Secretary of State's lack of action. Wake up, Secretary of State, and smell the coffee!

Matt Hancock: I am afraid that I profoundly disagree with the hon. Gentleman, who used to be so sensible. Antimicrobial resistance is a global problem and we contribute to global funds, because only by coming together as a whole world will we be able to tackle it—and that is what we are going to do.

NHS Nursing Associates

8. **Andrew Lewer** (Northampton South) (Con): What steps he is taking to increase the number of NHS nursing associates. [910029]

The Minister for Health (Stephen Hammond): Health Education England is leading a national nursing associate expansion plan to train 7,500 apprentice associates in 2019, building on the 5,000 who were trained in 2018.

Mr Speaker: Will the Minister face the House, please? Andrew Lewer.

Andrew Lewer: The University of Northampton successfully carried out its partnership with Northampton General Hospital in training the first wave of nursing associates in the United Kingdom, as the Secretary of State saw when he visited the hospital recently. What can he and his team do to encourage other universities and local hospitals to form partnerships to deliver similar results?

Stephen Hammond: I know that the Secretary of State enjoyed his visit and was very impressed by what he saw. Health Education England has led the establishment of test site partnerships across England. There were 11 test sites in the first wave and a further 24 in April 2017, and the programme is now being rolled out all over the country.

Mr Jim Cunningham (Coventry South) (Lab): What discussions has the Minister had with nursing associations and the Home Secretary about the recruitment of nurses and social care workers from the European Union after we leave and about how it can be made easier?

Stephen Hammond: I know that my hon. Friend the Minister for Care met the Home Secretary last week and that there are ongoing discussions.

Lyme Disease

9. **Sir Hugo Swire** (East Devon) (Con): What support his Department provides for the (a) study and (b) treatment of Lyme disease. [910030]

The Minister for Care (Caroline Dinenage): The National Institute for Health Research is supporting the study of Lyme disease by researching markers that would offer a faster and more accurate diagnosis. Meanwhile, the National Institute for Health and Care Excellence has published clinical guidance for the diagnosis and treatment of the disease for healthcare professionals.

Sir Hugo Swire: Lyme disease is often misdiagnosed or diagnosed late, which results in widespread suffering such as joint pain, paralysis and brain damage. Will the Minister therefore join me in congratulating the charity Caudwell LymeCo, which has pledged £1 million in research funding, and will her Department commission research on a better test for the disease?

Caroline Dinenage: My right hon. Friend is absolutely right to raise this issue. We know that the outcome of Lyme disease depends on whether it is diagnosed and treated at an early stage. That is why my Department commissioned four separate independent systematic reviews of all the relevant literature on the diagnosis, treatment, transition and prevention of the disease, which were published in December 2017 and which assess the existing evidence for the research community, research funders and the public. We welcome all independent researchers who want to do more work on that basis.

Rachael Maskell (York Central) (Lab/Co-op): My constituents have faced many challenges in relation to Lyme disease. They have had to go overseas to be tested and given a diagnosis. However, the NHS does not recognise those tests. What is the Minister doing about that?

Caroline Dinenage: Most people are diagnosed and treated successfully by GPs and recover uneventfully, but in a few cases people who are diagnosed late or are not treated adequately may develop significant complications. That is why the National Institute for Health Research welcomes applications for research funds.

22. [910045] **Mr Laurence Robertson** (Tewkesbury) (Con): Earlier this month I visited a young lady in my constituency who was living a perfectly good life but was then struck down by Lyme disease. She has not left the House in over 12 months and is in terrible pain all the time. The NHS in this country did not find a diagnosis from her blood sample; it had to be sent to Germany to get the diagnosis. An awful lot more needs to be done to help these people.

Caroline Dinenage: My hon. Friend is absolutely right to raise this: we do need to do more in this space, and that is why we are investing over £1 billion a year in health research through the National Institute of Health Research.

Nic Dakin (Scunthorpe) (Lab): What evaluation is being put in place to see how effective the 2018 NICE guidelines for clinicians on managing Lyme disease are in improving the treatment of this dreadful disease?

Caroline Dinenage: All NICE guidelines are permanently kept under review. If the research we are investing in throws new light on any issues, that will always be taken into consideration.

NHS Access Standards

10. **Justin Madders** (Ellesmere Port and Neston) (Lab): What assessment he has made of the implications for his Department's policies of the conclusions of the "Clinically-led review of NHS access standards: interim report from the NHS national medical director"; and if he will make a statement. [910032]

The Secretary of State for Health and Social Care (Matt Hancock): It is a great pity to see the hon. Gentleman back up there on the Back Benches as he was such a force—and a rare force—for reason and progress on the Opposition Front Bench until recently.

Standards in the NHS should be based on clinical evidence, and NHS England's proposals will be rigorously field-tested to gather further evidence on clinical, operational, workforce and financial implications, all with the goal of improving the quality of care.

Justin Madders: I thank the Secretary of State for his tribute—although it is not going to change the question I am going to ask. He will be aware that since July 2015 the four-hour A&E target has not been met and last month saw the worst performance on record, so regardless of any clinical reviews, is it not time that Ministers admitted that the four-hour A&E target has effectively been abandoned?

Matt Hancock: Of course, we are aiming to meet and improve against the targets, including with the injection of the extra money—£34 billion extra in cash terms over the next five years. At the same time, we must make

sure that the standards to which we hold the NHS are the right ones clinically for the times, and that is what this review of standards is all about.

Cervical Cancer

11. Mary Robinson (Cheadle) (Con): What steps he is taking to tackle cervical cancer. [910033]

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): We have some of the highest HPV—human papillomavirus—vaccination rates in the world. This month we launched a major new national campaign to increase the number of women attending cervical screening across England, and throughout the NHS long-term plan we have committed to radically overhaul screening programmes and further invest in the latest technology to transform diagnosis and boost research and innovation.

Mary Robinson: Figures from Jo's Cervical Cancer Trust show that 200,000 women in Greater Manchester have missed their smear test, including half of women aged 25 to 29, yet we know that smear tests save lives. What are the Government doing to raise awareness of the importance of attending screening to prevent cervical cancer?

Jackie Doyle-Price: My hon. Friend is right: cervical screening saves up to 5,000 lives every year, so we cannot do enough to encourage women to take advantage of the screening. It is not the most pleasant experience to go through, but it can save lives. I would encourage everyone to take advantage of the screening, and we will continue to do our best to promote it.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): In Newcastle, cervical screening rates have fallen since 2010: they range from 85% to just 23% and are consistently lower in poorer areas and among younger women and ethnic minority women, and across the UK women are more likely to die in more deprived areas. What specifically is the Minister doing not just to encourage women to attend but to make screening more available at the weekends, out of hours and closer to where people live?

Jackie Doyle-Price: The hon. Lady makes some excellent points and highlights those areas of the community where take-up is much lower. We need to be more imaginative about how we promote the need for screening, and in that regard I am very pleased to see the work of Jo's Trust, and also that of the Eve Appeal to raise awareness. We can all do our bit, and I would encourage everyone to spread the word about the need to get screened.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): I, too, want to start by paying tribute to my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders)—he is a big loss to the Front Bench—and also to the Minister I used to shadow, the hon. Member for Winchester (Steve Brine). Credit where it is due: I know cancer charities and campaigners are all tweeting their regret, because the hon. Gentleman was, and hopefully will remain, a true ally of that cause.

Cervical cancer is the most common cancer in women. Smear tests can prevent 75% of cervical cancers from developing, but one in four women do not attend their

smear tests and screening is now at a 21-year low. This was not helped by the failure of the outsourced screening to Capita, which failed to write to 48,000 women in six months. What are the Government going to do to ensure that women and girls know what happens at a smear test, what it is for and why it is so important?

Jackie Doyle-Price: As the hon. Lady will know, we have brought that service back in-house, but we should leave no stone unturned in relation to thinking more imaginatively about how we spread the word about the need for screening. I should like to pay tribute to those celebrities who have tweeted pictures of themselves going for their smear tests, because it is only by normalising it and ensuring that everyone realises that it is something they should do that we are going to encourage take-up.

Access to GPs

12. Helen Whately (Faversham and Mid Kent) (Con): What steps he is taking to improve access to GPs. [910034]

The Secretary of State for Health and Social Care (Matt Hancock): Primary and community care are set to receive an additional £4.5 billion a year of taxpayers' money as part of the NHS long-term plan, to ensure that we can get the best possible access to GPs.

Helen Whately: In parts of my constituency, it is very difficult for people to see their GP. For example, in the area of Park Wood, there is just one GP for 4,000 patients. I welcome the extra money going into primary care that my right hon. Friend just mentioned, as well as the additional GP training places and the fact that a Kent medical school is coming our way, but we need more nurses, physios and other health professionals in primary care. What is he doing to ensure that people can see the right health professional when they need to do so?

Matt Hancock: This is an incredibly important agenda that is close to my heart. It is at the core of the prevention of ill health to ensure that we have the right primary care services. Yes, that includes more GPs, but it also includes more of the other health professionals who support them. We have 1,000 extra non-GP clinical staff already working in general practice compared with just two years ago, but there is much more to do.

Derek Twigg (Halton) (Lab): But what is the Secretary of State doing about retaining GPs? This is a real problem, and we have seen more and more GPs taking early retirement in recent years. What is he doing specifically to support retention?

Matt Hancock: This is a core question that Baroness Dido Harding's workforce review will be looking into, and work is going on right across government to try to fix it.

Kevin Hollinrake (Thirsk and Malton) (Con): GPs are the first line of defence against superbugs and antimicrobial resistance, and the Secretary of State is already proving to be a world leader in this area. The idea of a resistance tax has the support of other world leaders including Lord O'Neill and Dame Sally Davies. Would he consider this approach?

Matt Hancock: I am happy to look at all approaches to how we can reduce the overuse of antibiotics to preserve them so that they work effectively where they are needed. Of course GPs have a role to play in that, and the number of antibiotics prescribed by GPs has fallen in recent years, but again there is much more work to do.

Jim Shannon (Strangford) (DUP): Will the Minister outline whether his Department is willing to enter into an agreement with medical students to wipe out their student loans if they contract to carry out five years of GP service?

Matt Hancock: That is an interesting proposition and I would be happy to talk to the hon. Gentleman more about the idea. I was in Northern Ireland last week looking at medical services there and at what we can learn, and that might be another idea.

STPs: Five-year Workforce Plans

13. **Jeff Smith** (Manchester, Withington) (Lab): What guidance the Government have issued to sustainability and transformation partnerships on drafting their five-year workforce plans. [910036]

The Minister for Health (Stephen Hammond): Workforce is a key priority for the Government, which is why my right hon. Friend the Secretary of State asked Baroness Dido Harding to develop an interim workforce implementation plan for the spring, including a 2019-20 action plan. It is right that local leaders and clinicians should be empowered to shape the services they need, which is why NHS Improvement has written to all system leaders in England to ask for their views on the vision that is coming forward.

Jeff Smith: The all-party parliamentary group on mental health's recent report found that workforce is the biggest challenge to delivering improvements to mental health care. Given that there are 4,000 fewer mental health nurses than there were in 2010, what additional guidance and funding will the Government provide to ensure that local partnerships can recruit mental health nurses, and what are they doing to expand medical school places so that we can train more doctors, particularly in psychiatric specialties?

Stephen Hammond: The hon. Gentleman asked a number of questions there. It is true that the NHS has recently asked all sustainability and transformation partnerships and integrated care systems to create new five-year plans by autumn 2019 setting out how they are going to transform services. He will know that mental health is a priority in the long-term plan and that we are expanding the number of places for clinicians.

Jeremy Lefroy (Stafford) (Con): Will my hon. Friend meet me to discuss the severe shortage of pathologists to carry out post mortems? Professor Peter Hutton's report referenced some ideas that we could take forward.

Stephen Hammond: My hon. Friend has already mentioned several such ideas and I would be happy to meet him to discuss them.

16. [910039] **Christian Matheson** (City of Chester) (Lab): Cancer Research UK estimates that by 2035 there will be over half a million new cancer cases—up by 150,000 a year on 2015 levels. To meet the Government's ambition of diagnosing 75% of cancers at an early stage, does the Minister accept that the NHS will need a proper training and recruitment plan for its cancer workforce, which must be fully funded in the upcoming spending review?

Stephen Hammond: The hon. Gentleman is right: early diagnosis of cancer is vital for successful outcomes. The Government are absolutely committed to a cancer workforce with the skills and expertise to ensure that 75% of all cancers are diagnosed early, not just the top 10. As I have said several times, that is why we asked Baroness Dido Harding to develop a detailed workforce plan to ensure that that can be delivered.

Henry Smith (Crawley) (Con): Blood cancer is the fifth most common and the third biggest killer in the UK. What assurances can I get that the workforce in that area will be increased?

Stephen Hammond: My hon. Friend has been a champion of this cause for a long time, raising the matter on the Floor of the House several times. He can be assured that, as I said to the hon. Member for City of Chester (Christian Matheson), Baroness Harding has been asked to bring forward detailed plans for the cancer workforce in her implementation plan.

Paula Sherriff (Dewsbury) (Lab): Mental health nurse numbers have fallen for the second month running, and learning disability nurse numbers have fallen by 40% since this Government came to power. Nearly 13,000 mental health staff left their roles between May and October 2018, and the vacancy rate is now almost 10%. The King's Fund, the Nuffield Trust and the Health Foundation say that

“Urgent action is now required to avoid a vicious cycle of growing shortages and declining quality.”

Is it not time for Ministers to start taking such advice, rather than giving it?

Stephen Hammond: The Department of course takes such things seriously. My hon. Friend the Minister of State for Care met Baroness Harding last week to discuss how to ensure that there are nurses and carers to help people with learning disabilities. The money that has been promised to make that possible comes in the new financial year, which starts next week.

Tackling Violence: Public Health Approach

14. **Vicky Foxcroft** (Lewisham, Deptford) (Lab): What progress his Department has made on the implementation of a public health approach to tackling violence. [910037]

The Secretary of State for Health and Social Care (Matt Hancock): We are pursuing a multi-agency approach to prevent and tackle serious violence. Healthcare is of course one of the important and relevant agencies that need to work together right across government to reduce knife crime.

Vicky Foxcroft: The Government are committed to a public health approach, but we heard the Secretary of State dismiss it just a few weeks ago. What assurances can he give that he is now fully signed up to the approach? What evidence is his Department collating? How is the Department working with the Home Office to ensure that we have a long-term strategy for keeping our young people safe?

Matt Hancock: I am a huge fan of the public health approach to tackling knife crime. In fact, I was in Croydon yesterday to talk to charities and to students at Croydon College about the role the NHS can play in tackling the scourge of knife crime. I am a big fan of this agenda, and I look forward to working with the hon. Lady and colleagues from across the House.

Relationships and Sex Education

15. **Lloyd Russell-Moyle** (Brighton, Kemptown) (Lab/Co-op): What recent discussions he has had with the Secretary of State for Education on ensuring that lessons on HIV and sexual health form a core part of the relationships and sex education curriculum. [910038]

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): All children should receive good-quality relationships and sex education so that they understand the benefits of healthy relationships and how to protect themselves against sexually transmitted infections, HIV, unplanned pregnancy and abuse.

Lloyd Russell-Moyle: Does the Minister believe that the £6 million allocated for relationships and sex education is enough when it equates to a few hundred quid per school? Her Department has cut £3.2 billion from public health spending, meaning that many young people now cannot access STI testing, and we are seeing a boom in STIs among young people.

Jackie Doyle-Price: The hon. Gentleman's question is actually a matter for the Department for Education, but I do not accept his statement. The new relationships and sex education proposals were widely welcomed across the House when they were announced, and we will improve children's ability to look after themselves and have healthy sexual relationships.

Topical Questions

T1. [910047] **Stephen Crabb** (Preseli Pembrokeshire) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Health and Social Care (Matt Hancock): We all in this House have huge admiration for the dedicated staff who work night and day to deliver world-class care to patients in our NHS. We should recognise that today marks the 75th anniversary of the publication of the White Paper on the establishment of the NHS, delivered in this House by a Conservative Minister, under a Conservative Prime Minister.

Stephen Crabb: The prescription of powerful painkillers has soared, as has the number of overdoses and deaths from these prescription drugs, with some of the worst statistics in the poorest areas of the country. What is my right hon. Friend doing to reverse this worrying trend?

Matt Hancock: My right hon. Friend is absolutely right to raise this. There has been a rise in opioid-related deaths, and we need to work across government to tackle the problem. Public Health England is reviewing prescription drug dependence, including opioid dependence, and we recently announced a review of over-prescription in the NHS to make sure patients are taking the right medicines for the right amount of time.

Barbara Keeley (Worsley and Eccles South) (Lab): There are still 2,295 patients who are autistic or who have learning disabilities in hospital in-patient settings, despite a Government pledge in 2012 that no one would be in inappropriate settings by 2014. In 2015, the Government said they would close up to 50% of these in-patient places, and they failed to meet that pledge, too, because of a lack of social care funding. Will the Secretary of State now commit to proper social care funding for this programme and renew the pledge to end the misery of these placements by 2022?

The Minister for Care (Caroline Dinenage): The NHS long-term plan has made it clear that learning disability and autism are one of the key clinical pillars in its absolute priorities. This transforming care work is incredibly important. Where people need access to in-patient services for assessment and treatment of their needs, it has to be for as short a time as possible, it has to be as close to home as possible and it has to be with a very clear discharge plan in place.

T3. [910049] **Kirstene Hair** (Angus) (Con): We all know that early intervention is vital for the most fatal mental health disorders: eating disorders. I warmly welcome how ambitious this Government have been to ensure that under-19s get seen as quickly as possible, and I encourage them to expand it. My constituents in Scotland do not have that, and they still have to wait up to 18 weeks to be seen. The Scottish Government refuse to see me, and they refuse to come in line with the UK Government. Will the Secretary of State assure me he will push this case next time he meets his counterpart in Scotland?

Matt Hancock: I will certainly do that, and I am very surprised and disappointed to hear what my hon. Friend has to report. I pay tribute to her work in leading on this agenda, including setting up the all-party parliamentary group. She has campaigned hard to get the Scottish Government to act. Given the progress we have made on the target—by 2021, 95% of children and young people with an eating disorder receiving treatment within one week for urgent cases and four weeks for routine cases—we are on track to meet it. That is something we should be discussing, at the very least, with our Scottish colleagues.

T5. [910051] **Gavin Newlands** (Paisley and Renfrewshire North) (SNP): My constituency hosts world-pioneering hubs of medical innovation that have allowed many patients across the UK and beyond to benefit from cutting-edge treatments like endovascular repair for abdominal aortic aneurysms. What work is the Department planning to undertake to maintain patient access to this highly effective treatment and to foster continued healthcare innovation?

Matt Hancock: We have a range of work going on to improve access to innovative new treatments, both pharmaceutical treatments and the broader treatments that the hon. Gentleman describes, including ensuring, through an accelerated access collaborative led by the former Labour Minister Lord Darzi, that we drive innovation and that those innovations are taken up by other parts of the NHS.

Several hon. Members *rose*—

Mr Speaker: Order. Last night, in the heat of the moment, I was discourteous to the right hon. Member for Chelsea and Fulham (Greg Hands), and thereafter I apologised to him. However, I take this opportunity in the Chamber today to repeat that apology unreservedly to the right hon. Gentleman, and I hope he will accept it in the genuine and sincere spirit in which the apology is intended.

T4. [910050] **Greg Hands** (Chelsea and Fulham) (Con): Mr Speaker, I thank you for your apology, and I think we will call it a day.

My right hon. Friend the Secretary of State knows I have been a long-standing supporter of Charing Cross Hospital in Fulham, but I am concerned by the politicised rumours that have surrounded the hospital in recent years. Will he update the House on the “Shaping a healthier future” programme, which many of my constituents believe to be anything but healthy?

Matt Hancock: My right hon. Friend was not only a very good Whip, but is a very good constituency MP. He has made his case very well. “Shaping a healthier future” is no longer supported by the Department of Health and Social Care, NHS Improvement or NHS England. The NHS will look at parts of the proposals that are in line with the long-term plan, such as the aspects that are focused on expanding the treatment of people in the community. As for the changes in A&E in west London that are part of “Shaping a healthier future”—for instance, those at Charing Cross Hospital, which he mentioned—these will not happen.

T6. [910052] **Debbie Abrahams** (Oldham East and Saddleworth) (Lab): My constituent, who has terminal secondary breast cancer, has had her personal independence payment assessment refused and is having to appeal the decision, in spite of doctors’ letters detailing her debilitating condition and the treatment regimen she has to go through. What discussions has the Health Secretary had with the Secretary of State for Work and Pensions on how to ensure that medical evidence of that sort is accepted, so that people with terminal and progressive conditions do not have to go through this awful process?

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): The hon. Lady makes a very good point. I had regular discussions with the sadly departed Minister for Disabled People, Health and Work, who provided really great challenge within the Department for Work and Pensions about how it handles such assessments. We must do all we can do to humanise them, especially when people are going through periods of ill health.

T9. [910055] **Kevin Hollinrake** (Thirsk and Malton) (Con): Breast cancer oncology is the most recent service to be closed at Scarborough Hospital. It follows the closure of the pain clinic, dermatology, the eye clinic and physiotherapy. These are not cuts, but a contrived centralisation by the trust in York. Will the Secretary of State intervene to ensure that there is a full range of service right across my constituency?

The Minister for Health (Stephen Hammond): I commend my hon. Friend for his commitment to raising the local priorities of his constituents and for the campaigning he does on behalf of the local NHS. I think that these plans are best worked through by the local NHS. However, if he would like, I would be happy to meet him to discuss the concerns that he has on behalf of his constituents.

T7. [910053] **Lloyd Russell-Moyle** (Brighton, Kemptown) (Lab/Co-op): Possability People is a disability charity in my constituency that has operated consistently for the last 30 years. Some 85% of its funding comes from the clinical commissioning group, but on 12 March it received a letter saying that the funding would stop in April. That follows the CCG’s decision last year to stop all funding for the low-vision clinic in my constituency. From April onwards, disabled people will have to go to their GP to access these services, which will cost more for the health service. Will the Minister meet me to discuss how we can save money?

Caroline Dinenage: The hon. Gentleman is absolutely right to draw the House’s attention to how vital local community services are in supporting people and to say that we really do need to invest in them. Clearly, these matters of investment are for local areas, which is why we allow CCGs to make these decisions, but I am more than happy to meet him to discuss the matter.

Daniel Kawczynski (Shrewsbury and Atcham) (Con): Will the Secretary of State give an evaluation of the “Future Fit” programme? We have secured more than £300 million for investment in our local hospital trust. What is his understanding of where the “Future Fit” programme has got to?

Matt Hancock: I have called in the independent review panel and asked it to consider all the evidence, at the request of the local council, to ensure that we properly assess all the evidence. We have made the money available, but we must ensure that the plans are the best ones possible for both Shrewsbury and Telford.

T8. [910054] **Ian Mearns** (Gateshead) (Lab): I listened intently to the replies the Minister for Care gave to my hon. Friend the Member for North Tyneside (Mary Glindon) and the hon. Member for Central Ayrshire (Dr Whitford) about asthma. Is the Minister aware that, in the area of the Newcastle Gateshead CCG alone, 654 people were admitted to hospital with complications arising from their asthma? Asthma UK tells us that, of the 175,000 sufferers in the north-east of England, more than 100,000 report that they cannot always afford their prescriptions. The strategy is not working, so will the Secretary of State commit to removing prescription charges for asthma sufferers to massively reduce preventable hospital admissions and deaths?

Caroline Dineneage: The Government take this very seriously. The NHS long-term plan sets out priorities for the NHS, and deaths from respiratory disease is a key indicator and an absolute priority. However, it is only right that people who can afford to pay for their prescriptions, like me—I am an asthma sufferer and I can afford to do it—do so. Local areas have to decide those priorities. At the moment, 90% of prescriptions are free.

Fiona Bruce (Congleton) (Con): Can Ministers outline the latest steps to support the children of alcohol-dependent parents? In the forthcoming alcohol strategies, will greater support be promoted for the families of alcoholics, who are often best placed to help to reduce alcohol harm in their loved ones?

Matt Hancock: Absolutely. My hon. Friend is right to stress the role of families in supporting the children of alcoholics. We made progress on that and were able to announce funding just last week. I pay tribute to my hon. Friend the Member for Winchester (Steve Brine) for all his work—I enjoyed doing it with him—to do everything we can to support the children of alcoholics.

T10. [910056] **Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op):** Stoke-on-Trent ranks 13th in the health deprivation index, yet our funding ranks only 46th. Will the Secretary of State explain that? At what point will funding follow need?

Matt Hancock: The relative funding across the country for different areas is assessed independently, and by law NHS England makes that assessment. I am happy to write to the hon. Gentleman with the precise details of how those allocations are devised—I am sure that he has got them; they are widely available—and an explanation of the conclusion that NHS England independently reached.

David Tredinnick (Bosworth) (Con): What is being done to improve co-ordination between orthopaedic surgeons, osteopaths and chiropractors to reduce the burden on surgeons?

Matt Hancock: It is an important part of the agenda that we look right across the piece at interventions that can benefit patients. I know full well, not least because I am married to a former osteopath, the positive impact that that can have.

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): In a debate on 24 January in this Chamber, many contributors outlined the dangers of using graded exercise therapy in treating ME. What conversations has the Department had with NICE on that issue before the proposed publication of the revised treatment guidelines in October 2020?

Caroline Dineneage: There are ongoing conversations. As the hon. Gentleman knows, NICE is updating existing clinical guidance on the diagnosis and management of ME and chronic fatigue syndrome. That guidance will be published in 2020.

Julia Lopez (Hornchurch and Upminster) (Con): I met the Secretary of State to discuss my campaign for a new health centre in Hornchurch and I welcome his

subsequent announcement that NHS trusts can apply for NHS property assets. Will my right hon. Friend let me know how and when they can make those applications and whether he will consider fast-tracking any bid we make, given how close we were to receiving capital funding?

Matt Hancock: There is no better advocate for Hornchurch in the Chamber than my hon. Friend. She made her case with passion and commitment and I was very impressed by it. I will write to her with the full details, once they are published, of exactly how the process will work, and I look forward to working with her.

Tim Farron (Westmorland and Lonsdale) (LD): The north-west of England has only half the number of ambulances per head of population as London. In rural Cumbria, the situation is far worse. Will the Secretary of State agree to our proposal for an additional two ambulances for Westmorland so that we can keep our communities safe?

Stephen Hammond: The hon. Gentleman will know that, in the winter funding round, extra ambulances were provided across the whole country. I am happy to meet him and discuss his proposals, which I will then consider carefully.

Nicky Morgan (Loughborough) (Con): ADHD Solutions is a community interest company based in the constituency of the shadow Health Secretary that serves children and young people with ADHD across Leicester and Leicestershire. Fifty per cent. of its referrals come from the NHS, yet it does not get funding for those referrals; however, those NHS services are able to meet NICE guidelines because ADHD Solutions is doing the job. Will the Health Secretary meet me and the shadow Health Secretary to discuss that?

Jackie Doyle-Price: I have corresponded with my right hon. Friend and the hon. Member for Leicester South (Jonathan Ashworth), but I am more than happy to meet them to discuss that issue. From my perspective, services for people with ADHD are a bit of a Cinderella and I would like to do my best to address that, working with colleagues across the House.

Ms Karen Buck (Westminster North) (Lab): With a throwaway answer to the right hon. Member for Chelsea and Fulham (Greg Hands), the Secretary of State has just pulled the west London strategic health framework, which has governed the delivery of hospital and community services for most of the last decade, absorbed tens of thousands of hours and cost hundreds of millions of pounds. Why has he not thought it appropriate to bring forward a statement so that the many of us who are concerned with this issue have an opportunity to interrogate the many very serious implications that this has for the delivery of healthcare across west London?

Matt Hancock: The hon. Lady and the hon. Member for Hammersmith (Andy Slaughter), who is sitting next to her, have run, over a number of years, totally inappropriate scare stories about what they said were potential changes to A&E in west London as part of “Shaping a healthier future”. It has been one of the worst aspects of local parliamentary campaigning and I am absolutely clear that the changes in A&E in west

London as part of “Shaping a healthier future” will not happen. However, there are elements of “Shaping a healthier future” that are about more community services and treating more people in the community. We look forward to working with the local NHS on those parts of the proposal.

Andrew Griffiths (Burton) (Con): Will the Secretary of State, on behalf of this House, thank doctors and nurses in the NHS for the amazing news that death rates from breast cancer are falling at a faster rate here than in the six largest countries in Europe and that, since 2010, death rates have fallen by 17.7%? He will know that I raised the issue of my constituent Nicola Morgan Dingley, who is suffering from terminal breast cancer. He very kindly wrote to me. Will he agree to meet Nicola so that she can describe to him the challenges faced by women with triple negative breast cancer?

Matt Hancock: Yes, of course, I would be delighted to meet my hon. Friend and his constituent. He is right that the fall in deaths from breast cancer is huge progress that we have made as a country. I pay tribute to the work of the NHS on that but, of course, every such death is a tragedy and we need to do yet more.

Andy Slaughter (Hammersmith) (Lab): “Shaping a healthier future” was the biggest hospital closure programme in the history of the NHS, with the loss of two major hospitals, including Charing Cross in my constituency. It was fully supported by the Conservative party not only nationally, but locally, as the right hon. Member for Chelsea and Fulham (Greg Hands) well knows. After seven years, millions of pounds wasted in consultants, staff leaving through insecurity and 2 million people across west London threatened with the loss of essential and world-class hospitals, is that it today? Abandoning “Shaping a healthier future” is a victory for the people of Hammersmith, for the Save our Hospitals campaigners and for our Labour council, but there has been appalling judgment by a succession of Governments and Secretaries of State. Will this Secretary of State now apologise to my constituents?

Matt Hancock: It is astonishing, is it not? My right hon. Friend the Member for Chelsea and Fulham (Greg Hands) has made this case with objective clarity and

reasonableness, is supporting his constituents and led to a very positive outcome, keeping the A&Es open but still doing the positive work in the community, and all we continue to get is information that I regard as erroneous from the hon. Gentleman, who has campaigned in the most terrible way on this over many years.

Andrea Jenkyns (Morley and Outwood) (Con): A nine-year-old constituent of mine, Lydia Heptinstall, is a very brave sufferer of hypermobile Ehlers-Danlos syndrome. She suffers from joint pain, headaches and numerous other symptoms and cannot do the things that other children can do. Will the Minister meet me to discuss Lydia and what the Government are doing to raise awareness of this condition?

Matt Hancock: Yes, of course, I would be very happy to meet my hon. Friend and talk about her constituent's concerns.

Alison Thewliss (Glasgow Central) (SNP): I am wearing purple today for Epilepsy Day. What assessment has the Secretary of State made of the causes of ongoing shortages of epilepsy medications? What action is being taken to address those problems and what impact will Brexit have on the supply of those medicines?

Matt Hancock: I, too, am wearing purple—purple socks in my case—to support this important campaign. Of course, we have done enormous amounts of work across the NHS. I pay tribute to the NHS and to suppliers for working to ensure that, whatever the Brexit outcome, there will be the continued supply of medicines, but there is one thing that the hon. Lady can do if she really wants to make sure that we put this issue to bed once and for all—vote for the deal.

Several hon. Members rose—

Mr Speaker: Order. I am sorry for disappointed remaining colleagues, but we must now move on. Before I take a possible point of order appertaining to business of which we have just treated, I want to say something with reference to yesterday's decisions and tomorrow's business.

Speaker's Statement

12.39 pm

Mr Speaker: I understand that the right hon. Member for West Dorset (Sir Oliver Letwin) will be tabling a business of the House motion at approximately 4 pm today. Members have until the rise of the House this evening to table motions to be considered tomorrow under the indicative votes procedure. The indicative votes procedure itself, I must advise the House, will be set out in the amendable business of the House motion, which the House will debate tomorrow. I will leave it there for now. The Leader of the House will be making a supplementary business statement later, after the urgent question on Yemen. I hope, as a guide, that is helpful to the House.

Points of Order

12.40 pm

Debbie Abrahams (Oldham East and Saddleworth) (Lab): On a point of order, Mr Speaker.

Mr Speaker: We cannot have a replay of Question Time because people are disappointed with the answers they got or whatever, but if there is some material point of order to be articulated briefly, I will hear it.

Debbie Abrahams: Can you advise me, Mr Speaker? I think the Under-Secretary of State for Health and Social Care, the hon. Member for Thurrock (Jackie Doyle-Price), might have inadvertently misled the House in her response to Question 3 on health inequalities when she stated that there was an increase in life expectancy. In fact, the latest figures show that life expectancy has been revised downwards. Public Health England has done an investigation into this trend. Can you advise me, Mr Speaker, on how she might correct the record?

Mr Speaker: What I would say to the hon. Lady is that every Member in this place is responsible for what he or she says in it. If a Minister believes that an error has been made from the Treasury Bench, it is of course incumbent upon that Minister to correct the record. We shall have to wait to see whether the Minister judges that that is necessary in this case. If it is and it happens, I dare say the hon. Lady will be at least partly satisfied. If it is not thought to be required and therefore does not happen, my advice to her is to persist, if she wishes, through the use of the Order Paper, replying to the Table Office to table questions, and seeking opportunities to ventilate the matter further at appropriate junctures in the Chamber.

Andrew Griffiths (Burton) (Con): On a point of order, Mr Speaker. As always in Health questions, you did your level best to get as many Back Benchers in as possible, so that we could put questions on behalf of our constituents, but obviously the desire of Members of this House to hold the Government to account on the NHS is such that Health questions are oversubscribed, as always. Every time we have Health questions, there are more people standing than the time allows. As Back Benchers, what can we do either to get more time for Health questions, which are so important, or to have them more regularly, so that Back Benchers can properly represent their constituents?

Mr Speaker: There are two possibilities. One is that Members can table further written questions—if they have already tabled some—or table them for the first time on the matter about which they are concerned and in relation to which they did not have an opportunity at oral questions. That is one avenue open to the hon. Gentleman and other Members.

Secondly, if the hon. Gentleman has a bigger concern, which I detect perhaps he has, and thinks that the salience of the issues and the level of interest in them are such that they warrant a greater allocation of time in the Chamber, my advice is to write to the distinguished Chair of the Procedure Committee, his hon. Friend the Member for Broxbourne (Mr Walker), to inquire what the Committee might think about allocating greater

[Mr Speaker]

time to these matters by comparison with others. For my part, as the hon. Gentleman would know, I would happily sit in the Chamber all day and probably all night, listening to nothing other than the dulcet and mellifluous tones of my colleagues in relation to these important matters.

Bob Blackman (Harrow East) (Con): On a point of order, Mr Speaker. Could you further clarify your advice to the House about the processes to be followed tomorrow, and your suggestion about tabling proposed amendments before the rise of the House? There is a risk—we do not know—that the business on the Order Paper might collapse early. Would it not be more opportune to set a time by which all amendments should be tabled in case the business were to collapse and the House rise early?

Mr Speaker: I am grateful to the hon. Gentleman. I confess that I had not considered that point. The Clerk at the Table, having consulted his scholarly cranium with characteristic speed, has swivelled around to advise me on this matter, and he does not think it necessary; on balance, I do not think it necessary either. The hon. Gentleman is obviously concerned about the possibility that the business of the House might conclude early, but it is not automatically to be assumed that that will be so. If that eventuality were to arise and Members were to be disadvantaged as a consequence, I would have to revisit the issue because my concern is to facilitate colleagues.

As things stand, I am working on the assumption—considering matters lying ahead, and playing for time as I do and as colleagues can see—that this need not arise. We have an urgent question on the situation in Yemen, consideration of the Healthcare (International Arrangements) Bill and a number of other items of business, including the consideration of Lords amendments to the Offensive Weapons Bill and a motion regarding section 5 of the European Communities (Amendment) Act 1993 that is amendable. I give the hon. Gentleman a hint that hon. Members may have expressed an interest to me in amending that motion. I can therefore see some hours of learned and eloquent debate ahead of us. I hope that allays his concern.

Melanie Onn (Great Grimsby) (Lab): On a point of order, Mr Speaker.

Mr Speaker: Oh, very well.

Melanie Onn: Sorry to disappoint you, Mr Speaker. It appears that hon. Members are able to submit oral questions for the weeks beginning 8 April and 15 April. Is that accurate, and has future business been amended?

Mr Speaker: I am advised that it may be a glitch in the system. The short answer is that the business for those weeks has not been announced. As I think the puckish grin on the hon. Lady's face testifies, she knows that the business is a matter of some uncertainty at this stage. I do not know any more than she does, and as of this moment I possibly do not know any better than Members on the Government and Opposition Front Benches as to whether the House will be sitting in the weeks of 8 April and/or 15 April. It is a matter still to be determined.

Dr Rosena Allin-Khan (Tooting) (Lab): On a point of order, Mr Speaker. I am sure that the whole House will join me in condemning the abhorrent racist abuse directed at England footballers during their match last night. I know that you will agree that we must do everything we can to stamp out this vile behaviour. Can you advise me whether it would be reasonable to expect the Secretary of State for Digital, Culture, Media and Sport to come to the House and make a statement on what the Government are doing to protect our players abroad and what action they are taking to push for the strongest possible punishments?

Mr Speaker: It is certainly perfectly reasonable for the hon. Lady to hope for a statement. Whether the Secretary of State has a plan to do so imminently—in truth, I do not know. It may be intended. There are other ways in which the House can air its concerns on the matter. I share entirely the hon. Lady's view. Any and all racist abuse is to be utterly and unreservedly condemned, and all of us who have public voices—if I may put it that way—should take the opportunity to make it clear that there can be no justification for that behaviour by anyone, anywhere and at any time. A huge amount of work has been done by anti-racist organisations in football and more widely across sport to try to change behaviour and change the attitudes that underlie abhorrent behaviour. It is only a pity to note that, despite some fantastic work—of which the hon. Lady will also be well aware—much still remains to be done.

Yemen

12.49 pm

Emily Thornberry (Islington South and Finsbury) (Lab) (*Urgent Question*): To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in Yemen.

The Minister for Asia and the Pacific (Mark Field): I hope you will indulge me for just one moment, Mr Speaker, while I pay tribute to my right hon. Friend the Member for North East Bedfordshire (Alistair Burt), who has left office and, in a normal state of affairs, would have been answering this question. He is a very old friend of mine. We have shared offices not just in the Foreign Office but in Portcullis House. I know that he will make a great contribution to international affairs and elsewhere, not least in the middle east, in the rest of his time in Parliament.

Today is the fourth anniversary of the intervention by the Saudi-led coalition into the conflict in Yemen, at the invitation of the Government of Yemen, which began when the Houthi rebels captured most of the capital, Sana'a, and expelled the internationally recognised Government. Since then, Yemen's humanitarian crisis, the largest in the world, has continued to worsen, as many right hon. and hon. Members know. We call on both sides urgently to implement the agreements made at the Stockholm peace talks and bring an end to this dire conflict.

The United Kingdom is at the forefront of work towards a political solution to this conflict—there can only be a political solution, in the long term—and we will continue to show leadership as part of international efforts to end the appalling suffering that millions are facing. My right hon. Friend the Foreign Secretary visited the region at the beginning of the month in a display of the UK's support for efforts to secure peace. During this time, he visited the port city of Aden, becoming the first western Foreign Minister to visit Yemen since the conflict began. He also attended the peace talks in Stockholm last December. This year—the tax year 2019-20—we have committed an additional £200 million of UK aid, bringing our total commitment to over £770 million since the conflict began. This support will save, and indeed is saving, lives by meeting the immediate food needs of more than 1 million Yemenis each and every month of the year, treating 30,000 children for malnutrition and providing more than 1 million people with improved water supply and basic sanitation.

The UK continues to support the work of the UN, and the UK-led UN Security Council resolutions 2451 and 2452 were unanimously approved by the Security Council in December 2018 and January 2019 respectively. Those resolutions enshrined the agreements made in Stockholm and authorised the deployment of monitors within the UN Mission to Support the Hodeidah Agreement, thus bolstering the peace process further. We believe that the Stockholm conference was a landmark point, as the first time that the parties had come to the negotiating table in over two years, but we all know that there is a serious risk that this window of opportunity to make progress towards lasting peace may slip away. The UK therefore urges both sides to act in good faith, to co-operate with the UN special envoy and General

Lollesgaard and to implement the Stockholm agreements rapidly. We have been clear that a political settlement is the one and only way to bring about long-term stability in Yemen and to address the worsening humanitarian crisis. We shall continue to make every effort to support the UN-led process to get to the solution that so many Yemeni civilians so desperately require.

Emily Thornberry: Thank you, Mr Speaker, for granting this urgent question.

Let me begin by completely agreeing with the Minister about the terrible loss from the Foreign Office Front-Bench team of the right hon. Member for North East Bedfordshire (Alistair Burt), who might well have been answering this question today were it not for his decision on a matter of principle. Labour Members applaud the right hon. Gentleman for that today, as we do the equally principled stance taken by the Minister for Asia and the Pacific. We will miss both the substance and the tone that the right hon. Gentleman has brought to our debates from the Front Bench over the past two years.

Unfortunately, however, the former Minister is one of several Foreign Office and Defence Ministers who have told us repeatedly from the Dispatch Box, in written answers and in evidence to Committees that Britain is not a party to the conflict in Yemen. Most crucially, for the past three years, that phrase has been used time and again by Ministers to explain that it is impossible to assess alleged individual violations of international humanitarian law in Yemen because we are not a party to the conflict. Yet this weekend we read reports in *The Mail on Sunday* that members of British special forces had been engaged in gun battles with the Houthi rebels in Yemen while providing support to the coalition forces.

I am not for a second expecting the Minister of State to comment on the activities of our special forces—something that the Government never do—but I want to ask him two important questions of principle. First, in the light of these reports, do the Government still stand by their long-standing statements that Britain is not a party to this conflict? We already know about our support for the Saudi air force and our supply of billions in arms for the Saudi coalition. If, in addition to all that, our forces are engaged in actual gun battles with the Houthi rebels and that does not constitute being a party to the conflict, I really do not know what does.

The second question of principle is this. It is an equally long-standing position of the Government that there is no military solution to this conflict. Indeed, the Minister has reaffirmed that today. So I simply ask this: why, if these reports are accurate, are British forces being put in harm's way trying to deliver that military solution?

Finally, there was one especially disturbing allegation in *The Mail on Sunday* report that our forces are providing support to locally recruited, Saudi-funded militia and that many of the fighters—up to 40%, it was alleged—are children as young as 13 years old. Is that in any way true? If it is, that would confirm that our forces are not just a party to this conflict but witnesses to war crimes.

Mark Field: I thank the right hon. Lady for the tone of her contribution. She will appreciate—indeed, she expressly appreciated—that in relation to special forces we do not comment either to confirm or deny any

[Mark Field]

involvement. Clearly, she is well aware that we have liaison officers who are based in Saudi Arabia, and have been routinely. I am very keen not in any way inadvertently to mislead the House on this matter, and therefore I will, if she will forgive me, ensure that she has a written response, liaising with the Ministry of Defence, about the issue of other engagement or involvement of British personnel in Yemen at the moment. We still hold to the firm view that we are not a party to the conflict. Clearly, we are supportive of Saudi Arabia, which has been a long-standing ally, as she is aware. There is no military solution to this matter.

I have never been to Yemen myself, but my late father's first engagement out of Sandhurst was in Aden, in a different time. He had the fondest of memories, as indeed many people living in that country have of this country. That is why we have been a penholder at the UN Security Council.

I have also, of course, read the article in *The Mail on Sunday*, if perhaps slightly later than the right hon. Lady did—only this morning. It makes some very serious allegations. I am keen that we get to the bottom of those allegations. Again, I am very keen not in any way to mislead the House, but allegations made in relation to any engagement that involves bringing child soldiers on board would be appalling. I very much hope that the journalist will be in a position, within the sources that he can reveal, to make it clear what knowledge he had on the ground. Clearly, that will be investigated as a matter of urgency.

Several hon. Members *rose*—

Mr Speaker: Order. I am very much hoping to move on no later than 1.30 pm, so brief questions and answers would be greatly appreciated.

Mr Andrew Mitchell (Sutton Coldfield) (Con): The whole House will be grateful for the words of the Minister and the shadow Foreign Secretary about my right hon. Friend the Member for North East Bedfordshire (Alistair Burt). I have worked with him on international development matters for the last 14 years, and the Government can ill afford to lose such a capable Minister at a time like this.

The welcome change of direction on Yemen that the new Foreign Secretary has ushered in is greatly to be applauded, but there were exceedingly serious, credible and authoritative allegations in the Sunday media that serving British military personnel have been seriously wounded in operations in Yemen. That flies in the face of assurances given from the Dispatch Box on countless occasions, including in emergency debates that you have authorised, Mr Speaker. I tabled a number of questions last night to the Ministry of Defence, and were it not for the all-consuming nature of Brexit, I suspect the House would want to explore this as a matter of urgency.

Mark Field: I thank my right hon. Friend. I know he has a long-standing interest in this issue, not least the humanitarian aspect, from his time as International Development Secretary. He is right; these are very serious allegations, and I am keen that I do not inadvertently give reassurances on the Floor of the House that could

turn out not to be the case. We need to have an internal investigation. I will perhaps take this up in writing with him, but I suspect that we will come back to this issue on the Floor of the House before too long.

Stephen Gethins (North East Fife) (SNP): May I add my own remarks about the right hon. Member for North East Bedfordshire (Alistair Burt)? This is a loss that the Government, never mind the FCO, can ill afford. He was a fine Minister, and I am sorry to see him go.

In the deepening humanitarian crisis, some aid agencies are saying that they cannot now work around Hodeidah, and the cholera crisis is spiralling out of control. How are we using our influence? We have been told that the Government are using their influence through arms sales. What influence has £4.6 billion-worth of arms sales delivered? The Minister said in response to the shadow Foreign Secretary, on the subject of the *Mail on Sunday* allegations, that

“we are not a party”

to the conflict, but “we are supportive”. Can he give more detail about what the difference is? What advice is the Foreign Office giving to the Home Office about those who manage to flee the conflict in Yemen, who are being diverted to Sudan at the moment? What advice is it giving about the safety of young families who have been sent there?

Mark Field: For obvious reasons, there is constant dialogue between the Home Office and the Foreign Office. I will get back to the hon. Gentleman on specifics, if I may. As far as the broader issue of arms sales is concerned, I appreciate that other Members may wish to raise this, but let me say generally that, as he will be aware, we have one of the strictest arms sales regimes in the world.

Emily Thornberry *indicated dissent.*

Mark Field: Well, as the right hon. Lady will be aware, it is a regime that came into place under the new Labour Administration.

Emily Thornberry: It has been pushed to the limit.

Mark Field: I can confirm to the right hon. Lady that in my part of the world—in Asia and the Pacific—the issue that I probably spend the most time on is arms licences. All Foreign Office Ministers take that work extremely seriously. I have a strict rule in my mind that if the recommendation is to refuse, I will endorse that, but if it is to accept, I will look very carefully through the papers and will often ask for further and better particulars or will push back to refuse. That causes all sorts of day-to-day concerns with the Department for International Trade, but we do that. We take that very seriously as Foreign and Commonwealth Office Ministers—something I am sure she looks forward to doing at some point in the near future.

Sir Desmond Swayne (New Forest West) (Con): To what extent are offensive coalition air operations continuing? What is their intensity?

Mark Field: I will have to get back to my right hon. Friend on that matter. It is more an issue for the Ministry of Defence, I guess, than for the Foreign Office.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): May I echo what has been said about the former Minister, the right hon. Member for North East Bedfordshire (Alistair Burt)? He will be a huge loss to both the Foreign Office and the Department for International Development.

On Saturday in Birmingham, friends of Yemen from across the country came together with a very powerful voice for the diaspora. Can the Minister seek to ensure that, the next time Martin Griffiths is in the UK, he has a meeting with representatives of the Yemeni diaspora who live here, so that their voice can be heard in this process?

Mark Field: That is essential, and we will try to organise that. I will try to ensure that my private office gives the hon. Gentleman as much notice as possible of Martin Griffiths being here in the UK. We can be very proud of what we are doing on the humanitarian aspects of this. That links into the Yemeni diaspora in this country, and we hope that they will feel that they can play an important part in a better future for that country.

Mary Robinson (Cheadle) (Con): The Minister rightly says that a political settlement is the only way to end this crisis, but pressure must be exerted from all sides. Does he have a message for the Government of Iran about how they can use their influence with the Houthi people to bring about peace?

Mark Field: I thank my hon. Friend for her question. She will be aware that this war did not begin with a Saudi-led intervention. This whole matter began six months after Houthi rebels, representing no more than 15% of the Yemeni population, captured most of the capital, Sana'a, and expelled the internationally recognised Government. As she alludes to, they have been supported by Iran, and clearly the international community needs to try to come together. It is a desperate humanitarian situation on a scale that few of us can comprehend. I have been out to Cox's Bazar, where the Rohingya are living, but this is on a scale literally 30 times as great; it is really quite horrific.

Keith Vaz (Leicester East) (Lab): I join the shadow Foreign Secretary and others in commending the incredible work of the right hon. Member for North East Bedfordshire (Alistair Burt).

This is a grim anniversary. Since the ceasefire was announced, three civilians have died in this conflict every single day, and there are 110,000 cases of cholera. Three dates are essential: the date that we can have the next meeting of the Quad, the date when the peace talks will resume and the date for the appointment of a new Minister with responsibility for Yemen. When will those be? It is important that we have proper ministerial focus. The Minister cannot run the whole world. We need someone as focused as the right hon. Member for North East Bedfordshire.

Mark Field: That is a fair question. I would like to think that I can do the job at least for urgent questions and the like, but I take on board what the right hon.

Gentleman says. As far as a date for peace talks is concerned, we are desperate to ensure at the UN and with all our partners that there is momentum from what happened in Stockholm, which was very positive, but we feel that the momentum is coming to an end. As far as the Quad is concerned, there are ongoing discussions, and no doubt we will again try to get more movement and momentum to ensure that the progress made is built upon and does not dwindle away.

Dr Julian Lewis (New Forest East) (Con): Are there any restrictions on our very large aid budget that would prevent us from applying it to a warzone such as this?

Mark Field: My right hon. Friend will recognise that that is an issue for the Secretary of State for International Development, but there are restrictions on it—in fact, fairly strict restrictions in international law, and our own legislation has come into play in that regard. Clearly, this is a desperate humanitarian situation. I think all of us feel that it is right that a significant amount of international aid is placed there. There is a recognition that it is sometimes difficult to get to the most vulnerable on the ground, but we shall do our level best to ensure that that happens.

Jo Swinson (East Dunbartonshire) (LD): I very much echo the comments that others have made about the right hon. Member for North East Bedfordshire (Alistair Burt). He was one of the very best, most thoughtful and most dedicated Ministers, and his departure from the Front Bench is a loss to the Government and the country.

There has been a huge reluctance on the part of the Government to criticise the Saudi regime, even in the face of the most appalling humanitarian situation in Yemen, which the Minister described, and the appalling conflict. It seems unacceptable that we continue to sell arms to Saudi Arabia. I do not call that leadership. Instead of leveraging our influence from our trading relationship with Saudi Arabia, it seems that we are silenced by it. Does the Minister share my assessment that, after Brexit, we will be in a weaker position, not a stronger one, to criticise states with a bad human rights record?

Mark Field: No. The truth of the matter—I see it even in my part of the world—is that the diplomatic channels are open, and we regularly express human rights concerns with countries with which we have trade. I reiterate that we do take our export licensing responsibilities extremely seriously, and we operate a very robust arms export regime. There is a respectable case that says we should not be in the arms business and should just not sell any at all, but we would like to think that our regime means that in many ways we are able to present a more robust case than many other countries that sell arms across the world.

Bob Stewart (Beckenham) (Con): The Foreign Secretary has said that there are 50,000 metric tonnes of grain stuck in Hodeidah. Is it possible that we could use the port of Aden, which used to be a great port, to deliver aid and divert it another way?

Mark Field: I should say to my hon. Friend that the most vulnerable areas are in the north-west of the country, and important though Aden is as a port,

[Mark Field]

Yemen is a large country and it is actually too far away. The roads from Aden to the most affected areas are of course particularly dangerous to traverse at this time.

Catherine West (Hornsey and Wood Green) (Lab): What action is being taken to prevent children from Sudan from being used and exploited in the conflict in Yemen?

Mark Field: I thank the hon. Lady for her question, and I look forward to crossing swords with her now she is on the Foreign Affairs Committee. We take the issue of children very seriously, and part and parcel of our work with non-governmental organisations and international bodies is ensuring that children are not used in any sort of conflict, particularly those being pushed across borders in the way she describes. We will do our level best, and if we have more specific information, I will obviously ensure that it is brought to her attention.

Mr Philip Hollobone (Kettering) (Con): The Iranian-backed “party of God”—Hezbollah—which is mainly based in Lebanon, has been supplying training, weaponry and missile technology to the Iranian-backed Houthi insurgency. To what extent does the Minister believe that Hezbollah is egging on the Houthis not to adhere to the terms of the ceasefire?

Mark Field: I very much agree with my hon. Friend. We have very long-standing concerns about Hezbollah’s involvement in Yemen. Hezbollah and Iran are of course providing training and weapons to the Houthis, contrary to UN Security Council resolution 2216 and the embargo on the export of weapons by Iran. We shall continue to encourage Iran, the state sponsor of Hezbollah, to demonstrate that it can be a constructive part of the solution, rather than continue with its current conduct. We hope it can promote stability.

Richard Burden (Birmingham, Northfield) (Lab): With nearly 110,000 new cases of cholera since the start of the year, a third of which involve children under the age of five, does the Minister agree that any strategy to protect children must not only stop the appalling attacks on children, such as the attack on the school bus last summer, but take action against killer diseases such as cholera? Will he tell us what we are doing to achieve that?

Mark Field: It is an absolute tragedy of the first order. I am often reminded that cholera was discovered, if that is the right word, in my constituency, a stone’s throw from here, back in the 1840s, when it was discovered that it was a water-borne disease. It is obviously unthinkable that people would suffer from cholera in this country, and we are doing all we can to ensure that there is fresh water, and indeed that water supplies are as pure as possible. The hon. Gentleman will appreciate that there is probably also cholera in some of the more difficult to reach far-flung areas, where it is difficult to get access.

Bob Blackman (Harrow East) (Con): The initial optimism of the peace talks bringing the two sides together seems to have waned. What influence is my right hon. Friend

seeking to have on the different parties to bring them to the negotiating table so that international aid can be provided to relieve the humanitarian suffering?

Mark Field: As we see it, the next phase of the Stockholm agreement is to provide for a mutual redeployment of the forces away from Hodeidah. Again, we are looking to work, as we need to do, with both sides of the conflict for an agreement on that, which would obviously have a big impact on the humanitarian situation. That has not been implemented to date, and to be frank with my hon. Friend, until that happens the ceasefire is unlikely to be sustained.

Martin Whitfield (East Lothian) (Lab): To go further on that point, can the Minister give examples of how, practically, he is ensuring that aid is being delivered to all parts of Yemen, no matter who is holding that ground?

Mark Field: The detailed aspects of this are slightly sensitive. They are a matter for the Department for International Development, and I will do my best to write to the hon. Gentleman with some details.

Julia Lopez (Hornchurch and Upminster) (Con): Without wishing to repeat what others have said, keeping Hodeidah port open is absolutely critical to the flow of aid and food supplies to those most in need in Yemen. Given the heavy weapons fire between the warring parties in the city this week, what urgent pressure has the Minister sought to exert to restore the ceasefire there?

Mark Field: The work we are doing within the UN is clearly vital. We have to bring both sides of this conflict together, and we have done our level best to do that. We think the Yemeni Government understand the importance of this issue, and it is the single most important issue that will have such an impact on the lives of the many millions of Yemenis having to put up with this dreadful conflict.

Graham P. Jones (Hyndburn) (Lab): May I add my compliments to those paid to the right hon. Member for North East Bedfordshire (Alistair Burt)?

The allegations about child soldiers are very serious. I have previously raised them in the House, and it is very disappointing that it has taken us so long to discuss them. UNICEF has reported how many child soldiers were employed by the Houthis; the BBC has reported that they were being shot in the back; and we have seen other such crimes such as the use of mines. When are we going to take Yemen seriously, instead of discussing some issues around the edges that do not affect the situation in Yemen?

Mark Field: To be honest, until all parties in Yemen are committed to the peace process or start down that path, it is going to be very difficult. That is the truth. We will do as much as we can on the humanitarian side, and we will obviously continue to do as much as we can diplomatically, but there needs to be a sense within Yemen of all parties being committed to peace. Unfortunately, four years in, that is not yet the case. I entirely share the hon. Gentleman’s deep-seated concerns about the dreadful notion of child soldiers being used in this conflict.

John Howell (Henley) (Con): The Minister has talked of two sides being involved in this, but there is a third, which is Iran. What is being done to bring Iran into the process so the humanitarian crisis can be solved?

Mark Field: As I mentioned in the answer to my hon. Friend the Member for Kettering (Mr Hollobone), we obviously recognise that Iran has an important part to play, not least because it is the state sponsor of Hezbollah. We will continue, in whatever way we can, to make representations to the Iranian Government—we do that out in Tehran, obviously, but also in the international community—and to try to impress on others the importance of their influence. As he says, it has all too often been a malign influence, and it needs to change.

Diana Johnson (Kingston upon Hull North) (Lab): To follow up on that question about Iran, what further measures can the Foreign and Commonwealth Office bring into play to make sure that Iran, which obviously has a proxy in this conflict in Yemen, is brought to account for what it is doing?

Mark Field: On bringing Iran to account, the hon. Lady is absolutely right that it has had a proxy in what has happened, as it has for some years, not least in encouraging the Houthi insurgents. We have recognised that if Yemen is to have unity, sovereignty, independence and territorial integrity, Iran clearly has an important part to play. We hope it will use its influence with the Houthis to encourage a de-escalation of the current crisis and to end their attacks on coalition countries, but also to support the moves back towards a political track.

As I have often said here about diplomacy, sometimes it is a matter of taking three steps forward and a couple of steps back. Stockholm was definitely three steps forward, and I think we are in a far better place today than we were six months ago. Equally, we do not want those advances to slip away. Iran has had an important part to play in that process, and will do in the years to come.

Kevin Foster (Torbay) (Con): The Minister is right to focus on the peaceful and negotiated solution that needs to be sought to bring an end to this conflict, but what discussions are there about long-term support to stabilise and rebuild the country? This is not just about bringing the fighting to an end; the long-term solution is about ensuring that it does not restart.

Mark Field: My hon. Friend is absolutely right, and of course there is thought going into that. I see it in a different part of the world—in Afghanistan, where obviously we have had an engagement—and one realises just how long a haul this must be. As my hon. Friend says, an important aspect of that is to build up a sustainable economy. Of course, one does not start from zero in that regard. We need to work together with the international community to build up a sustainable economy in Yemen that can provide prosperity for future generations.

Kevin Brennan (Cardiff West) (Lab): The right hon. Member for North East Bedfordshire (Alistair Burt) was dedicated in office, a decent person and dignified in the leaving of office. He was also helping me with the

case of my constituent Luke Symons, who has been held captive by the Houthis for two years in Sana'a, and we were, I hope, making some progress. Will the Minister—or perhaps the Foreign Secretary, who is aware of this case—agree to an urgent meeting with me in order that we do not lose momentum, given the former Minister's departure?

Mark Field: I could not suppress a slight smile when the hon. Gentleman talked about my right hon. Friend the Member for North East Bedfordshire (Alistair Burt); it was as though he had died. I think he is still alive and kicking. He is probably having a quiet pint and a quiet afternoon—though maybe not.

The hon. Gentleman raises a serious point about Luke Symons, on whose case he has worked extremely hard. He is aware that the Foreign Secretary brought up the case during his visit to Yemen earlier in the month. We have been providing consular advice to the UK-based family since 2017, and will continue to do so.

I wish to put it on the record that although I appreciate there were particular reasons why Luke Symons was out there—his wife is a Yemeni national—we now advise against all travel to Yemen, and therefore we are unable to provide consular assistance out in the country. Anyone who travels to Yemen against our advice is putting themselves at considerable risk.

Of course I would be very happy to meet the hon. Gentleman, and indeed representatives of the Symons family.

Alison Thewliss (Glasgow Central) (SNP): I, too, would like to share my gratitude to the right hon. Member for North East Bedfordshire (Alistair Burt) for his work. I was very glad to be able to listen to Yemenis last week who were in London for events. They included Dalia Qasem Farea, Laila Al-shabibi and Hisham Al-Omeisy—the House may remember that he was held by the Houthis, and I have raised his case in the House.

Of ongoing concern to many aid agencies is the ability of goods and people to travel around Yemen to get to the places and people who need them. Can the Minister tell us more about what is being done to ensure that aid reaches those who need it the most?

Mark Field: The hon. Lady makes a very good point. I have already alluded to that subject in several answers. Our immediate focus, obviously, remains on ensuring that enough food is getting through to the desperate Yemenis to prevent starvation and a disastrous famine. With the operating environment in Yemen extremely difficult for humanitarian organisations we are now focusing our attention on UN agencies, NGOs and other donors, to get out to those more difficult areas. Part of that is to assess the acuteness of need in those parts of Yemen, but that of course is an ongoing process and we feel that we have made some significant progress along with NGOs and other international partners.

Clive Lewis (Norwich South) (Lab): At a recent lobby of Parliament by Save the Children and Oxfam, my constituents were quite clear that the arms sales to Saudi Arabia need to end if the famine in Yemen is to end. Does the Minister share their sentiments?

Mark Field: The hon. Gentleman and I have spoken on the whole issue of the arms trade. He is putting forward a perfectly respectable position, but I think it is not necessarily shared by us all. I hope that the fact that we have safeguards in place that are, I think, more stringent than most other countries' should give some comfort to his constituents; but I think that we will have a very active and live debate in this House, in relation to not only Yemen but the whole world, in the years to come.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Diolch yn fawr iawn, Mr Speaker. In an answer to a parliamentary question that I tabled, the British Government confirmed that they had directly trained 102 Saudi pilots over the last 10 years. Last year they signed a deal to sell 48 Typhoon jets to Saudi Arabia. How many of those pilots and planes have been operational in Yemen? Or is it the case that once the pilots are trained and the planes are sold, the British Government wash their hands?

Mark Field: The hon. Gentleman will recognise that I cannot answer that question directly, simply because we obviously do not have that information to hand. And no, it is not a matter of our washing our hands. We have military liaison in Saudi Arabia, and part of that is to try and encourage a sense of ethics. We have military liaison, of course, in a number of other countries that are at the heart of war zones as well. I obviously cannot give a direct answer because I do not have that data to hand, but I very much hope that the liaison officers that we have with the Saudi military are inculcating some of the values that we need, within warfare, to be properly adhered to.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): I am sure that the best wishes of the whole House will go out to those members of the British Special Forces who have been reported injured in Yemen. I do not expect the Minister to comment on the details of the operations that they might have been involved in, but can he say whether any members of the British armed forces operating in Yemen have observed, or been witness to, the use of child soldiers by the Saudi Arabian side?

Mark Field: I refer to my earlier answers. I do not wish to fob the hon. Gentleman off. Some serious allegations were made in *The Mail on Sunday* article. I am sure that they are well sourced, so I would be interested to know more about those sources. There will be an investigation on the matter.

Mrs Emma Lewell-Buck (South Shields) (Lab): The Government clearly recognise the scale of the humanitarian crisis in Yemen, because they have recently increased aid; yet, sickeningly, unlike Germany, Norway, Denmark and Finland, UK arms sales to Saudi Arabia continue. Does the Minister feel that these continued arms sales are helping to cease or intensify the relentless and indiscriminate murder of innocent children and civilians?

Mark Field: I can really only refer the hon. Lady to what I said earlier on arms sales. Many of these are long-standing contracts, with arms that are in the hands

of some of the combatants in the Saudi-led coalition in this regard. There is nothing that I can usefully add to that answer.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): The Government contract the manufacture of UK arms for Saudi Arabia. They contract the issuing of bombs into UK aircraft in the kingdom. They have RAF soldiers in command centres, and now we learn that we have ground assets in Yemen. So can I ask again, because I do not think the Minister answered the question: if this does not constitute being a member of the coalition, what on earth does? What legal advice have Her Majesty's Government received about potential complicity in war crimes and international humanitarian law abuses, which we could now be liable for?

Mark Field: Will the hon. Gentleman please be assured that there is ongoing legal advice on all the matters to which he referred? I should perhaps also say, to correct the record in that regard, that we do not have our liaison officers or others in command centres with the Saudis. The liaison is in Saudi; they are there in a training and advisory capacity.¹²

Douglas Chapman (Dunfermline and West Fife) (SNP): Like many hon. Members, I attended some of the #YemenCantWait events over the past week. I was struck by one quote:

"We've had 4 years of WAR, and the SUFFERING is reflected on every face you see."

The situation is beyond dire. What will the Minister say to the UN's Martin Griffiths when he visits London—I believe this week—regarding the urgency of a continued effort on the peace process?

Mark Field: I thank the hon. Gentleman for what he has said. It is an absolutely desperate situation. We are working closely with Martin Griffiths, and will continue to do so.

As I said at the outset, the most important thing is to try and move towards a political solution. We had some real progress, for the first time in two years, in Stockholm at the end of 2018, and we now need to build upon that. That is the message that goes out: how can we work together to build upon the progress that has already been made? It is, though, an utterly desperate situation.

Mr Speaker, you will be glad to know that we are 110 seconds within your limit, so I could filibuster a little bit longer. *[Laughter.]* No, I do not wish to be too glib on this. I know that we shall come back to the subject repeatedly in future. I thank all right hon. and hon. Members for their contributions. I appreciate, and they will appreciate, that for obvious reasons, one or two of their replies will have to be provided in writing. I think it is greatly to our credit that we are a UN penholder on this Yemeni issue. It is very close to our hearts. We shall be doing a lot of work, continually, on the humanitarian side. Some of the most important work that we do across the globe will be done, and many, many lives will be saved courtesy of the British taxpayer.

1. *[Official Report, 27 March 2019, Vol. 657, c. 4MC.]*

2. *[Official Report, 10 April 2019, Vol. 658, c. 4MC.]*

Business of the House

1.29 pm

The Leader of the House of Commons (Andrea Leadsom):

To assist the House, I would like to make a short business statement. The first business tomorrow will reflect the decision taken by the House yesterday. At the conclusion of that business, the Government will bring forward the draft European Union (Withdrawal) Act 2018 (Amendment) Regulations 2019 for consideration.

Valerie Vaz (Walsall South) (Lab): I thank the Leader of the House for the statement. We welcome the fact that we can approve the statutory instrument to extend the exit day. I just have a couple of questions. When will the meaningful vote be brought back, given that the Prime Minister said it would be coming back this week? Can she confirm that it is also the Government's understanding that: if the meaningful vote is passed, exit day is on 22 May; if there is no meaningful vote, we leave by 12 April; and there will be a further extension if we show purpose? We welcome the fact that the uncertainty of 29 March has now moved, albeit to 12 April.

Andrea Leadsom: I thank the hon. Lady for her questions. What I can say is that, as the Prime Minister has made very clear, the Government continue to believe that the best way to leave the EU is with a deal. The deal that she has negotiated has taken the best part of three years and is extremely complicated. It remains our view that it represents the best compromise for leaving the European Union while keeping a close economic and security partnership. As the Prime Minister has said, she will continue to have discussions with colleagues across the House to seek to build support for her deal, so we can, if possible, this week approve the deal and guarantee Brexit.

On the hon. Lady's specific question, the draft statutory instrument the Government hope to bring forward tomorrow will provide for two durations that were agreed with the EU27. Exit day, as amended, would be 22 May if the withdrawal agreement is approved before 11 pm on 29 March. Otherwise, it would be 11 pm on 12 April.

Several hon. Members *rose—*

Mr Speaker: Order. I understand the appetite of colleagues. This is an important business statement by the Leader of the House, but its terms are relatively narrow and it is not the normal business statement so it really should focus on tomorrow, which is the subject matter on which the Leader focused.

Mr Peter Bone (Wellingborough) (Con): Will the Leader just clarify? I thought the 2018 Act required an exit date, not two optional dates. So I am surprised that the statutory instrument is actually naming two dates. I would have thought that the right thing would have been to have 12 April and then extend later if need be. Am I also right in thinking—I am sure the Leader would agree—that if those statutory instruments go through both Houses of Parliament, we will be coming out of the European Union, at least domestically, in three days' time?

Andrea Leadsom: My hon. Friend raises an incredibly important point. This House voted on 14 March for a short extension to article 50. The EU Council's conclusions were turned into a legal decision with which the Prime Minister of the United Kingdom agreed. Those conclusions came into force last Friday. So the date for our departure from the EU has already changed in international law. The draft statutory instrument provides for both the durations that were agreed with the EU27. As I said to the hon. Member for Walsall South (Valerie Vaz), exit day, as amended, would be 22 May if the withdrawal agreement is approved before 11 pm on 29 March. Otherwise, it would be 11 pm on 12 April. I want to be very clear that a rejection of the statutory instrument that the Government seek to bring forward tomorrow would create a clash in UK law, because a large volume of EU exit legislation preparing the UK statute book for the moment that EU law ceases to apply is due to enter into force automatically on exit day. In international law, the exit date has already changed. The statutory instrument seeks to clarify that in UK law. I hope that that is clear to all Members.

Pete Wishart (Perth and North Perthshire) (SNP):

We all look forward to the Leader of the House's motion tomorrow, so this can be properly discussed. I think we are all particularly looking forward to a little bit of parliamentary innovation tomorrow. I am looking around for Prime Minister Letwin. He must still be with the Queen discussing the Parliament party legislative programme, which we will obviously get an opportunity to consider and debate tomorrow.

I get the sense that Parliament is about to take control of this process with all the enthusiasm of the first lieutenant of the Titanic taking over from Captain Edward John Smith. Can the Leader of the House confirm today that the Government will observe and respect whatever outcomes are agreed tomorrow, by a majority, in this great piece of parliamentary novelty? That is what the House really needs to hear from the Leader. We are sick and tired of voting repeatedly on motions that are passed, only for the Government to casually and contemptuously ignore them. Will they co-operate fully in ensuring that we get to some sort of solution with this House, and will they respect and observe it?

Andrea Leadsom: I reject what the hon. Gentleman says about the Government ignoring this House. It is, of course, as a result of the motion that was passed by this House on 14 March that we have an extension to article 50. As he knows well, as Leader of the House of Commons, I take very seriously my role to be Parliament's voice in the Government.

On the options that will be brought forward tomorrow, what I can say to the hon. Gentleman is that, at this stage, we do not know which options will be debated and voted on, let alone which will pass. To use his analogy, my right hon. Friend the Member for West Dorset (Sir Oliver Letwin), the new Prime Minister for West Dorset, has not yet indicated that manifesto. Nor indeed has the right hon. Member for Leeds Central (Hilary Benn) indicated his manifesto. I think we need to wait for that advice. I do jest, in case any hon. Gentleman is determined to take offence at my joke there, Mr Speaker. I say that for clarity in this Chamber.

[*Andrea Leadsom*]

The second point is that any options passed by this House must be negotiable. They have to be deliverable in negotiations with the EU and they would also have to take account of how long those negotiations would take.

Finally, as my right hon. Friend the Prime Minister pointed out in the discussion yesterday, and as the shadow Brexit Secretary also made clear in the House, it would not be possible for different parties to accept proposals that their party manifestos rejected at the last general election. [*Interruption.*] The shadow Brexit Secretary was clear in the House yesterday that Labour would reject certain potential outcomes as inconsistent with the Labour manifesto. [*Interruption.*] The hon. Member for Wallasey (Ms Eagle) shouts “Rubbish”, but she needs to talk to her Front Benchers. It is absolutely vital that this House delivers outcomes that are negotiable, feasible and in line with the will of the manifestos and the referendum on which we all stood.

Sir Desmond Swayne (New Forest West) (Con): If the measure was defeated or the Prime Minister stayed her hand, then the European Communities Act 1972 would cease to apply on Friday evening and we would be free, wouldn't we?

Andrea Leadsom: My right hon. Friend is correct to say that a commencement order is required under section 25(4) of the European Union (Withdrawal) Act 2018 in order to give effect to the repeal. The timing of that commencement order will depend on the date we leave the EU. We need to commence the repeal of the 1972 Act on the date of our departure, which is either 12 April as things stand if the deal is not approved, or 22 May if the deal is approved.

Ms Angela Eagle (Wallasey) (Lab): May I join the Leader of the House in welcoming her resistance to what I must now call the anarcho-Brextremists on her own side who want to mess around by voting against the motion she has brought today to put UK law in line with the international treaty agreements that the Prime Minister has made? Will she clarify something she said in her statement? Yesterday, the Prime Minister said she was no longer going to bring the deal back for a third meaningful vote, but the Leader of the House has just said that that might happen this week. Can she clarify which is true?

Andrea Leadsom: The Prime Minister has said that she will continue to seek further support for the withdrawal agreement and political declaration. Should she succeed in that, we will seek to bring back the meaningful vote for this House to consider. To be clear again, it is only if this House approves the withdrawal agreement before 11 pm on 29 March that there is then an extension to 22 May.

Dr Julian Lewis (New Forest East) (Con): If this House does not approve the withdrawal agreement—indeed, it might be that it is not possible for the withdrawal agreement to be brought back before this House anyway—and if the Prime Minister therefore decides that exiting on World Trade Organisation terms is preferable to no Brexit, is there anything that this House can actually do

to prevent the Prime Minister ensuring that we exit on WTO terms? I think the answer to that question is no, isn't it?

Andrea Leadsom: I think my right hon. Friend poses an unanswerable question, because of course the ingenuity of the House knows no bounds. What the House has been clear about is that it does not want a no-deal Brexit or a Brexit on WTO terms. I share that desire, but, as we have always been clear, the way to avoid a no-deal Brexit is to vote for the deal. If I may, Mr Speaker, I will quote directly from the European Council conclusions:

“The European Council reiterates that there can be no opening of the Withdrawal Agreement that was agreed between the Union and the United Kingdom in November 2018. Any unilateral commitment, statement or other act should be compatible with the letter and the spirit of the Withdrawal Agreement.”

So all the terms under which the UK leaves the EU are subject to the agreement by this House of the withdrawal agreement.

Chris Bryant (Rhondda) (Lab): It is potty to announce today that we are going to have the statutory instrument tomorrow evening, at the fag end of the business. That is absolutely ludicrous when we could perfectly easily do it on Thursday.

May I ask the Leader of the House whether we will be sitting on Friday? I have a particular interest: Friday is Brain Tumour Research's Wear A Hat Day, and it is encouraging everybody around the country to wear a hat to work on that day. As you will know, Mr Speaker, “Erskine May” is now silent, on page 451, about whether we can wear a hat in the Chamber, although I think we are expected to speak uncovered. Would it not be a good idea for the Leader of the House to announce now, if we are sitting on Friday, that we are going to do that on Friday, or if not, that we can all wear hats on Thursday?

Andrea Leadsom: Excellent. I once wore a hat because I wanted to take my hat off to the right hon. Baroness Jowell, who sadly is no longer with us, for her brilliance in establishing Sure Start. I can tell you, Mr Speaker, that you tolerated my wearing of a hat in honour of what I felt was a very good cause.

The hon. Gentleman asks a very specific question. As he will be aware, at the moment there are no plans to sit on Friday. If there were plans to do that, it would require the passing of a motion to that effect, which the House would have to agree.

Vicky Ford (Chelmsford) (Con): Can my right hon. Friend confirm that to get the longer extension requires the passing of the withdrawal agreement, not the withdrawal agreement plus the political declaration, and that the political declaration provides for a wide spectrum of potential outcomes for the long-term relationship between the UK and the EU?

Andrea Leadsom: My hon. Friend is right that the European Council decision requires that this House has agreed the withdrawal agreement—or has introduced the withdrawal agreement—in order to get the long extension ready for the legislation. I encourage all hon. Members to consider that a lot of the proposals being put forward for tomorrow would themselves require a

withdrawal agreement to be approved in order for them to be taken forward. We need to be clear that what we will be talking about in the indicative votes tomorrow are, potentially, replacements for the future arrangements as opposed to replacements for the withdrawal agreement. I urge hon. Members again to consider the Prime Minister's deal and to accept the reality, which is that the European Council requires us to look positively at the withdrawal agreement.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): The Leader of the House knows, and I welcome the fact, that I am now semi-clear about what the future progress in the House will be, but does she agree that it is most important in this troubled and tumultuous time that we inform our constituents about what we are doing as honestly and openly as possible? Will she stop her colleagues in the Cabinet going on radio and television and saying that there has been a vote on a people's vote, or a second referendum? That has not taken place. A minority group in the House moved a motion, on which most of the Opposition abstained. There has not been a major vote on the people having the opportunity of a new referendum. Will she stop her Cabinet colleagues saying there has been?

Andrea Leadsom: There very much was a people's vote. That was in June 2016, and the people decided to leave the European Union.

Craig Mackinlay (South Thanet) (Con): Will the Leader of the House confirm that the very act of the Prime Minister signing what is, in effect, an amendment to the Lisbon treaty under royal prerogative makes whatever we have to say on the matter of an extension rather irrelevant?

Andrea Leadsom: This House voted on 14 March for a short extension of article 50. At the time, the Prime Minister made it very clear that if this House were to vote for that short extension, she would seek to negotiate it but that she could not be certain what the EU would offer in return. My hon. Friend is right. The Prime Minister agreed a short extension. That was not necessarily every individual's definition of exactly what that should be, but she agreed it on behalf of the United Kingdom. As such, in international law, the date of our exit from the EU has now changed irreversibly to 12 April, or to 22 May if we have agreed to progress with the withdrawal agreement.

Neil Gray (Airdrie and Shotts) (SNP): Is it the Government's intention to table their own business motion for the Speaker to deliberate on regarding tomorrow's business?

Andrea Leadsom: As I set out just now in the business statement, the first business tomorrow will reflect the decision taken by the House yesterday, and at the conclusion of that business the Government will bring forward the draft European Union (Withdrawal) Act 2018 (Exit Day) (Amendment) Regulations 2019.

Mr Philip Hollobone (Kettering) (Con): Given that the Leader of the House has said that we are not sitting on Friday, and given that House business takes priority tomorrow, does she expect to make a business statement at the end of House business tomorrow announcing that the meaningful vote will take place on Thursday?

Andrea Leadsom: I cannot give my hon. Friend absolute certainty on any issues of future business right now. As I have set out, we are continuing to seek support for the Prime Minister's deal, and that is absolutely the focus for the Government. Should we feel that there was sufficient support for that deal, we would seek to bring that vote back, because that would mean we would be in a position by the end of this week to have an orderly departure from the European Union, with a close economic and security partnership to go with it.

Clive Efford (Eltham) (Lab): I am sorry if I missed it, but will the Leader of the House clarify tomorrow's business? Will there be protected time for the SI? It seems strange to cram it in tomorrow, given the decisions the House has made about debates tomorrow. Will she clarify how much business there will be, whether we will have protected time for it and whether the Government will table their own business motion to deal with the indicative votes tomorrow?

Andrea Leadsom: Hon. Members will realise that the vote yesterday was that the Government would not be responsible for tomorrow's business. The Government are seeking to engage in a productive and constructive way with those who have control of tomorrow's business to ensure that we debate this very important statutory instrument, which will provide certainty—not certainty about our departure date but legal certainty between 29 March and, in the first instance, 12 April—to businesses and citizens. The Government are working closely with those right hon. and hon. Members who are controlling the business tomorrow to seek agreement that Government business will be able to carry on after the moment of interruption. As is normal with statutory instruments, I would expect that to be a 90-minute discussion followed by a vote, but that is not in my hands.

Alison Thewliss (Glasgow Central) (SNP): There has been a real lack of clarity in what the Leader of the House has said about whether meaningful vote 3 will come back this week, next week or perhaps even the week after. Given that the question sessions for the weeks beginning 8 April and 15 April are now available for tabling on Parliament's Member hub, will she confirm what we all know to be self-evident: that recess is cancelled?

Andrea Leadsom: As the hon. Lady will know, I have announced the dates for the Easter recess, but recess dates are always announced subject to the progress of business. We will need time in the House either to find a way forward or to pass the withdrawal agreement Bill, and I think the country will rightly expect Parliament to be working flat out in either scenario. Further announcements on future recess dates will be made in due course in the usual way.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): In answering my hon. Friend the Member for Perth and North Perthshire (Pete Wishart), the Leader of the House said that anything the House proposed had to be negotiable and deliverable before the Government could support it. Tomorrow, with cross-party colleagues, I will be bringing forward an amendment on the revocation of article 50 to avoid a no-deal Brexit. Given that revocation has the virtue of requiring no negotiation

[Angus Brendan MacNeil]

and is deliverable, will she confirm that were that to be passed in an indicative vote tomorrow, she would respect that vote?

Andrea Leadsom: We will wait to see what the indicative votes are on tomorrow before deciding how to respond.

Alex Cunningham (Stockton North) (Lab): The Leader of the House has talked about the Easter recess. One of the dates she mentioned this morning is during that recess. The Table Office is already populating that fortnight for questions. When will the Government come clean and tell us the Easter recess is cancelled?

Andrea Leadsom: I refer the hon. Gentleman to the response I just gave. The Easter recess has been announced, but it will be subject to the progress of business. Of course, we hope to have a clear way forward in the next few days, and I will make a further statement on recesses as soon as I can.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): I am sorry if I missed this, but, following the question from the hon. Member for Eltham (Clive Efford), will the Leader of the House clarify whether the four SIs on the Order Paper tomorrow—on exiting the EU and food, the protection of trading interests, animals and constitutional law—will remain as Chamber business? I ask because I have a rather excellent Adjournment debate that I do not want Members to miss out on.

Andrea Leadsom: As I said in response to an earlier question, we are in proactive discussions with my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) on what Government business can take place tomorrow.

Kevin Brennan (Cardiff West) (Lab): As my hon. Friend the Member for Rhondda (Chris Bryant) has referenced the silence of “Erskine May” on sartorial matters, perhaps the newly elevated right hon. Member for West Dorset (Sir Oliver Letwin) could appear in the toga he once wore when he appears before us.

On tomorrow’s business, will the Leader of the House clarify what the Government’s attitude will be if, as expected, tomorrow’s indicative votes do not come up with a solution and more time is required? Will the House have to wrestle that time from the Government again, or, instead, given the clear views of the House, will they be prepared to provide more time to settle the matter?

Andrea Leadsom: There is no question of wrestling; what we do in this place is vote and take decisions. The Government’s position is that the withdrawal agreement and future political declaration are essential to an orderly and proper departure from the EU. That is the Government’s position. Anything else that is voted on by the House will have to be considered as and when it arises.

Graham P. Jones (Hyndburn) (Lab): The Conservative manifesto at the last general election was defeated. Is that true?

Andrea Leadsom: No.

Alan Brown (Kilmarnock and Loudoun) (SNP): It feels as though the Leader of the House and the Prime Minister still have not grasped that last night’s vote was because Parliament is fed up with this broken record about the only way to avoid a no deal being to vote for the withdrawal agreement the Prime Minister negotiated. To quote one of the most reasonable and respected Ministers, who resigned last night, the Government continue to play roulette with people’s livelihoods. The Leader of the house has not answered this question yet: what will the Government do to respect the votes tomorrow and what measures will be in place to contact the EU and plan for legislation to respect them?

Andrea Leadsom: The hon. Gentleman says it is boring, but it is actually true: the only way to avoid no deal is to vote for a deal. The second very important truth is that hon. Members can put forward other bespoke solutions, but they have to be negotiable—that is the absolutely incontrovertible fact. The House cannot just decide; it requires the EU to negotiate the other side of that transaction. The Government will look very carefully at what the indicative votes show tomorrow and then respond accordingly.

Point of Order

1.54 pm

Crispin Blunt (Reigate) (Con): On a point of order, Mr Deputy Speaker. I had hoped to raise this matter directly with the Speaker, as it arises from his exchange with the hon. Member for Tooting (Dr Allin-Khan), who raised a point of order about racism in football. In response, the Speaker from the Chair gave us a homily on racism in football and its evils, which was particularly welcome, coming as it did from a former secretary of the immigration sub-committee of the Monday Club. I have, however, raised previously my concerns about the bias of the Speaker, and I would be grateful if you could convey it to him, Mr Deputy Speaker, that the fewer views he expresses, either from the Chair or as the Speaker, the less anxious we will be about his bias.

Mr Deputy Speaker (Sir Lindsay Hoyle): I think we now need to press on with the business in hand.

BILL PRESENTED

DECARBONISATION AND ECONOMIC STRATEGY BILL

Presentation and First Reading (Standing Order No. 57)

Caroline Lucas, supported by Clive Lewis, presented a Bill to place duties on the Secretary of State to decarbonise the United Kingdom economy and to eradicate inequality; to establish a ten-year economic and public investment strategy that prioritises decarbonisation, community and employee-led transition from high-carbon to low and zero-carbon industry, and the eradication of inequality; to require the Government to report on its adherence to the strategy; to establish higher environmental standards for air, water and green spaces; to make provision to protect and restore natural habitats; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 5 April; and to be printed (Bill 365).

Compensation Orders (Child Sexual Abuse)

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

1.55 pm

Andrew Griffiths (Burton) (Con): I beg to move,

That leave be given to bring in a Bill to require the Lord Chancellor to report on the use by courts of compensation orders for child sexual abuse offences; and for connected purposes.

People come to this House for many reasons—to deliver Brexit, to fight racism, to champion social justice, to reform Parliament—but I am sure that everyone in the House, from all parties, comes here to help the victims, the vulnerable and those with the least voice, and there can be fewer in our society more in need of our help than the victims of crime, and in particular victims of child sexual abuse. In this place, we regularly discuss the abuse that has occurred in our country. It has occupied much of our time in the Chamber. We have discussed the horrendous abuse that took place in the 1970s and in the Catholic Church and the Church of England.

More recently, we have spent much time talking about the horrific and widespread abuse in towns up and down the country such as Rotherham and Bradford. The suffering of those children is indescribable and unimaginable, and it is only right that this place does all it can to reduce the possibility of such things happening again. Nobody can take away from those victims the pain that their abuse has caused, the trauma and the suffering that they have endured, not just as a child when the abuse happened but, all too often, in later life, when the trauma comes back and bubbles to the surface.

We all want to do our very best in this place for those survivors. As someone who was himself a victim of child sexual abuse, I know how difficult and traumatic it is to discuss such issues. I kept my secret hidden for some 40 years. I locked it away, chained it down and hoped it would never surface. I convinced myself that if I did not give it words, I could deny it a reality. That was my view. How wrong I was! Talking about what happened to me, and explaining it to other people, was the best thing I could have done. I hope that other people who see this debate or read my testimony will think about coming forward and speaking out about their abuse and the trauma they have suffered.

To talk about these things takes courage. If it took sitting in a psychiatric ward with a psychiatrist for me to be able to talk about my trauma, how much more difficult must it be for victims who find themselves in the courtroom—in that intimidating and forbidding place—who have to suffer cross-examination by a skilled and forensic barrister? All too often, they have to face the perpetrator—the person who caused them so much pain and anguish over their lifetime—across the courtroom. And yet they do it. They speak out. They find, from somewhere within, the courage to be able to do that. Surely we—Parliament, the judiciary and the police—should support them in any way we can if we are to stamp out the scourge of child abuse that we see all too often in our country.

The House has mandated support for those victims. One of the objectives of the Criminal Justice Act 1982 was to increase the use of criminal compensation orders

[Andrew Griffiths]

to ensure that victims of crime were compensated by right, as a norm, without the need for expensive civil litigation and the prospect of having to retell and relive the story of their abuse in the courtroom. That was consolidated in the Powers of Criminal Courts (Sentencing) Act 2000. The Sentencing Council itself says:

“the court must order compensation wherever possible and should not have regard to... other sources such as civil litigation or the Criminal Injuries Compensation Scheme.”

So if everyone agrees that survivors should receive compensation as of right, and judges have the power to award that compensation straight away, at the time of sentencing, CCOs in child sexual abuse cases should be used regularly and to good effect. Surely that is a given, is it not? Sadly, the answer is a resounding “No”.

In 2017, the last year for which figures are available, there were some 6,861 convictions: 6,861 people were found guilty and sentenced for committing a child sexual abuse crime. Yet in how many of those 6,861 cases in which a CCO could have been used was one received? How many would the House suggest—50%, 25%, even 10%? The shocking reality is that just 26 people received compensation: just 0.4%. That is a criminal act. We should be ashamed that we are treating victims of child sexual abuse in that way. It is an outrage. We are letting down the survivors, and we must do something to change that.

The power is there. It lies in the hands of the judges, but they are simply choosing to ignore the use of CCOs. Despite all the guidance that the Ministry of Justice has issued and all the advice that has been given to the judiciary over many years, the courts are simply ignoring it, either by design or by accident, and compensation is not being given to the people who so justly deserve it. Moreover, although the police are supposed to be providing the CPS with information at an early stage so that judges can make the necessary decisions when sentencing, that information is simply not being collated. The crazy thing is that all too often the police do collate information for the courts, but in this instance, when there seems to be an obvious opportunity to use CCOs for a good purpose, the information is not being gathered.

Evidence shows that victims are being let down through a general lack of awareness and a lack of purpose behind a fundamental statutory provision. How can it be that we are not using such a simple tool to help those victims? I am sorry to report to the Minister that the Ministry of Justice’s “Victims Strategy” document, although it is a great document—very worthy and very laudable—makes no reference to the use of CCOs.

My Bill asks the Government to report routinely to Parliament on the use of CCOs in child sexual abuse cases. Let me quote a well-known phrase that my dad used to use: “What gets measured gets done.” I firmly believe that such reporting, if adopted by the

Government—in association with other simple and straightforward methods—will stimulate the judiciary to secure for the victims the compensation scheme that they deserve.

I thank all the Members who have supported the Bill so far, particularly my hon. Friends the Members for Lewes (Maria Caulfield) and for Congleton (Fiona Bruce), the hon. Members for Rotherham (Sarah Champion) and for Batley and Spen (Tracy Brabin), and my hon. Friend the Member for Truro and Falmouth (Sarah Newton), all of whom have been hugely helpful, as has Alan Collins of Hugh James, the solicitors, whom I also thank. However, there must be more that we can do to help those victims. It is in the Minister’s hands. Victims of child sexual abuse deserve better, and we can deliver it. I ask the House please to accept the Bill.

Question put and agreed to.

Ordered,

That Andrew Griffiths, Sarah Newton, Fiona Bruce, Sarah Champion, Tracy Brabin, John Mann, Dr Philippa Whitford, Antoinette Sandbach, Carolyn Harris and Jim Shannon present the Bill.

Andrew Griffiths accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 5 April and to be printed (Bill 366).

HEALTHCARE (INTERNATIONAL ARRANGEMENTS) BILL (CHANGED TO HEALTHCARE (EUROPEAN ECONOMIC AREA AND SWITZERLAND ARRANGEMENTS) BILL) (PROGRAMME) (NO. 2)

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the following provisions shall apply to the Healthcare (International Arrangements) Bill (changed to the Healthcare (European Economic Area and Switzerland Arrangements) Bill) for the purpose of supplementing the Order of 14 November 2018 (Healthcare (International Arrangements) Bill (Programme):

Consideration of Lords Amendments

(1) Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion two hours after their commencement at today’s sitting.

(2) The proceedings shall be taken in the following order: Lords Amendments Nos. 1, 2, 8 to 10, 18 to 20, 3 to 7 and 11 to 17.

Subsequent stages

(3) Any further Message from the Lords may be considered forthwith without any Question being put.

(4) The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—(Paul Maynard.)

Question agreed to.

Healthcare (International Arrangements) Bill (Changed to Healthcare (European Economic Area and Switzerland Arrangements) Bill)

Consideration of Lords amendments

Clause 1

POWER TO MAKE HEALTHCARE PAYMENTS

2.7 pm

The Minister for Health (Stephen Hammond): I beg to move, That this House agrees with Lords amendment 1.

Mr Deputy Speaker (Sir Lindsay Hoyle): With this it will be convenient to discuss Lords amendments 2, 8 to 10, 18 to 20, 3 to 7 and 11 to 17.

Stephen Hammond: It is a pleasure to be in the Chamber this afternoon. We now have the opportunity to turn our attention to an issue of great importance which, I know, commands the support of the House: the issue of reciprocal healthcare. As Members know, our ability to fund healthcare abroad brings invaluable benefits to people, and it is our responsibility to ensure that we continue to make them available to the public. I thank Members on both sides of the House for their work in considering the Bill so far, including those who have spoken to me about it outside the Chamber.

The amendments deal with the global scope of the Bill. It was intended to provide the Secretary of State with powers to fund healthcare outside the UK, to give effect to healthcare arrangements and healthcare agreements between the United Kingdom and other countries or international organisations—such as the European Union—and to make provision in relation to data processing, which is necessary to underpin these arrangements and agreements. Although it was introduced as a result of the UK's exit from the EU, it was intended to be forward-facing and not to deal only with EU exit. It offered an opportunity to implement new comprehensive reciprocal healthcare agreements with countries outside the EU.

Tom Brake (Carshalton and Wallington) (LD): I am sorry that the Minister was not able to join us at St Helier Hospital yesterday. I understand the reasons for that perfectly, but I hope that he will back the plan for the hospital.

The Minister mentioned the international scope of the Bill. Does he accept that that was a mistake in view of the concerns that people have expressed about, for instance, the opening up of the NHS in future international trade deals with countries such as the United States?

Stephen Hammond: I thank the right hon. Gentleman for his words about why I was unable to go to St Helier Hospital. He knows that, as a Minister, it would have been inappropriate, but as a constituency Member of Parliament, I have no doubt that I will be visiting there again soon. I do not accept his criticism. That was never the point of the Bill. We made that argument consistently both in this House and in the Lords.

But we have listened carefully to what has been said about the scope of the Bill and I am about to address that now.

As we prepare for our imminent exit from the EU, the global scope of this Bill has been the source of much discussion in here, outside this House and in the other place. I am pleased that the noble lords did not fundamentally disagree with the idea of reciprocal healthcare arrangements outside the EU. However, it was strongly felt that this was not the time to provide for it. Although the Government would have welcomed that opportunity to provide for it, they have recognised that through this group of amendments their lordships voted to restrict the scope of the Bill to making provision only for EU/EEA countries and Switzerland.

The Government believe it is disappointing to lose at this particular time the opportunity to be able to help UK nationals to obtain healthcare when they visit countries outside the EU, such as when they are travelling, studying or working abroad, or if they want to give birth or obtain treatment. It remains the Government's view that international arrangements on these issues could promote more life options for our citizens outside the EU, offer greater personalisation of care and assist further in the fostering of international healthcare co-operation. However, it must be our foremost priority to ensure that the Bill receives Royal Assent and is in place so we can respond to the different scenarios without delay and assist, as appropriate, the people who rely on these vital healthcare arrangements.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): The Minister and I have form on this, in that we were in a Statutory Instrument Committee only yesterday when I was trying to get over to him the need to be very clear to our constituents that, when we leave the EU, the EHIC—the European health insurance card—will disappear and when our constituents go to anywhere in Europe the full bank of healthcare will disappear. Yesterday, the Minister suggested people should take out private insurance instead. Is it not his job as a Minister to tell his constituents and my constituents the truth about this?

Stephen Hammond: It absolutely is my job to tell my constituents and the whole of the country the truth, and I did that yesterday in Committee and will do it again now. If the hon. Gentleman votes for the withdrawal agreement and it passes, the EHIC will remain in place, as I said yesterday. As I also said yesterday it has always been the Government's advice that people should purchase travel insurance. None of that has changed and that is exactly what I said yesterday and it is exactly what I am saying today.

Kevin Foster (Torbay) (Con): Does my hon. Friend agree that we need to be very clear that, with the EHIC, people will get treated as if they are a local; it is not the NHS on tour, so to speak, so we can still face some charges? Particular note should be taken of repatriation costs. If going abroad on something like a skiing holiday, people would be foolish not to take out full travel insurance.

Stephen Hammond: My hon. Friend is right. I made that point yesterday; I made it when I was speaking at the Dispatch Box on Report; and I am happy to make that commitment again today.

[Stephen Hammond]

It must be our foremost priority to ensure that the Bill receives Royal Assent and is in place so that we can respond to different scenarios. We take this decision with regard for the people who currently rely on the EU reciprocal healthcare arrangements and, only with that in mind, we are choosing not to disagree with the Lords amendments.

Mr Sheerman: Will the Minister give way?

Stephen Hammond: One last time because the hon. Gentleman and I had form on this yesterday.

Mr Sheerman: This is an important issue. If the Minister wants me to make a series of points of order, I will because this is so important. Yesterday in a Committee Room, none of us could understand this. At one point, the Minister said, “This is transitional. This will only cover the transition until we are out of the EU. After we have left the EU, EHIC won’t apply.” That is what he said yesterday. I am still not sure whether EHIC will apply only in the transition period, or will go on forever. He has not been clear about this.

2.15 pm

Stephen Hammond: I have been clear. One can say these things as many times as one likes, but if someone won’t hear, they won’t hear. I will say one more time to the hon. Gentleman—I am happy to take his interventions if he is going to move on to other points—that, as I made clear yesterday, if the withdrawal Bill passes, the current arrangements for reciprocal healthcare will continue throughout the implementation period. During that implementation period, it is the express intention of the Government and the EU to secure continuing reciprocal healthcare arrangements.

Mr Sheerman: There is no guarantee.

Stephen Hammond: The hon. Gentleman chunters that there is no guarantee. I have given him the guarantee that it is the express intention of both the UK and the EU to ensure reciprocal healthcare arrangements for our citizens post EU exit. I have set out clearly that, in the event of the withdrawal Bill passing and the implementation period starting, EHIC will continue and I think—

Mr Sheerman: On a point of order, Mr Deputy Speaker. The Minister and I were in an SI Committee yesterday and you will know how pressurised they are. Four SIs were all blended together, so it was very difficult to separate them and do our job of scrutinising the legislation going through this place, which is our prime responsibility. What we could not get from the Minister was absolute clarity, speaking out to the public and saying that actually the likelihood of keeping EHIC after we leave the EU is on a wing and a prayer—there is no certainty at all.

Mr Deputy Speaker (Sir Lindsay Hoyle): That is not a point of order, but the hon. Gentleman has certainly clarified what he believes needs to be put on the record.

Stephen Hammond: The hon. Gentleman put that on the record yesterday. I answered the question yesterday. I did so with clarity, in a way that I think almost any member of the public could have understood, and I hope that with that we can move on.

The next amendment I wish to discuss is Lords amendment 3. Their lordships have amended clause 2 to limit the regulation-making powers at clause 2(1). Clause 2(2) was intended to be an illustrative list setting out examples of the type of provision that may be included in regulations made under clause 2(1). It is not, on its own, a delegated power. The effect of amendment 3 is to make the list at clause 2(2) exhaustive. Regulations made under clause 2(1) can now only provide for those things on the list at clause 2(2). The intention of the Government has always been to be prudent and transparent in the use of the Bill’s delegated powers and the list was included to be helpful by demonstrating the types of provision that the regulation-making powers at clause 2(1) could include.

Mr Sheerman: On a point of order, Mr Deputy Speaker. I like the Minister—he is a nice man—but he is reading a brief that for most of my constituents and his is absolute gobbledegook—brackets, references here and sub-clauses there. Surely his job as a Minister is to tell this House in plain English what the dangers are to their future travel—their holidays and business in Europe?

Mr Deputy Speaker: Let’s calm it down a little. In fairness, I think the Minister needs to get to the end of his speech. We cannot have him being interrupted on points of order; it is not good form in this House to do so. What I would say is, “Who knows?” because I cannot predict what the Minister is going to say. He may well get to the points the hon. Gentleman feels are not being addressed.

Andrew Griffiths (Burton) (Con): On a point of order, Mr Deputy Speaker. As a Back Bencher who is keen to see this debate develop and move on so we can get on to other equally important business, what advice can you give me to stop other hon. Members asking pointless points of order in this debate?

Mr Deputy Speaker: The hon. Gentleman not making another point of order might be helpful as well. Let’s just get on and move forward because it is in everybody’s best interests to hear what the Minister has to say.

Stephen Hammond: Much of what we discuss in this House is clearly of a technical nature, and sometimes its language is impenetrable to others who are watching. However, as the hon. Members for Burnley (Julie Cooper) and for Ellesmere Port and Neston (Justin Madders) will know, the House has had a chance to look at this in a fairly exhaustive way. They will know exactly what I am referring to, and I am sure that they will wish to refer to it in their speeches.

Using “for example” to introduce an illustrative list of things that can be done under a regulation-making power can be found in a number of other pieces of legislation. Section 11(2) of the Automated and Electric Vehicles Act 2018 states:

“Regulations under subsection (1) may, for example”.

Section 48G(2) of the Banking Act 2009 says:

“An order may, for example”.

Using “for example” is not unknown. However, we acknowledge the concerns raised about the breadth of the delegated powers in the Bill, and the Government have taken considerable steps to address those concerns via a number of Government amendments that were accepted in the other place, which I will come to shortly. In addition, we are choosing not to disagree to this amendment, to give further reassurance that the delegated powers in the Bill are no wider than necessary.

Mr Sheerman: The Minister knows that I have also been on another, similar Statutory Instrument Committee, which looked at the use of the green card that gives our constituents the assurance when they travel to Europe that if they are hit by an uninsured driver they will be covered by the insurance industry. That will be lost when we leave the European Union. I used that example yesterday, but the Minister did not come back on it. That is a right and privilege that our constituents expect, and now they are going to lose a similar one relating to healthcare. Is it not clear that these are both examples of the real damage that leaving the European Union will do to us?

Stephen Hammond: The hon. Gentleman has confused various clauses of the Bill, but I will not trouble to explain that. I simply say that the green card is clearly an issue for another Department. I also say again, as I said to him yesterday, that citizens are not going to lose the benefits they enjoy under the EHIC if the withdrawal agreement is passed and the implementation period starts. I would guide him by saying that the easiest way to ensure that all the good burghers of Huddersfield whom he so ably represents can continue to enjoy those rights is to vote for the withdrawal agreement.

As I was saying, the Government have taken considerable steps to address these concerns via a series of Government amendments that were accepted in the other place. In addition, we are choosing not to disagree to this amendment, to give further reassurance that the delegated powers in the Bill are no wider than necessary. Our primary concern, as I have said, is to ensure that the Bill is in place so we have the legal mechanism to support people who rely on these vital healthcare arrangements, as may be necessary.

I would now like to turn to the Government amendments in this group. The Government have also sought to restrict the regulation-making powers in clause 2(1). Amendments 4, 5, and 6 will ensure that, if we confer or delegate functions, this will only be to public authorities. The Government have listened closely to the concerns that the regulations could be used to confer functions on “anyone, anywhere”. The hon. Member for Ellesmere Port and Neston argued in Committee that this wide-ranging scope was unacceptable. As I said to him, there has never been an intention to confer functions on private bodies in order to implement reciprocal healthcare arrangements, but, given the concerns that have been raised, we were prepared to make this restriction clear through these amendments to clause 2.

The Government have also brought forward amendment 7. Arguably the most persistent criticism in both Houses has concerned the Bill’s delegated powers. The Delegated Powers and Regulatory Reform Committee and the Constitution Committee both raised particular concerns about the breadth of the powers. The powers

in the Bill were sought to provide options in the event of no deal to mitigate the detrimental effects of a sudden change in healthcare overseas for UK nationals living in the EU. In particular, the regulation-making powers in clause 2 (1)(a) and 2(1)(b) provide a means for dealing with situations where there is no bilateral or multilateral agreement in place.

The Government listened carefully to the concerns raised by parliamentarians across both Houses about the scope of the Bill’s regulation-making powers and concluded that the powers used to establish unilateral healthcare arrangements outside of reciprocal healthcare agreements should be sunset for a period of five years following the UK’s exit from the EU. During the five years before the sunset, we will have the ability to use regulations under clause 2(1) as appropriate. These powers can be used to support UK nationals in the EU in different EU exit scenarios. After the sunset, making use of the regulation-making powers under clause 2(1) would be limited to clause 2(1)(c) only. This provides the Government with a mechanism to give effect to future complex healthcare agreements with the EU, individual EEA member states and/or Switzerland.

Mr Sheerman: Will the Minister give a crystal clear guarantee to all those people who are related to our constituents and who live across Europe and have perhaps retired there that, if they have a long-term health need, the benefits they enjoy under the EHIC at the moment will continue? I do not want to hear anything about the difference between transitional and long term; can he assure those people that they will continue to get those health benefits in the long term?

Stephen Hammond: If the hon. Gentleman votes for the withdrawal agreement, he will be able to give them that reassurance.

I want to turn now to Government amendment 11. The matter of financial reporting and parliamentary scrutiny has also been a matter of legitimate concern to this House and the other place, and amendment 11 speaks to this concern. As I explained in Committee, the Government are firmly committed to transparency in the use of public money. We have made this commitment plain in the Bill with a duty on the Secretary of State to lay a report before Parliament each year. This report will outline all payments made during the preceding financial year in respect of healthcare arrangements implemented by the Bill. I believe that this amendment directly addresses the concerns raised by hon. Members in Committee, particularly those raised by the hon. Member for Burnley. The nature and implementation of future reciprocal healthcare agreements is a matter for future negotiations. However, we envisage that through this reporting mechanism we would also be able to provide Parliament with further information on the operation of future agreements. For example, we anticipate that this report would include details of both expenditure and income to reflect the reciprocal nature of the agreements.

Before I speak to Government amendment 12, I am pleased to report that we have secured legislative consent motions from both the Scottish and Welsh Governments, in addition to having positive and productive engagement with colleagues in the Northern Ireland Department of Health and the Northern Ireland Office. I want to put

[Stephen Hammond]

on record my thanks to all of them. We have amended the Bill to reflect the outcome of our productive discussions, and the Secretary of State must now consult the relevant devolved authority before making regulations under clause 2(1) that contain any provision that is within the legislative competence of a devolved legislature. To underpin and facilitate this consultation, we have developed and agreed a memorandum of understanding with the devolved Administrations. The MOU sets out a practical and mutually beneficial working relationship that will ensure that the devolved Administrations continue to play a vital role in delivering reciprocal healthcare for the benefit of all UK nationals. We believe that this practical and pragmatic agreement allows us to move forward in a collaborative way with all our colleagues in the devolved Administrations.

Mr Sheerman: The Minister will remember that, in our previous encounter on this matter in Committee, we asked him how far he had spread his discussions about the impact of this Bill in Northern Ireland. He was very honest and said that he had spoken mainly to officials and civil servants, and not to the politicians who represent the constituents there. Has he changed his mind about that, because that seems like a strangely narrow sort of consultation?

Stephen Hammond: I do not think that it was narrow in the slightest. We have discussed matters with the Welsh and Scottish Governments and, given the situation in Northern Ireland, which the hon. Gentleman well knows, with the Northern Ireland civil service, the Northern Ireland Department of Health and the Northern Ireland Office here. I think that that is exactly what I said yesterday, and I am happy to repeat it.

Turning to amendment 15 and transparency, we have also amended the Bill to allow for further parliamentary scrutiny of the list of persons who can lawfully process data as a part of implementing new reciprocal healthcare arrangements under the Bill.

2.30 pm

Finally, amendments 13 to 17 amount to the removal of the consequential Henry VIII powers from the Bill. It will come as no surprise to hon. Members that the inclusion of Henry VIII powers in this Bill has been the source of considerable debate both here and in the other place. The powers were initially included as a future-proofing mechanism. They were never free standing and were capable of being used only in a limited set of circumstances, because we cannot rule out that it may be appropriate to amend primary legislation to give effect to a reciprocal healthcare agreement. However, the Government have chosen to alleviate any fears that we are taking powers in this Bill that are not absolutely necessary, and we have taken the significant step of removing the entire Henry VIII consequential powers at clause 5(3) and within clause 5(4).

Mr Sheerman: The Minister is being generous in giving way. He will be aware that even Henry VIII in his full pomp would not have got away with stealing the right to health cover of British citizens travelling on holiday to Europe or visiting on business without full democratic scrutiny of the decision. Henry VIII would have been pleased to have had that privilege. This Government

have been smuggling the decision through, both in Committee and here in this empty Chamber, and they are stealing the rights of British people.

Stephen Hammond: Given that I just said that we have accepted the amendment that would remove the powers, that argument is hardly powerful. I also suspect that the Opposition spokesperson and the other members of the Committee will be surprised to hear that they had not fulfilled their role when they sat through the hours of scrutiny in Committee.

In conclusion, I offer my thanks to hon. Members from across the House and to the Lords for its constructive work in scrutinising and improving this Bill. We share a common goal in wanting to ensure that we can continue to benefit from the current reciprocal healthcare schemes and benefit from similar arrangements in the future. This Bill is an important and necessary piece of legislation that seeks to ensure that the Government are ready and able to respond to different EU-exit scenarios and that we are in a position to support, as appropriate, people who rely on current EU reciprocal healthcare arrangements. For that reason, it is critical that we take those steps and that the Bill can become law.

Julie Cooper (Burnley) (Lab): I rise to support the Lords amendments before us. I thank all the Members who have worked on the Bill at various stages and the staff of the House, who have provided invaluable support. I also put on record my particular thanks to my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) for his great work during the Bill's earlier stages. I also thank those in the Lords for their exceptional work on this Bill. Thanks to their endeavours, we now have a Bill that is fit for purpose. I am pleased that the Government have decided to listen to our noble friends and give full support to the amended Bill, which marks a welcome, if rather belated, climbdown by the Government.

As we prepare to leave the European Union, it is vital that the Government are able to respond to the widest range of possible EU-exit outcomes in relation to reciprocal healthcare. So many people are reliant on the continuation of reciprocal arrangements and the Government are quite right to seek to secure such arrangements as we leave the EU. The Opposition have supported the principle of this Bill from the outset, but our concerns have been around the scope and the wide-ranging powers that were originally proposed. We were not happy to give the Government a blank cheque to enter into any number of health agreements, with anyone anywhere in world, with no requirement to report back to Parliament, and with little or no opportunity for parliamentary scrutiny. These amendments have addressed our concerns, and I again thank those in the Lords for their work.

Turning to amendments 1, 2, 8, 10 and 18 to 20, I want to stress to the House the scale of the issue before us, as pointed out by my hon. Friend the Member for Huddersfield (Mr Sheerman), who is no longer in his seat. Under the existing arrangements, 190,000 UK state pensioners and their dependants who live abroad, principally in Ireland, Spain, France and Cyprus, enjoy the benefits of reciprocal health agreements. The current arrangements also provide full access through the EHIC to healthcare and emergency treatment for UK residents who visit the EU on holiday, to study or to work. The

same protections are extended on a reciprocal basis to EU nationals who reside in the UK or who seek to visit. For the sake of those people, I am glad that the Government have come to their senses. These arrangements, which give full peace of mind for healthcare, must be protected.

I remind the House of the evidence given by representatives of Kidney Care UK. We heard that 29,000 people in the UK are dependent on dialysis, which involves three five-hour sessions per week to ensure survival. Under the current arrangements, if those people choose to holiday in the EU, they can easily pre-book slots for dialysis, with Kidney Care UK saying that that

“means that people are able to go away with the confidence that they will be able to be supported and receive the treatment they need.”—[*Official Report, Healthcare (International Arrangements) Public Bill Committee*, 27 November 2018; c. 12, Q39.]

That also means that they and their families are able to get a much-needed break. Kidney Care UK also made the point that

“it is easier to go away for two weeks in Europe and take a break in that way than it is to get two weeks in a UK unit”—[*Official Report, Healthcare (International Arrangements) Public Bill Committee*, 27 November 2018; c. 14, Q43.]

Perhaps there is a learning point for us there.

Based on that evidence, the Minister concluded at the time that without a continuation of these arrangements it would be more or less impossible for sufferers of kidney disease to travel. I totally agree, and I am delighted that the Government appreciate the urgency of the situation in which we find ourselves and are giving their full support to this amended Bill. That is important because we may yet leave the EU with no deal, and there will be many British citizens listening nervously to this debate because they have already booked holidays—some of them will be departing at the weekend or in the coming weeks. However, they can now be reassured that the legislation will pass without further delay.

I reassure Baroness Chisholm that the main Opposition priority is always to ensure that those who need care get it. Further to that, we are right in the first instance to protect the rights that UK citizens already enjoy. In short, we must protect our rights to reciprocal healthcare in Europe before we seek to acquire global healthcare provision. Similarly, those UK citizens who have retired to the EU will be relieved to know that treatment for chronic health conditions and ongoing health support will continue to be provided for them, as it is now, without interruption.

If that was not the case because the Bill was unable to receive Royal Assent in a timely fashion, there would have been much understandable consternation and anger among UK citizens currently residing in the EU. A significant proportion of these citizens are pensioners, and they would have been personally liable for healthcare costs after exit day unless a new agreement with the EU or new bilateral agreements with member states were in place. We must also consider the fact that if there is an interruption in provision, many British expats would have no alternative but to return to the UK, which would of course add to the pressures on our already overstretched NHS.

At every stage, both here and in the other place, concerns have been raised about what those in the lords described as the breathtaking powers sought in this Bill. Lords amendments 3 to 7 serve in part to restrict the

powers

to those that are clearly defined and to those that are necessary for the purpose of protecting reciprocal health arrangements. In amendment 3, just removing the words “for example” assists in terms of essential accountability issues by restricting the powers of the Secretary of State to those regulations specifically listed. The powers listed remain extensive, and the lords was assured that they give the Government everything they need to take forward the negotiations on reciprocal healthcare. We welcome amendments 5 and 6, which ensure that the power to deliver functions is conferred only to a public authority. We are happy that the powers conferred by clause 2 should also be subject to a five-year sunset clause.

We support amendment 11, which provides an important and necessary requirement to consult with the devolved authorities, namely the Scottish Parliament, the Welsh Assembly and the Northern Ireland Assembly. We fully support the vital role that the devolved Administrations play in delivering reciprocal healthcare arrangements, and we welcome the memorandum of understanding that has already been achieved.

Amendment 12, which requires the Secretary of State to report on repayments made under this Bill, is also welcome. This amendment reasonably calls for annual reports to be published after the end of each financial year as soon as is reasonably practicable. It is anticipated that these reports will include details of both expenditure and income. This will facilitate transparency on the Government’s use of public money. I am especially pleased that the Minister has withdrawn his former opposition to that procedure.

On a wider point, in connection with repayments, it is important that we do not overlook the fact that many hospital trusts are struggling to recoup moneys owed under current EU arrangements. Indeed, some costs are never recovered. The UK recovers less than £50 million a year for the cost of treating European patients, while paying £675 million for the care of Britons in Europe.

Mr Philip Dunne (Ludlow) (Con): The hon. Lady is pointing out the disparity in payments between the UK and the EU. Recognising that there are considerably more EU users of the NHS than UK users of health services on the continent, why is it that the Labour party, in the past, criticised the NHS and the Department of Health and Social Care for trying to recover sums due from EU citizens for taking advantage of our health service?

Julie Cooper: I think the objections raised by the Labour party in the past were based on the methodology used and the potential abuse of personal data, but we would fully support an efficient system to recover moneys owed to the UK.

Dr Philippa Whitford (Central Ayrshire) (SNP): When talking about the disparity in numbers—there are more than 3 million European citizens here and approximately 1.5 million UK citizens there—is it not the case that the majority of EU citizens here are working and paying taxes and therefore are not covered by this system but are covered by the tax they already pay?

Julie Cooper: The hon. Lady makes an important point. I was referring to the fact identified by the Public Accounts Committee in its concerns about collecting what is due, but I take her point that many people pay for their own health provision while in the UK.

[Julie Cooper]

My point further reinforces the rationale of restricting the scope of this Bill to the EEA and Switzerland, which will help to ensure the priority is to improve the recovery of healthcare costs, where they are due, before we even begin to think of entering into non-EEA agreements.

We, of course, welcome the Government's decision to remove the Henry VIII powers from this Bill. We repeatedly return to that issue in this raft of Brexit legislation, and I hope now, and certainly in connection with this Bill, that the Government agree it can never be right to confer on any Minister the same powers as are conferred on Parliament.

I understand that the Minister has a big vision and wants to take this opportunity to extend the current arrangements and to present a Bill that allows the Government to enter into any number of new reciprocal health agreements with any and every nation of the world, should they so choose. There could be a time and a place for such legislation, but it is not now because time is so short. There is not time for Parliament to scrutinise such an extensive range of proposals properly for such wide-ranging powers.

Our noble Friends raised some very reasonable concerns on that point, and they are correct to note the comments of the Delegated Powers and Regulatory Reform Committee when it concluded that the Bill, in its original form, gave law-making powers that were too wide. Our noble Friends were right to give serious consideration to the Constitution Committee's recommendation that the scope of the Bill should be limited to countries that participate in the existing EHIC scheme:

"While the exceptional circumstances of the UK's departure from the European Union might justify legislation containing broader powers than would otherwise be constitutionally acceptable, this does not extend to giving effect to new policy unrelated to Brexit."

Above all, we now have a Bill that does what was intended: to ensure the continuation of the current reciprocal healthcare arrangements with the nations of the EU and the EEA. Given that that is the Bill's principal target, there is no need to give the Bill worldwide scope.

I am pleased to join the Minister in giving our full support to the amended Bill before us.

2.45 pm

Kevin Foster: It is a pleasure to be called to speak in this debate. I do not intend to detain the House long with my observations. I enjoyed the Minister's introduction.

I welcome the Lords amendments, particularly the ones that change the thrust of the Bill to the EEA and Switzerland, but I hope that right hon. and hon. Members will bear in mind that, in the long run, the goal of having reciprocal healthcare arrangements with other nations is not a negative one in itself. I was disappointed yet again to hear from the right hon. Member for Carshalton and Wallington (Tom Brake) that this is all about opening up the NHS to the US health giants—it is not. It is about having reciprocal arrangements for visitors to other countries, including those on business and those who are travelling.

Julie Cooper: I made the point that, in future, there may be a place for such arrangements, but does the hon. Gentleman accept that time is so short, given the urgency

of getting something in place to secure arrangements, that now is not the time for that?

Kevin Foster: I meant it more as a comment. I accept the Lords amendments. To be blunt, given the pressure of time and the need to get the Bill on the statute book to give people certainty about their healthcare arrangements, if these amendments achieve consensus with Opposition Front Benchers and the other place, I am more than happy to support them.

In relation to the remarks of the right hon. Member for Carshalton and Wallington, who sadly has not stayed for the rest of the debate, this is about making sure that people who go to hospital to access emergency care are not suddenly faced with a bill for the full cost as if they were completely uninsured.

We have arrangements with Australia and New Zealand that are not at the same level as we have with other EU countries, but they could potentially be developed. I do not want to see that aspiration lost, because we want our young people to have the opportunity to travel and work abroad where appropriate. In many countries, as the hon. Member for Central Ayrshire (Dr Whitford) rightly said, people who work will start earning rights under that country's social insurance system, which would trump the Bill.

Mr Dunne: My hon. Friend is generous in giving way. In talking about other Commonwealth nations to which we would like to extend such arrangements, does he agree that the dominions of the Channel Islands, which do not currently have reciprocal status with the UK, should not be ignored and should be a matter of importance once the EU arrangements have been completed?

Kevin Foster: As always, I thank my right hon. Friend for his incisive intervention. The Channel Islands might use our currency and, in many ways, fly our flag, but people forget they have a very different constitutional status and are not part of the European Union. For some visitors, it can be a surprise that there is not a reciprocal agreement. There is a reciprocal arrangement with Gibraltar, for example, and it makes eminent sense to try to have such an arrangement between the UK and the Channel Islands, not least given the strong cultural links and the fact that many families split their time between the mainland and the islands.

Looking across the Commonwealth more widely, it might make sense to have arrangements with countries such as Canada and Jamaica in the long run, based on the fact that they have comparable systems of healthcare provision. That is perhaps where the oft-cited example of the United States starts to fall apart, because it is one of the handful of modern, developed countries that do not have a guaranteed system of universal healthcare free at the point of need rather than a system based on insurance schemes for which people may pay.

It is welcome to have ambition, and the Bill is clear about where we are going. I have no problems with the Lords amendments, which are welcome, and I am happy to support them. I am conscious that we are looking to move the debate forward, but I wanted to get those thoughts on the record.

Dr Whitford: Obviously, the Bill itself is quite small. It does not extend or protect continuing reciprocal healthcare rights; it is simply an enabling Bill that gives

the Secretary of State powers to try to do that. It enables him to pay for overseas treatment in the EEA and Switzerland. We have heard how the Lords removed the powers to extend that worldwide and increase the scope, as well as limiting some of the Henry VIII powers.

The Bill will allow the Secretary of State and his team to negotiate healthcare agreements with the EEA and Switzerland as a group through the EU system or, failing that, to make bilateral agreements. Unfortunately, that would mean having bilateral agreements with 31 countries, which would inevitably be more complex, more bureaucratic and more expensive.

Clause 4 allows data exchange, which most Members would recognise is absolutely critical not just for collecting payments or swapping money, but for accessing medical health records if someone goes for treatment in another country. It is important that that will be handled only by an authorised person who is part of a statutory body—a public body.

I welcome the new clause in Lords amendment 11, which says that the devolved Governments must be consulted, because it is the three devolved Governments who deliver healthcare in Wales, Northern Ireland and Scotland. It is critical that they are involved in any agreements.

This legislation is needed whether there is a deal or no deal. As came out of the points of order exchange earlier, the withdrawal agreement would extend through the transition period, but we have all seen how the last three years have melted away like snow off a dyke. The next 20 months will also disappear, so legislation is required for the long-term protection of those who already live in Europe and want to stay there, particularly those who have been there only a few years and do not have five years-worth of residency rights in the country they have chosen to settle in. After the Bill is passed, it is therefore important that the Government hope to negotiate the continuation of reciprocal healthcare.

The problem is that reciprocal healthcare is not a free-standing thing on its own; it is there simply to enable freedom of movement. People cannot exercise their freedom of movement rights if they simply cannot afford healthcare where they choose to live, work, love, settle or retire. We have had the right over the past few decades to retire and settle anywhere. People are well aware of my husband's situation as a German citizen who lives here and has spent virtually all his adult life working in our health system. That was certainly his first concern after the Brexit vote, and I am sure it is a concern for all 5 million people who have either settled here from Europe or settled in Europe from the UK.

The problem is that, as the Government reject freedom of movement and talk merely about a mobility framework, any reciprocal arrangement is likely to be proportional to that mobility framework, as is described in the impact assessment. The Government are not offering visas of over a year for unskilled workers. They are demanding that people be high skilled, possibly that they earn more than £30,000 a year and that they are economically active and are contributors. Will pensioners still be able to retire elsewhere, since they are not necessarily contributors in a major sense and are certainly not necessarily economically active?

People highlight the difference between what the UK has to pay into the European system and what we get back from Europe. A lot of that difference is quite

simply because of the number of UK pensioners who choose to retire to sunnier climes—who can blame them?—and the general lack of obsession with retiring to the drizzle and moving in the other direction. Living in Scotland, I can vouch for that. Who would choose to leave the south of France and come to live in the mist, fog and drizzle? That is why the number of European pensioners retiring to the UK is considerably smaller than the number of UK pensioners who retire to the south of Spain and the south of France. That is simple logic.

Mr Dunne: Would the hon. Lady account for the massive diaspora of Scots all around the world as a comment on the mist and greyness of Scotland's location? Why does she think so many Scots live abroad?

Dr Whitford: The right hon. Gentleman probably would not like me to get into the clearances of the 17th and 18th centuries when people were burnt out of their villages and put on boats, or when people were transported for criminal activities. There are all sorts of reasons why Scots have ended up all over the world, and they are not all about the weather.

Mr Charles Walker (Broxbourne) (Con): I just want to say to the hon. Lady that I adore Scotland. I just love the mist, the fog, the rain—it is what I call proper weather, and it is to be celebrated.

Dr Whitford: That is why I live there, right beside the sea, but that does not necessarily mean that somebody living in the vineyards of France will think, “You know what? The weather's a bit boring here. I fancy somewhere with snow, sleet, hail and sunshine all in one day.”

It is a fact that the disparity is because of the number of pensioners. It is often described as if it is the EU somehow tricking the UK—it simply is not. We are obliged to pay for the pensioners from the UK who have settled in Europe. Indeed, we pay a fixed rate per head that is considerably lower than—just over half—what would be charged for a European citizen settling here.

Jeremy Lefroy (Stafford) (Con): Does the hon. Lady agree that another reason for the disparity is that the NHS, in being free at the point of need, has not over the years been as geared up as other countries for recording the patient episodes of EU nationals and collecting that kind of data? Because it is not an insurance-based system but is free at the point of delivery, it does not necessarily have the mindset or the paperwork to think about healthcare in terms of money.

Dr Whitford: I totally agree that that is part of it. The Government have to consider, given the numbers involved, whether creating that entire administrative system will bring more money back in than is spent on administering it.

It is important to consider exactly how we will expect doctors and other health staff to demand to see someone's settled status. Will it be based on a foreign sounding name, a skin colour or an accent? Will people have to produce an ID card if they were born here, they grew up here, they have never been anywhere else and their family are 20 generations English? That is the point: there is no ID card here. In other European countries, there is an ID card and it will show that UK citizens

[*Dr Whitford*]

have whatever the equivalent of settled status is. I think doctors and others are anxious about the circumstances in which they should ask for proof of habitual residency.

We see that already in respect of universal credit. I have dealt with a German lady who has been settled here for 30 years and who was refused universal credit on the basis that she was not habitually resident. We are already seeing these things, and we do not want to see them around healthcare.

As we have heard, there are three main groups. The biggest group is the almost 200,000 pensioners using their S1 rights to register somewhere they have never paid tax—and yet they benefit as if they have. It is important that their rights continue, or they may end up having to come back home. They would cost more here than the Government are paying France or Spain to deliver their healthcare. It is important that they are not limited in some way, so that only people who do not have medical health risks are accepted, as happens with insurance. Ordinary pensioners who have exercised those rights would simply not be able to afford comprehensive private health insurance.

A lot of work is being done to protect those who have settled already, but what about the rest of us, who might fancy settling in the south of France or Spain? Will this be achievable by ordinary pensioners in the future?

Approximately 1,300 UK citizens use S2 forms for planned treatment, and the biggest number is the 250,000 claims a year that are made through the EHIC card, which allows people to travel or study all over the EU. As the hon. Member for Burnley (Julie Cooper) said, that includes people with expensive chronic conditions that require treatment such as dialysis three times a week. I defy any Member to find affordable health insurance that would cover such treatment. That is not a risk of healthcare, but planned healthcare, otherwise the trip simply cannot be made.

3 pm

As I mentioned earlier, that should not be extrapolated to EU citizens who live here or UK citizens who live and work in Europe. If they already pay full tax and national insurance here, or the equivalent in Europe, they qualify through those payments, and the UK does not currently reimburse those countries.

The withdrawal agreement Bill only covers transition. It does not go beyond that. The problem is the prospect of no deal, which is still hovering over our heads. It is therefore important that the Government negotiate, but recognise that provision may well be on a much more limited basis. Reciprocal healthcare was not designed around a stag weekend in Prague, but to facilitate freedom of movement.

For me, the Bill highlights what we are losing with Brexit. We are losing freedom of movement, which has often been described from the Dispatch Box as something negative, the end of which we should celebrate. It is actually one of the greatest benefits that we as individual citizens have had from being in the European Union, and it works both ways. We all know people who have worked or studied in Europe; those who have met people from Europe and settled there, or those whose partners have settled here. Free movement has been a

great contributor to friendship and love across Europe. The problem is that those rights cannot be exercised unless healthcare can be afforded.

We will not vote against the Lords amendments—they are necessary; the work needs to get done—but it still makes me sad, because all the measure does is highlight what we are losing.

Justin Madders (Ellesmere Port and Neston) (Lab): It is a pleasure to speak in this debate—from the Back Benches on this occasion. Although I would have preferred to contribute from the Front Bench as I did during previous stages of the Bill, the Opposition are in safe hands, thanks to my hon. Friend the Member for Burnley (Julie Cooper).

It is curious that both the Minister who led for the Government on Second Reading and I, as Opposition spokesperson, have moved on since then, him to become Brexit Secretary and me to become a Back Bencher. We could have a debate—perhaps even a Division—on who got the better deal.

However, perhaps most curious is that, along the way, the measure has gone from being an international arrangements Bill to an EEA and Swiss arrangements Bill. I have been here for only four years, but I have never heard of a Bill changing its name—but then before this year, I had never heard of Cabinet Ministers breaking collective responsibility and staying in their job, or Parliament taking control of the Order Paper. There are obviously many other examples of the strange times we live in, and this is just another curiosity to add to the list.

The Lords amendments pick up on many of the anxieties we expressed previously about the implications of the sweeping powers in the Bill. I pay tribute to Baroness Thornton and her team who have obviously got greater powers of persuasion than us. They have come up with a series of amendments that rightly curtail the breathtaking powers the Government sought to claim for themselves.

When the Bill began its progress in November, there was a clear assumption on the part of the Government that agreement with the EU would have been reached by now and that arrangements would be in place to carry on very much as we are, at least in the interim period. That in itself raised serious questions about why the scope of the Bill was so wide, and it would not be an understatement to say that the orderly exit envisaged at the time is now not quite so certain. That makes it all the more important that we have a Bill with proportionality and transparency at its heart.

It is worth reminding ourselves that when the Bill first surfaced, the Delegated Powers and Regulatory Reform Committee in the other place set out very clearly its potential impact if it remained unamended. It said that the measure gave the Secretary of State the power to fund the cost of all mental health provision in the state of Arizona, or the cost of all hip replacements in Australia. Although we pushed the Minister on the reason for the need for such wide powers—accepting of course that they would be unlikely ever to be used—the only justification given was that they might prove useful at some future time in trade deals. Although that might be the case, without a clear objective, debated and agreed in Parliament, the powers were unnecessarily broad, so it is right that the Lords raised those concerns and amended the Bill accordingly.

We all have constituents who regularly raise concerns about access to the NHS being used as a bargaining chip in trade negotiations. If the Bill had remained unamended, it would only have given those people more reason to be concerned about such deals. Restricting its scope to EEA countries and Switzerland is therefore proportionate and sensible.

I want to say a few words about amendment 12, which is very similar to an amendment that the Opposition tabled in Committee. It deserves support because even under the current arrangements, cost recovery has not always been handled satisfactorily. Indeed, the Public Accounts Committee described it as “chaotic”. The Law Society of Scotland was clear on the importance of that issue when it gave evidence to the Lords Committee. It said that

“as the NHS has never been very effective in reclaiming the fees owed to it by overseas visitors to the UK, the UK may find itself substantially worse off financially when new arrangements for funding cross-national use of health services are put in place.”

The case for greater accountability is there and has been strengthened by the Government’s impact assessment, which seemed to seriously underestimate the consequences of a no-deal scenario. It set out that the cost of establishing future reciprocal healthcare arrangements on the same basis as now would be £630 million a year, but it went on to estimate that, in the event of a no-deal scenario, the costs are expected

“to be similar or less, depending on the number of schemes that are established.”

I do not think it has ever been clear why the costs might be less unless we stopped reciprocating with some countries, and I do not believe that has ever been an express policy objective of the Government. In fact, they have often—rightly—said the opposite, but the reality is that, in that scenario, the costs could be significantly higher. Both the BMA and Royal College of Paediatrics and Child Health stated that if no EU-wide reciprocal agreement was achievable, the significant extra costs of establishing bilateral reciprocal arrangements with EU and EEA countries in future could fall on the NHS. We need, but have never had, a commitment that, in those circumstances, any extra costs would not be borne directly by NHS trusts. I hope that today the Minister can give such an assurance.

The Lords picked up on a related issue, which we have raised previously, on the lack of clarity about how dispute resolution will work in the event of bilateral agreements being necessary. We know from what the Minister has previously told us that, if we manage to reach full agreement with the EU27, there will still be a limited role for the European Court of Justice, but we do not know what the dispute resolution procedure will be if we do not.

The Lords rightly pointed out that there would be little incentive for other countries to agree to a brand new dispute resolution procedure, and they would certainly be loth to do that if they were expected to pay for it, so in the event of a no-deal scenario, is it not the case that there will be significant additional costs for the UK taxpayer in setting up and resourcing a new dispute resolution scheme? Does the Minister envisage those costs being part of the reporting requirements under amendment 12 and again, can he give a commitment today that those costs will not be directly borne by NHS trusts?

The Bill is in a much better condition than when it started. It does what it is supposed to do, and no more. Crucially, it gives much greater parliamentary oversight than we originally had. I think it is called taking back control.

Lords amendment 1 agreed to.

Lords amendments 2, 8 to 10, 18 to 20, 3 to 7 and 11 to 17 agreed to.

OFFENSIVE WEAPONS BILL (MONEY)

Queen’s recommendation signified.

Resolved,

That, for the purposes of any Act resulting from the Offensive Weapons Bill, it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to the Act in the sums payable under any other Act out of money so provided.—(*Amanda Milling.*)

OFFENSIVE WEAPONS BILL (PROGRAMME) (NO. 3)

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the following provisions shall apply to the Offensive Weapons Bill for the purpose of supplementing the Orders of 27 June 2018 (Offensive Weapons Bill (Programme)) and 28 November 2018 (Offensive Weapons Bill (Programme) (No. 2)):

Consideration of Lords Amendments

(1) Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion two hours after their commencement at today’s sitting.

(2) The proceedings shall be taken in the following order: Lords Amendments Nos. 27, 28, 1 to 26 and 29 to 95.

Subsequent stages

(3) Any further Message from the Lords may be considered forthwith without any Question being put.

(4) The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—(*Amanda Milling.*)

Question agreed to.

Offensive Weapons Bill

Consideration of Lords amendments

Mr Deputy Speaker (Sir Lindsay Hoyle): I must draw the House's attention to the fact that financial privilege is involved in Lords amendments 27, 28, 35, 43 to 48, 50, 51, 53, 55, 57, 62, 63, 65, 66, 69, 73, 88 and 93. If the House agrees to any of these amendments, I shall ensure that the appropriate entry is made in the *Journal*.

I must also remind the House that certain of the motions relating to Lords amendments are certified as relating exclusively to England and Wales as set out on the selection paper. If the House divides on any certified motion, a double majority will be required for the motion to be passed. I inform the House that Mr Speaker has selected all the amendments as provided on the relevant papers.

Clause 17

DELIVERY OF BLADED PRODUCTS TO RESIDENTIAL PREMISES ETC

3.11 pm

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins):

I beg to move, That this House disagrees with Lords amendment 27.

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

Government motion to disagree with Lords amendment 28.

Government amendments (a) to (k) in lieu of Lords amendments 27 and 28.

Lords amendments 1 to 6.

Lords amendment 7, and amendments (a) to (d) thereto.

Lords amendment 8.

Lords amendment 9, and amendment (a) thereto.

Lords amendment 10, and amendment (a) thereto.

Lords amendment 11.

Lords amendment 12, and amendments (a) to (c) thereto.

Lords amendment 13.

Lords amendment 14, and amendment (a) thereto.

Lords amendments 15 to 22.

Lords amendment 23, and amendment (a) thereto.

Lords amendments 24 to 26.

Lords amendments 29 to 61.

Lords amendment 62, and Government amendment (a) thereto.

Lords amendment 63, and Government amendment (a) thereto.

Lords amendments 64 to 95.

Victoria Atkins: I thank you, Mr Deputy Speaker, for what I know to be quite a complicated bit of procedure. I hope that I deal with the procedure correctly, and I am very grateful to your learned Clerks for advising me on

the wording. I shall be speaking to amendments 27 and 28, Government amendments (a) to (k) which are laid in lieu, and Lords amendments 1 to 26 and 29 to 95. I may not be able to speak to the details of some of those later amendments, but, obviously, I will be very happy to take interventions.

The Offensive Weapons Bill is an important piece of legislation. It is just one of the measures that the Government are taking to tackle serious violence in the serious violence strategy. The Bill has enjoyed a collaborative approach across the House, and I thank all right hon. and hon. Members and noble lords who have helped with the passage of the Bill thus far. I am sure that this afternoon will continue in that spirit.

I will first address Lords amendments 27 and 28, which were moved by Lord Kennedy in the other place. I am grateful to him for his assistance on this part of the Bill. We have laid amendments in lieu, because the Government cannot agree with the trusted courier amendments as they sit, but I very much hope that the amendments that we have laid in lieu will meet with the House's approval.

The trusted courier scheme would have practical difficulties in its bureaucracy and regulation. It risks making it more difficult to determine whether a delivery company can be trusted to provide reassurances that a bladed product will not be handed to a person aged under 18, and it is not clear, for example, how this scheme would apply to self-employed delivery drivers working on a casual basis for some of the larger firms. We are also concerned that simply being part of a scheme, or being in possession of a seal of approval as a trusted courier, does not guarantee compliance with the conditions in the scheme. We note that no responsibility is placed on the courier or company, and therefore there does not appear to be any consequence for the courier company if it fails to comply with the requirement not to hand a bladed product to a person aged under 18. One can envisage a courier in a rush, for example, pushing a package through a letterbox without conducting checks. It is this lack of liability for age checks in the scheme that we believe risks undermining the purpose of the Bill, which means that we must, I am afraid, disagree with it at this stage.

The Government have, however, given considerable thought to the views expressed on the sale-of-knives provisions throughout the passage of the Bill by Members both in this place and the other place and, importantly, by representatives of the business community, particularly those in small and medium-sized businesses in the capital of knife and steel manufacturing in Sheffield. I am very grateful to the hon. Members for Sheffield South East (Mr Betts) and for Sheffield Central (Paul Blomfield) for their assistance in this. We have tabled amendments (a) to (k) in lieu of Lords amendments 27 and 28, which I hope address their concerns. In short, these amendments in lieu would enable a remote seller to deliver a bladed product to residential premises where they have arrangements in place with a deliverer not to hand them over to a person aged under 18. This approach mirrors, largely, the clause already in the Bill regarding delivery companies relating to overseas sales, although it is limited to bladed products and to deliveries to residential premises. Regulations on overseas sales by contrast apply to deliveries to all premises and to all bladed articles.

Mr Jim Cunningham (Coventry South) (Lab): I thank the hon. Lady for giving way, and I hope that she will show me where I am wrong, but I always understood that delivery companies, particularly those delivering post and packages, have an X-ray procedure to see what the contents are.

Victoria Atkins: I am not sure whether I am in a position to answer that. Of course, every company will have its own security arrangements. The hon. Gentleman will know that what we have inserted through this Bill are further conditions on sellers to ensure that their packages, if they contain bladed products, are labelled very clearly so that anyone handling that package understands what is inside it. We appreciate that perhaps not everyone has access to those facilities.

Vicky Ford (Chelmsford) (Con): I thank my hon. Friend for the huge amount of work that she has done on this very important Bill and on this particular issue as well, which will make it much more difficult for people, especially young people, to buy knives online. Last week, I was very interested to hear that Asda will no longer sell individual knives, and I wondered whether she might like to comment on that.

Victoria Atkins: I am extremely grateful to my hon. Friend. She has taken a keen interest in this matter both as a constituency MP and in her contributions to this place. She is absolutely right to raise the example of Asda. Asda and other major retailers are signed up to our voluntary commitments when it comes to the sale of knives online, and we believe that that is another way in which we can ensure that retailers are doing what they should be doing in terms of selling bladed products and sharp knives responsibly. I am delighted that Asda has taken that decision of its own volition. I know that other retailers are doing great things in this space as well, but we all want to ensure that those standards are met not just by the large retailers, but by smaller ones, too.

Mr Clive Betts (Sheffield South East) (Lab): I thank the Minister for meeting my hon. Friend the Member for Sheffield Central (Paul Blomfield) and me and I also thank her colleague in the House of Lords for doing the same. I also thank them both for listening. What clause 17 does is recognise the importance of making sure that knives are not sold to young people, but here it establishes a procedure for proving that young people are 18, as they are checked at the point of sale and at the point of delivery. The measure also protects small businesses such as Taylor's Eye Witness, which manufactures knives in my constituency, from the effects of the original legislation. I also want to say that the real thanks go to my hon. Friend the Member for Sheffield Central and his assistant Paula who have done an incredible amount of work on this. They, along with Lord Kennedy in the House of Lords, deserve particular thanks for getting this far.

Victoria Atkins: I am very grateful to the hon. Gentleman for his words and for that meeting I had with him. He is absolutely right that we wanted to listen on this. As I said at the beginning, this Bill has been, I hope, a good example of collaborative work across the House and I am extremely grateful to hon. Members for that.

Huw Merriman (Bexhill and Battle) (Con): My concern about retailers has always been not with the Asdas or John Lewises, whom one would expect to do the right

thing—they have a public image as well—but with the disreputable merchants. Will my hon. Friend at least keep this matter on watch, so that if it turns out that those not following the code are seen to be doing wrong, we can review the amendment that was discussed the last time we considered the Bill?

Victoria Atkins: Yes, and I thank my hon. Friend, who has been particularly persistent about locking away bladed products or sharp knives. We absolutely keep that point under review. We have had a good response from the retail industry thus far, but we will of course keep the pressure up, and I am extremely grateful to him for his contribution to that.

Liability under our amendments in lieu attaches only to companies that enter into arrangements to deliver bladed products. A delivery company could choose simply not to do so. Our amendments therefore provide the flexibility that the hon. Member for Sheffield South East described, so that if a seller does not enter into an arrangement with a delivery company, the provisions in the Bill that prohibit delivery to residential premises of a bladed product will still apply. A seller in those circumstances will not be able to send a bladed product to residential premises and the product will have to be collected in person at a collection point, which at least gives small and medium-sized businesses the choice over how to conduct their business. We believe that these amendments will help to address the concern behind the Bill and achieve the aim of stopping young people and those under 18 having access to these products through online sales when they should not have such access. I very much hope that our amendment will meet the approval of the House.

Let me turn to knife crime prevention orders. It is vital that the police have the powers they need to prevent knife crime and to protect the public from the devastating effects of violent crime on our streets. It is frankly already too late when we prosecute young people for knife crime. If measures are available that might help to steer children and young people away from carrying or using a knife, we should not hesitate to put them in place. That is why the Government have introduced, in short order, knife crime prevention orders in the Bill. The police made that request of us at the very end of the summer last year, and we were pleased to insert the provision into the Bill in the House of Lords. These are civil orders aimed at young people at risk of engaging in knife crime, people whom the police call habitual knife carriers of any age and those who have been convicted of a violent offence or an offence involving knives.

Sarah Jones (Croydon Central) (Lab): Will the Minister confirm that although these are civil orders, if they are breached they become criminal, and that 12-year-old children could end up in prison for two years? Will she also confirm that not a single organisation, from the magistrates and local government to charities, lawyers and anybody involved in youth offending teams, supports this change? They all think that we are acting too quickly and need to take more time looking at the implications before introducing it.

Victoria Atkins: I am about to come to the framework for these orders, because I am conscious that in an ideal world we would have had the measure in the Bill when it was first laid before the House in the early summer

[*Victoria Atkins*]

last year. However, the police came to their view and alerted us to their thinking at the end of summer, and although we have frankly acted pretty quickly, we could not by definition have put the measure in the Bill before the police asked us to. We are doing this in response to the express wish of the police; in fact, the Mayor of London wrote to the Home Secretary in December asking that the orders be inserted in the Bill.

I do not know whether the hon. Lady has had a chance to speak to the Mayor of London, but the reason we are introducing these orders is that we want to try to help local communities to tackle knife crime. They are one measure. We do not pretend that they will solve all knife crime, but they are about preventing young people from getting ensnared in criminal gangs or getting into a situation where they think that carrying a knife will protect them. This is about trying to wrap services around those children before they become criminalised.

I know that concerns have been raised about the age at which the orders can be imposed. The orders apply from the age of 12 upwards because the police tell us that the age at which people carry knives is getting younger. We also know from hospital data that younger children are victims and perpetrators. That is why we have chosen that age. If we are serious about tackling knife crime on our streets, the measures that we take must apply to young people and children.

Sir Edward Davey (Kingston and Surbiton) (LD)
rose—

Victoria Atkins: I will give way, but then I must make some progress.

Sir Edward Davey: I think the whole House is with the Minister in the determination to tackle knife crime and to try to prevent young people from getting into it, but can she tell the House what other mechanisms, orders or contracts the Government looked at before concluding that this was the right way forward? I have spoken to her privately about antisocial behaviour orders, which in the past did not work, whereas acceptable behaviour contracts, which worked with the young person, did work. Have the Government looked at those?

Victoria Atkins: I think the right hon. Gentleman and I talked about that last week. As I have said to him, I will happily look into those. We looked at whether gang injunctions are appropriate, but as Members across the House will know, not every child carrying a knife is a member of a gang. We also looked at criminal behaviour orders, but both those measures are contingent on a child being convicted of a criminal offence. With knife crime prevention orders, we want to try to reach those children before they are convicted of carrying a knife. The orders are also available upon conviction, because we want to wrap services around children if they are convicted and serve a detention training order. We wanted an extra structure around children to try to tackle the issue.

Sir Edward Davey *rose—*

Victoria Atkins: If the right hon. Gentleman will forgive me, I must make some progress.

The order may impose such requirements or prohibitions on a person as a court considers necessary to protect any person from risk of harm or to prevent the commission of an offence involving a bladed article. A KCPO that imposes a requirement must specify a person who is responsible for supervising compliance with that requirement. Again, I emphasise that this is about protection and prevention. It is not about criminalising children. The order is a civil order. We do, however, accept that the breach of an order is, in itself, a criminal matter. I know that some have argued that it would be better to go down the antisocial behaviour injunction route, which applies to children as young as 10. The argument is that having a contempt of court rather than a criminal offence for a breach would make the orders more palatable, because it would mean that children did not get a criminal record. The advice from the police—it is advice that we must listen to very carefully—is that making it a criminal offence to breach an order is important if we want these orders to be taken seriously.

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): May I congratulate my hon. Friend most sincerely on producing a much needed Bill? Acid, knives and certain firearms are issues that we absolutely need to crack down on. Does she agree that knife prevention orders are a good mechanism? It is becoming de rigueur in some of our cities for people to carry knives in self-defence, in case they might want to use them, which is totally the wrong culture. With these orders, the police will be able to warn youngsters that if they carry knives again, they will be subject to an order and could be subject to a criminal penalty if they breach it.

Victoria Atkins: My hon. Friend summarises the orders succinctly, and I thank him for all his work on the Bill. The point of the orders is to try to reach those children before they are in the criminal justice system. They include, for example, the ability to prohibit a child from accessing social media or entering certain postcodes, because we know the tensions arising on the streets from particular groups of young people in certain parts of our large cities. This is not about criminalising those young people; it is about trying to reach them.

Vicky Foxcroft (Lewisham, Deptford) (Lab): In the Minister's discussions with the police about programmes that work and the investment that they want to see, has she considered expanding Prevent, a programme with proven successes, or early intervention measures such as investing in our youth services? What the police keep saying, and what Ministers keep quoting, is that we cannot just police our way out. If that is the case, we need to invest in all those programmes that support our young people, so I would be grateful if the Minister said something about Prevent in particular.

Victoria Atkins: I thank the hon. Lady again for all the work that she does through the Youth Violence Commission. She is absolutely right. As I said at the beginning of the debate, the Offensive Weapons Bill is but one measure within the serious violence strategy, and these orders are but one measure within the Bill. We do not for one moment claim that the orders are going to solve everything, but we hope that they will be a path to reaching some of the children who are currently so difficult to reach, as the hon. Lady knows. These measures come on top of all the early intervention and

the youth endowment fund, through which we are investing £200 million over the next 10 years to give certainty to the organisations that win bids. All those measures are really important.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): As I have stated previously in the Chamber, the Offensive Weapons Bill has been a cause of serious concern within the British Sikh community, with a feeling that the centuries-old religious requirement of wearing a kirpan, a Sikh sword, could be unintentionally criminalised and that even the tradition of honouring a non-Sikh within a gurdwara, a place of worship, by bestowing them with a kirpan could be deemed illegal. However, thanks to the strong leadership of the noble Lord Roy Kennedy and others in the House of Lords, with excellent assistance from Lord Singh, Lord Paddick, Baroness Verma, the organisation Sikhs in Politics and others, amendments were tabled. As Lord Tunnicliffe and Baroness Williams said, those amendments were passed with unanimity. Although I am extremely grateful to the Minister for the courtesy that she extended to me during our recent meeting to seek my views on the matter, for the record—and to assuage community concerns—can she confirm that the Government wholeheartedly support those amendments and will incorporate them into the Bill?

3.30 pm

Victoria Atkins: The hon. Gentleman has jumped right to the end of my speech. However, I will respond now because I am conscious that it is such an excellent intervention. I will then return to KCPOs.

Let me put on record my thanks to the hon. Members for Slough (Mr Dhesi) and for Birmingham, Edgbaston (Preet Kaur Gill), my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), the right hon. Member for Wolverhampton South East (Mr McFadden) and many noble lords in the other place for their work to ensure that this Bill reaches the issues in knife possession that we really want to tackle, and it does not inadvertently and completely mistakenly in any way affect the gifting, use or possession of Sikh kirpans, which was never the Government's intention. I am grateful to all hon. Members, as well as to the many Sikh organisations that have been involved in this process, for helping us to clarify and improve the law.

I can confirm that the amendments will create defences to sections 141(1) and 141A of the Criminal Justice Act 1988 and section 50(2) and (3) of the Customs and Excise Management Act 1979 relating to the custom of gifting kirpans by ceremonial presentation. The amendments will create a defence for a person of the Sikh faith to present another person with a curved sword in

“a religious ceremony or other ceremonial event.”

They will also provide a defence for possessing such swords for the purposes of presenting them to others at a ceremony, and for the recipients of such a gift to possess swords that have been presented to them. It was never the intention of the Bill to affect this custom, and I am extremely grateful to hon. Members for their work on these measures.

Mr Dhesi: Will the Minister give way?

Victoria Atkins: If the hon. Gentleman will forgive me, I must move on because I am conscious that others wish to speak.

Let me return to KCPOs. I know that the shadow Minister has tabled some amendments, and I will deal with them in a moment. On the question of age and the concern that youth offending teams must be consulted, we have included in the Bill a requirement that youth offending teams must be consulted on any orders for people under the age of 18. We have also said that we will consult publicly on the guidance with community groups, youth organisations and others before these orders are brought into force.

Vernon Coaker (Gedling) (Lab): Before the Minister finishes discussing prevention orders, will she tell the House a little bit more about the pilots? How many pilots are there going to be, when are they going to start and how long will they last? Given the urgency of implementing this legislation and the concerns that have been raised, will the Government report back to the House on how the pilots have operated, so that we have a further opportunity to amend and adapt the measures if necessary?

Victoria Atkins: Yes. I am grateful to the hon. Gentleman for raising the pilots. Some of the concerns raised today were also raised in the other place, so their lordships saw fit to insert an amendment regarding piloting. I hope that it gives some comfort to the House that we will pilot the provisions in one or more specified areas in England and Wales. We have not yet determined which forces will have the privilege of starting these pilots. The second condition of piloting is that the Secretary of State will lay before Parliament

“a report on the operation of some or all of the provisions”

relating to KCPOs, so the House will be fully updated on the progress. I am sorry that I cannot give the hon. Gentleman more details regarding the operational aspects of the pilots at this precise moment in time, but I want to deal with the amendments tabled by the shadow Minister.

Amendments (b) and (c) to Lords amendment 7, and amendment (a) to Lords amendment 14, would make it a requirement for the police to obtain—and, by implication, for the youth offending team to produce—a pre-injunction report, including an assessment of the defendant, before making an application on conviction, or otherwise than on conviction if the defendant is under the age of 18, and to provide that report to the court as part of their application. It follows from this proposed amendment that the outcome of the consultation should be available to the court. The requirement to consult is an important safeguard to ensure that the youth offending team has a chance to influence the process, and we expect the YOT's view to be before the court when it is considering the application. We will state in guidance that we expect the police and the Crown Prosecution Service to share with the court the outcome of the consultation with the youth offending team, and we will reinforce the message during the pilots that the applicant police force should share the outcome of the YOT consultation with the court.

Amendment (c) to Lords amendment 12 would also set down a requirement in relation to a pre-injunction report. Again, we believe that the requirement to consult the youth offending team addresses this, and I am not persuaded that it would be appropriate to include a requirement to consult the youth offending team if an

[*Victoria Atkins*]

application without notice were made, given the urgency of such applications. However, the consultation requirement must be fulfilled before the full hearing takes place.

Amendment (d) to Lords amendment 7 is not needed. The Bill already provides a power for the court to require evidence from the individual responsible for promoting, supporting and monitoring compliance with any requirement included in the order. That individual could be the youth offending team, but it could also be a community group or a charity, for example. Let me remind the House that the police fully support the provisions in the Bill as they stand in the Lords amendments that we have tabled in the Home Secretary's name. There are already safeguards in the Bill to ensure that the orders are proportionate and that the views of the youth offending teams are taken into account during the application process. I therefore ask the shadow Home Secretary and the hon. Member for Sheffield, Heeley (Louise Haigh) not to press their amendments.

Amendment (a) to Lords amendment 23 requires a report to be laid before Parliament on the outcome of the pilots. I would expect that, as has already been set out in our amendment, a report will be laid before Parliament about the success or otherwise of the pilots, and that KCPOs will be the subject of ongoing scrutiny.

Vicky Foxcroft: Will the Minister confirm that when that report is laid before Parliament, there will not be a further roll-out of the KCPOs without our seeing it in Parliament first?

Victoria Atkins: I think the hon. Lady is talking about the amendment tabled by the shadow Minister. We do not agree with that amendment. We believe that piloting and then the Secretary of State laying a report before the House is a perfectly proportionate way of assessing the pilots' success. Let us not forget that we are talking about youth courts and magistrates courts using civil orders, with all the safeguards that are in the regime. This regime mirrors similar regimes used in, for example, gang injunctions. We should have trust in our youth courts and others that they will be able to meet the expectations of the House in terms of ensuring the wellbeing and the welfare of the young people they are looking after. The aim of these orders is to protect young people and also the wider community. On the proposal that a full report should be laid out, I am afraid that, in the usual way, such regulations are not subject to any parliamentary procedure, and the Government see no reason to adopt a different approach in this case.

There are of course other provisions that I have not even begun to address, although I may well have a chance to do so at the end. However, I hope that my focusing on the three main issues arising during the passage of the Bill meets with colleagues' approval. I very much look forward to hearing their contributions in the rest of the debate.

Louise Haigh (Sheffield, Heeley) (Lab): I thank those in the other place for their careful consideration of this Bill, which is certainly in better shape than when it left this Chamber.

As the Minister has outlined, we have offered our sincere and constructive support throughout the passage of the Bill for the Government's attempts to respond to

the surge in violent crime. We offered our support in Committee, on Report and at Third Reading. We have fought to enhance protections on the sale of knives, to close dangerous loopholes in our gun laws, to force the Home Office to release evidence on the consequences of cuts to vital services for levels of serious violence, to force the Government to assess whether the police have the resources they need to tackle violence involving offensive weapons and to put the rights of victims of crime on a statutory footing—rights that have been neglected despite repeated manifesto promises by the Conservative party.

Let us not forget the absolutely farcical spectacle of the Home Secretary and the Minister, on Second Reading and in Committee, making the case for a ban on high-powered rifles—guns that have an effective range of 6 km—and then coming back to the Chamber on Report and making the exact opposite case in the face of Back-Bench rebellion. Our gun laws are in need of updating, and it is a sad reflection on the Government that all the passage of this Bill has done is weaken the provisions on firearms and kick the can down the road once again in pushing the issue to consultation. Furthermore, the Bill as it stands still ignores much of the key evidence contained in a leaked Home Office report on the drivers of serious violence. This included compelling evidence that violence was, in part, being driven by a precarious and vulnerable youth cohort shorn of the support, early intervention and prevention work necessary to stop those vulnerable people falling into a spiral of serious violence.

Turning to the amendments, I am grateful for the work of the noble Lord Kennedy, and that of my hon. Friends the Members for Sheffield Central (Paul Blomfield) and for Sheffield South East (Mr Betts), who have managed to find a consensus on the delivery of knives to residential premises that protects children while not unduly hampering specialist knife manufacturers and businesses. We are therefore happy to support the amendment in the name of the Home Secretary whereby businesses will need to prove they have taken all necessary measures to ensure that a knife is delivered into the hands of an adult or will feel the full weight of the law.

On kirpans and Sikh ceremonial swords, I again congratulate my hon. Friends the Members for Slough (Mr Dhesi) and for Birmingham, Edgbaston (Preet Kaur Gill) on their work. We understood the concerns raised across the House, and I am pleased that the Labour Lords amendment has been accepted that will allow Sikhs to practice their religion freely without fear of criminalisation.

But undoubtedly the biggest change has been the introduction of knife crime prevention orders, and that is what I wish to focus my remarks on. It is important when making any changes to the suite of police powers that Parliament has the fullest opportunity to consider the evidence and implications. That is why we are extremely concerned about both the way in which these proposed orders have been brought forward and some of their content. Our concerns are threefold, and I will address each in turn. As the Minister said, our amendments to the Lords amendments speak to those concerns.

3.45 pm

First, it is regrettable there has been little to no parliamentary scrutiny—far below the standard we would expect for potentially punitive orders that impose criminal

sanctions on children as young as 12. Secondly, there is no statutory requirement for the needs of the child who may be subject to an order to be assessed, to establish their circumstances and what support may be beneficial. That eschews all evidence on combating youth violence, which is clear that the focus should be on avenues to a route out of crime and not on punitive restrictions. Finally, we are extremely concerned that the lack of consultation and evidence base for these orders may lead to them doing more harm than good.

Our point about parliamentary scrutiny is not just some narrow concern about process. The orders carry criminal sanctions of up to a two-year custodial sentence for a breach. The civil standard of proof could find a child on the receiving end of a prison sentence for breach of an order that was itself imposed only on the balance of probabilities. It is wholly inappropriate to have introduced such potentially punitive penalties in the House of Lords, once scrutiny of the Bill in the Commons had already taken place, and for this to be the first, limited opportunity for the Commons to debate them.

In Committee, we took evidence from a wide range of witnesses, including the police and counter-terror police, on the need to ban .50 calibre rifles, which the Government later dismissed. At no point were these orders mentioned, and it is regrettable that they may enter legislation with such little scrutiny or opportunity to test the opinion of experts in the field of youth violence.

We were pleased that our colleagues in the other place fought and won the case for the orders to be delivered initially as a pilot, so it will be possible for authorities to test them and learn lessons before they are rolled out across the country. Unfortunately, we still do not have any further detail on where those pilots will be, how long they will last and what report will be laid before the House once they have been completed.

The Lords amendment brought forward by the Government does not go far enough. That is why we have tabled amendments that would establish a parliamentary lock on the roll-out of knife crime prevention orders, allowing Parliament to review the evidence, examine the pilot and its effectiveness, see the departmental justification and be assured that proper regimes will be in place to monitor their use before any wider roll-out. We would require the Government to report on which practitioners have been consulted. It is astonishing that the Youth Justice Board, the Children's Commissioner and local government services were not involved in drawing up these orders. Since they have been published, the Magistrates Association, the Association of Youth Offending Team Managers and the Local Government Association have all voiced concerns.

Victoria Atkins: To correct the record, these orders have been discussed in the serious violence taskforce, which is attended by the Children's Commissioner and many of the others that the hon. Lady mentioned. This is action that the police required of us. We turned it around as quickly as we could to get it into the Bill, in order to protect children. We are doing it on the advice of the police.

Louise Haigh: I would respectfully suggest that putting before Parliament orders that would criminalise children for up to two years requires more than discussion at a meeting. It requires full consultation and full parliamentary scrutiny, and none of that has happened.

Before Parliament approves any roll-out, the Government should release a report giving an explanation of what guidance has been given to authorities on the burden on proof, which is a civil standard, the impact of orders on the rights of children and the impact on different racial groups as defined in section 9 of the Equality Act 2010.

Sir Geoffrey Clifton-Brown: Does the hon. Lady not think it is a bit rich that she is complaining on the one hand about the Government introducing a full consultation on a whole range of firearms issues enshrined in statute under the Bill, and on the other hand that the Government have not consulted enough on knife crime prevention orders, which are suggested by the police and are a much-needed part of the armoury in the fight against knife crime?

Louise Haigh: The Government consulted on the ban on weapons ahead of the Bill and concluded, on the basis of evidence from the most senior counter-terror police in the country, that it was right to ban assault rifles. It was only in response to a Back-Bench rebellion led by the hon. Gentleman that the Government caved and made the exact opposite case to the one that they made on Second Reading.

These are very basic requests for what is, in truth, information that Parliament should already have when being asked to pass legislation. The parliamentary lock we are seeking to add to the orders should not be necessary, but we know the damage that can result from a lack of joined-up thinking in youth justice, and our communities simply cannot afford another misstep. That is why it is only right that parliamentarians are given the full facts before being asked to approve a further roll-out.

Turning to the content of the orders themselves, all of us in this place are united in our mission to do everything in our power to bear down on the terrible scourge of knife crime, but we must be wary of taking action for the sake of action. Interventions must be evidence-based, have a clear purpose and fill a gap in the existing legislation. The police already have a substantial suite of powers for those they suspect of possessing a knife. The issue is, and has been for several years, the ability and capacity of the police to enforce those powers. As the chair of the Police Federation has said,

"How the Home Secretary thinks we have the officers available to monitor teenagers' social media use or check they are at home at 10pm when we are struggling to answer 999 calls is beyond me."

This Government have taken 21,000 police officers off our streets. Response times have rocketed, and in some force areas residential burglaries are rarely attended. The police's capacity to respond to crime has been extremely diminished, so it is beyond doubt that they do not have the capacity to place orders on people who have not actually committed a crime, and then to monitor and implement those orders effectively. There has been no impact assessment of the resource implications for the police or any of the other services that may be brought in by these orders. We are concerned, and this is what our amendments speak to, that in trying to establish so-called wraparound care for young people, these orders will inevitably end up focusing on the restrictive elements such as curfews, social media bans and prohibitions, rather than the potential for positive, rehabilitative action.

[*Louise Haigh*]

I think we have now reached consensus in this place that, to combat youth violence effectively, a whole-system, cross-governmental public health approach is required. These orders could have been an attempt to bridge such a divide, but instead they place sole responsibility on the police as the only authority that can apply for an order, which risks narrowing the focus of the suite of options available. The fact that there is no statutory requirement to assess the needs of a child, establish their circumstances and consider the safeguarding implications of an order or their family history prior to an order being granted should be fatal for a legislative proposal that the Government have styled as a route to access wraparound services. It simply does not do what is required. That is why our amendments would establish a statutory requirement to consult with the YOT to produce a pre-sentence report. However, we are satisfied with the Minister's commitment that this will be made clear in guidance.

Furthermore, I wonder whether the Government, in using the example of a youth worker as someone to be responsible for the delivery of an order, recognise the bind they would be putting such an individual in if they were responsible for reporting any breaches to the police. Central to a public health approach is a consistent, constant adult in vulnerable young people's lives. This could provide an opportunity for that, but it cannot do so if such individuals are then forced to report them to the criminal justice system every time they do not abide by the conditions laid down in their order.

I will round off with a number of questions to which I hope the Minister will respond when she speaks again. The civil burden of proof is concerning, so what sort of intelligence does the Minister envisage would be sufficient for a court to grant an order? Will the police use the gangs matrix to target individuals? Will association with known offenders be sufficient for an order to be placed? Will past offending be sufficient, as the Minister in the other place appeared to suggest?

Does the Minister share the concerns of Members across the House that we risk criminalising children as young as 12 who have not actually committed a criminal offence? Does she really believe that a two-year custodial sentence is proportionate to a breach of a civil order, and can she give an example of when such a sentence would be appropriate? What exactly can KCPOs require or prohibit? Will guidance be brought forward on what measures are effective in tackling knife crime, or will it be anything that the court deems necessary, proportionate and enforceable?

Finally, who will be required or allowed to know that a child has an order, and what action will their school or alternative provider be expected to take when one has been granted? The implications for alternative provision are potentially severe, as some providers refuse to take children who have knife convictions, leaving them completely out of education and therefore much more vulnerable to becoming involved in violence. What consideration has been given to this?

I do not think that the Minister has satisfactorily answered the concerns raised by the Opposition in our amendments or those of expert organisations that work on these issues every single day, such as the Magistrates Association and the Association of Youth Offending

Team Managers. We will therefore divide the House on our amendment (a) to Lords amendment 23 in relation to the parliamentary lock, as the report that the Home Secretary brings forward must be voted on before the pilots can be rolled out.

I conclude by thanking and congratulating my right hon. and hon. Friends who have significantly improved the Bill and subjected it to scrutiny during its passage, especially my right hon. Friend the Member for East Ham (Stephen Timms) and my hon. Friends the Members for Sheffield Central, for Sheffield South East, for Lewisham, Deptford (Vicky Foxcroft), for Croydon Central (Sarah Jones), for Birmingham, Edgbaston and for Slough. The amendments in our names have sought to strengthen and improve the weak legislation before us today. They have sought an evidence-based response to the long-term trend of violence that we are witnessing as a result of this Government's austerity agenda. We hope that the Government will accept that much more needs to be done if we are to prevent any more young lives from being needlessly taken, and we hope that the Government will accept the amendments in our names today.

Mr Charles Walker (Broxbourne) (Con): It is a pleasure to follow the hon. Member for Sheffield, Heeley (*Louise Haigh*).

I should like to focus on knife crime prevention orders. If we are to reduce knife crime, we need to address the issue of drug usage. So many of the young people dying in our communities are dying as a result of the drugs trade—particularly cocaine. We need to consider increasing the costs attached to the usage of drugs, because drugs are historically extremely cheap at the moment; and if we want to attack usage, we have to increase the costs attached to recreational possession. The Minister said that she had looked at dealing with gangs—she had looked at knife crime prevention orders—but I think we need to look at drug prevention orders.

I think it is appalling that the chattering classes, wherever we may find them, whatever their politics, are wringing their hands about the deaths of mostly young men and children on our streets and then, moments later, too many of them are shoving a line of cocaine up their noses. That is not a line of white powder; that is a line of blood, and users of cocaine have blood on their hands—the lives of many, many young people and children.

So I say this to the Minister. Let us not build more prisons. Let us not lock more recreational users up—but let us hit them in the pocket. If they are caught in possession of cocaine, if they are responsible for the deaths on our streets, they should be fined accordingly. Let us say that you are a City trader on £300,000 a year, Minister: you should be fined a third of your income—a third of your income—if you are caught in recreational possession. Then users might start to think. If they do not care about the young lives being lost on the streets, they might start thinking about the consequences to themselves and their finances.

It may be a City trader. It may be a Member of Parliament. It may be a doctor. It may be a teacher. But if they are using cocaine, they are responsible for the tragedies that are happening daily, and I think they should pay—pay for recreational usage. They should pay by being fined a significant amount of their income the first time they are caught in possession, 50% the second time and 100% the third time. When we introduce

laws like that, Minister, people may start taking this matter seriously, and we may actually start to address the mayhem, destruction and tragedy that is afflicting so many of our communities.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): I start by confirming that the SNP has supported the Bill from the outset. As I previously acknowledged, the Government here have worked closely with the Scottish Government on many of its provisions, given that the Bill's subject matter covers a range of both devolved and reserved competences. We remain of the view that the Bill will help tackle crimes involving corrosive substances, knives and certain firearms, so it continues to enjoy our support. However, we took—and continue to take—the view that more important tools include police funding, police numbers, cross-government working and a genuine switch to a public health approach to knife crime.

For today, though, the 95 amendments passed in the Lords focus on three specific areas. One set of changes proposed in the Lords does not convince us at all. One set of changes appears absolutely reasonable to us. Another group of amendments is welcome but still falls short of what was in the Bill at the outset. We are far from convinced on the knife crime prevention orders. As we have heard, things have moved very quickly, essentially closing down time for proper consideration, scrutiny and consultation. It is fair to recall, however, that this morning the Metropolitan Police Commissioner defended the proposals robustly before the Home Affairs Committee. I absolutely respect the fact that they are well-intentioned. I question, however, whether the reasoning behind them and the form they now take are well-founded. The all-party group on knife crime, excellently chaired by the hon. Member for Croydon Central (Sarah Jones), heard evidence from a series of groups who have significant concerns about the impact they will have. As we have heard, concerns have been raised by magistrates, local government, the Children's Society, the Standing Committee for Youth Justice, the Prison Reform Trust and the Police Federation.

4 pm

Ultimately, I find it difficult to see how 12, 13 or even 15-year-olds groomed into gang violence are going to turn around to the gang leader and those grooming them and say, "Sorry, I've had a knife crime prevention order made against me and I can't have anything more to do with you." I am concerned that there is a danger that, rather than preventing or steering away a young person from falling into the youth justice system, it may instead accelerate it when the orders are breached. I very much hope that I am proved wrong. If this was not a matter for England and Wales only, I would definitely support the safeguards proposed by the official Opposition. Even then, I doubt I would be persuaded that the case for these powers has yet been made. However, it is a matter for Members for England and Wales, so having briefly provided my tuppence-worth, I will leave colleagues to grapple with the clear divergence of opinion that has emerged.

On the amendments and new clauses on deliveries to residential premises, I, too, want to congratulate the hon. Members who pursued this issue in earlier stages, including the hon. Members for Sheffield Central (Paul Blomfield) and for Sheffield South East (Mr Betts)—Sheffield, the capital of steel. I am pleased that the

Government have listened and worked up what seems to me a suitable alternative proposition, one that commands our support. The changes go some way to addressing one of the anomalies I flagged up in Committee, in that the Bill placed various obligations on couriers who were operating on behalf of sellers stationed outside the UK, but not on couriers operating on behalf of sellers who were in the UK. That seemed as strange to me as it did to many Members of the House of Lords, although, as the Minister said, there remain some differences in treatment. Anyway, the amendments have our full support.

Finally, on the vexed issue of firearms, obviously we voted against the Government when, on Report, they took out the provisions on high-energy rifles without any form of replacement provision. It is of course welcome therefore that at least there are now some enhanced measures on security back in the Bill. Members on both sides of our earlier debates can unite on that. Like the official Opposition, however, we remain very concerned about how we got into this position. When he introduced the Bill, the Home Secretary said that the original prohibition measures were based

"on evidence that we received from intelligence services, police and other security experts."—[*Official Report*, 27 June 2018; Vol. 643, c. 918.]

and the Minister said such a prohibition was necessary in light of

"the threat assessment of the National Crime Agency and the police."—[*Official Report*, 27 June 2018; Vol. 643, c. 997.]

The Minister referred to the range of these weapons and to recent seizures of higher-powered weaponry and ordnance at the border showing growing demand for more powerful weaponry in the criminal marketplace. That was backed up by the evidence we heard in Committee. I know that the witnesses the Committee heard from have not in any way changed their minds. Only the Government have changed their mind. If the Government accepted that evidence and the need for prohibition, I do not understand how they can justify their change of stance.

As I said in earlier stages, we do not take lightly the banning of anything, but we are talking about the leisure pursuit of a very small number of people, perhaps 150 in total. If the evidence the Home Secretary and the Minister referred to is correct, it seems a troubling change of stance but we are where we are. Although the Minister will not be speaking again in the debate today, I will be seeking assurances that this does not mean we are watering down what have previously been fairly robust firearms laws and making this new enhanced security category the new default for firearms that had previously been prohibited, based on evidence, under section 5 of the Firearms Act 1968. I also seek assurance that the Scottish Government and Police Scotland will be fully involved in developing any new conditions for high-powered rifles.

In conclusion, we welcome the Bill, subject to the concerns I have laid out. However, the key to tackling serious violence remains in police numbers, police funding and cross-government co-ordination. It depends on the genuine adoption of a public health approach to tackling knife crime and youth violence, as we have seen through the work led by the Violence Reduction Unit in Glasgow. The Bill is a small positive step, but the Government have many other, much bigger steps to take if they are to be seen to be properly and urgently tackling the serious problem of youth violence.

Huw Merriman: It is a pleasure to follow the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald), whose constituency I will not even try to pronounce correctly. He always speaks with such eloquence. I attended the same meeting of groups hosted by the hon. Member for Croydon Central (Sarah Jones) and listened to the arguments about knife crime prevention orders. It was hard not to be persuaded by some of those arguments, but I want to explain why I think introducing those orders is the right thing to do.

The Government are absolutely right to follow a public health approach to knife crime. It is time to look holistically at all our agencies in delivering both a health-based solution and a criminal justice solution. We have the youth endowment fund and the review of drugs policy, and we should recognise that prison sentences for knife crime have increased: 85% of people convicted serve at least three months, compared with 53% only 10 years ago. The courts are putting in place a whole range of tougher measures, and the Government and local authorities are looking to introduce wraparound support, yet the reality is that knife crime is endemic and will not be solved in the short term with those measures alone. I therefore absolutely support knife crime prevention orders.

What makes this issue so stark for me is the number of recorded knife crime offences in the 12 months to September 2018. There were 40,000—an increase of two thirds since March 2014. Those figures are appalling. In the context of overall violence having fallen by a quarter since 2013, it is clear that we have an issue specific to the carrying of knives. I was struck by a recent survey by the Centre for Social Justice, in which 6% of Londoners polled confessed to having carried a knife in the past 12 months. There is a contagion effect. Young people carry knives to protect themselves, because they do not feel confident, but we all know that someone is more likely to die when they are carrying a knife than when they are not. We must make some kind of intervention to tackle that.

The Mayor of London was absolutely right in his letter to the Home Secretary in December. He was critical because nothing had yet been inserted into the Bill. He said that he was

“concerned to note that despite requests from the police...no amendments have yet been tabled”.

Now they have, which is to be welcomed. He went on to say that the introduction of the orders would

“enable better protection for the community, particularly those working with vulnerable and high-risk young people,”

and added:

“At the same time, they will enable the police and partner agencies to intervene and prevent future crime.”

They will prevent future tragedies, too.

Last month, I heard from senior officers in the Met who have asked for knife crime prevention orders to be introduced. Again, it was hard not to be impressed by what they had to say. Absolutely, introducing the orders is a slight roll of the dice—they are new and innovative—but it is important that we do so.

Bob Stewart (Beckenham) (Con): I think the main point is that if someone is on a knife crime prevention order, people around them will realise that they are and

may concentrate more on looking after them and stopping them doing something wrong again. That is very important, too.

Huw Merriman: My hon. Friend is absolutely right: this is about that care and intervention as well as having a deterrent. Of course there has to be a deterrent.

We must not overlook the fact that applications will have to be made by either the Crown Prosecution Service or a chief officer of police, and that the court will have to be satisfied, on the balance of probabilities, that on at least two occasions in the previous two years the defendant had a bladed article in a public place or a place of education. That is not enough, either: if there has been a big conversion, that can be demonstrated, and the magistrates court must think it is necessary to make the order to protect the public from harm from a bladed article or, indeed, to protect the respondent from committing an offence.

We talk about locks; there is a series of locks in the magistrates courts, and we must trust our magistrates to look fairly and objectively at the evidence before putting in place an order, which I say will deter young people from causing a tragedy to themselves or other people. Only if that order is breached will we be talking about a custodial sentence. Orders will be reviewed if they are longer than 12 months, and they can be varied, too. To me, they make absolute sense.

I will conclude by explaining why I feel so passionately about this issue. We can talk about long-term interventions, but the reality for young people who carry knives is that one mistake leads to loss of life—either theirs or others’. The impacts of that are dramatic. In 2007, the number of knife crime-related homicides was high—it was 272. We—both Labour and Conservative Governments—brought it down to 186 in 2015. It has now risen to 285 killings in the last year, which is the highest since records began in 1946. Something has to be done, and done now.

Sir Geoffrey Clifton-Brown: I want to back up what my hon. Friend the Member for Beckenham (Bob Stewart) just said. In addition to the safeguards my hon. Friend has ably set out, there is the provision for under-18s that, before an order can be granted, a youth offending team has to be consulted, meaning they can be helped by experts not to reoffend.

Huw Merriman: My hon. Friend is absolutely right; YOTs will be consulted. I do not agree with the idea of having a more specific order, because that would tie the whole process up in knots, whereas this needs to be a fluid process. YOTs would indeed be consulted, and then appropriate adults—youth workers—would supervise any requirements under the order.

These interventions can help people turn their lives around. I spent five years working in a youth organisation that was trying to turn young people’s lives around and stop them making these mistakes. We helped with their education and encouraged them to put their energy into sports, performing arts, environmental projects, and so on—something that could turn them away from a life of crime and give them something more interesting, exciting and exacting to work on. That said, we have now regressed. Far too many young people are being attracted by gangs and carrying knives either because of the glamour or as protection. We need to do something now to turn that around and save lives.

Sir Edward Davey: The hon. Member for Bexhill and Battle (Huw Merriman) speaks with authority as a former youth worker, and one listens to him with great attention, but I disagree with his conclusion that the proposal before the House is the best way forward. I want to suggest alternatives that I hope he will consider.

There is no doubt that action on knife crime is needed—that fact unites us all—and a lot of the action will involve spending money, whether on policing, including community policing, or on youth workers. There may have been a lot of youth workers when the hon. Gentleman was active, but when I look around communities today I do not see many youth workers or community police officers, but we will need them to implement these orders. We will need to spend money if we are to have the people in place to give those young people alternatives and protect them. We as a Parliament have to recognise that the public health approach is not a cheap option.

Do we need another legal power? The Government argue that, despite the panoply of powers already on the statute book, we need a new one, which is why the House is right to scrutinise the proposal; I only wish it had more time. Will the proposal work? We have some evidence from the past. As you will remember, Madam Deputy Speaker, we have had many debates in this House, in previous Parliaments, on how to tackle antisocial behaviour, and we have seen policies such as antisocial behaviour orders, on which, I believe, these knife crime prevention orders are modelled. My noble Friend Lord Paddick in the other place has pointed out some of the major problems with ASBOs that we believe knife crime prevention orders will also have.

I want to be constructive, however, and to support the Minister in her work to tackle knife crime. I hope that she will agree to meet me to discuss the Liberal Democrats' proposal for what I have named anti-blade contracts—linked to the ABCs, or acceptable behaviour contracts, of the past—which could be far more effective in preventing young people from carrying knives in the first place. I would also make the case for other similar initiatives, such as what I call knife crime prevention injunctions, which would have the benefit of not resulting in criminal records for young people.

First, though, I will make the case against the Government's proposal. The fundamental problem is that these will be pre-conviction orders—as opposed to on-conviction orders—which means that young people as young as 12 could be handed a court order on the grounds that, on the balance of probability, they may have carried a knife. That ought to alarm every colleague. Guilty before anything has been proven—that is a shocking legal principle. I am surprised that a lawyer as distinguished as the Minister feels comfortable about young people getting court orders even when it has not been proved that they committed a crime.

The Minister's mitigation is that this is a civil offence, but if the order's conditions are breached, it becomes a criminal offence. A condition may, for instance, be a requirement to notify. A young person who fails to notify the police of a change of address within three days will be in breach of the order, and could be imprisoned.

This legislation has no link to real life—to the chaotic lives that some of these young people lead. The idea that they will remember to notify a police officer within three days that they have changed their address because they have moved from one parent or carer to another, thus avoiding a prison sentence, is total nonsense. Why do

we need to criminalise young people who have not committed a crime? Where is the evidence that that will tackle knife crime? Prisons are overcrowded, and there are high levels of self-harm. Is this really a sensible approach?

4.15 pm

Victoria Atkins: The point of the orders is that there is information suggesting that these children have been carrying a knife on two or more occasions. The criminality, if we are talking in those terms, would be in the fact of the possession, and a magistrates court or a youth court would consider that very carefully. A child who is carrying a knife may well get into terrible trouble with the police because he or she has used it against someone, and we are trying to get to children before that happens.

Sir Edward Davey: There I have sympathy with the Minister, and I want to propose an alternative which addresses that very point. However, she was beginning to suggest—I am not sure that she meant to—that a criminal test had to be passed, and that is not what is in the Bill. It is not a criminal test that must be passed; it is a civil test, which could then result in a criminal record. I think that the House should think very carefully before going down that road.

Let me say a little about the alternative model that I want the Minister to consider. I am proposing what I have called anti-blade contracts. The idea is that a police officer, along with the parents or a carer, or possibly a youth officer, would sit down with a young person and require them to sign a contract saying that they should not carry a knife and that there would be consequences—for instance, fines or community sentences—if they were caught doing so. Crucially, however, linked with the public health or prevention approach would be positive elements. Young people could, for example, contact a named youth worker or police officer if they were concerned about their safety. There could also be a package of other support, which might involve access to youth services.

That is the way to change behaviour. That is the way to prevent a young person from ending up on the pathway to more crime. People who go to prison often see it as a college of crime, and we must try to avoid that. The approach that I am suggesting would do what the Minister wants: it would meet her objectives, but without the cost and without the potentially damaging impact that her orders would have.

Bob Stewart: Is the right hon. Gentleman suggesting that all young people should sign such contracts? That has a certain appeal to me—the idea that everyone at school, say, is given a lesson and then signs a contract, so that they understand what they are doing. Is that what the right hon. Gentleman is proposing?

Sir Edward Davey: Not in the first place. The idea—and this goes alongside the Government's proposal—is not that every young person would be open to the process, but that it could be offered to young people who were thought to be in danger. I am not sure whether we would want it to be applied to every young person, although it could go further and be part of an educative process as well. Given the lack of resources in the police and youth services, I think that we should target those who are most at risk in the first instance.

[*Sir Edward Davey*]

The crucial part of my argument is that I am putting forward something that is based on evidence. The evidence from the Home Office, in its reports on the difference between antisocial behaviour orders and acceptable behaviour contracts back in 2004, and the evidence from the National Audit Office in a 2006 report, suggested that ABCs were far more effective in changing young people's behaviour, which is what we want to do. More important—or, at least, as important—was the fact that they were cheaper. They took less time. Orders that need to go to court require considerable police resources, and we do not have those resources. They also take up the time of magistrates, which is already rather stretched, so we are putting forward something that goes against the evidence from the past and that we know is going to be more expensive and more time consuming. This is an urgent problem, and our proposal based on evidence does not need even this place to legislate. We could get on with it; we could issue guidance. Why on earth are we doing this? The situation is far more urgent than the Government seem to think. The Minister's proposal would take so much time and money when we know that is not available.

I implore the Minister: I am pleased that she has nodded from a sedentary position to indicate that she is prepared to meet me to discuss our proposal—

Victoria Atkins: I confirm that I am.

Sir Edward Davey: I am very grateful to the Minister for doing that, but I hope she will reflect on this.

I will be supporting the Labour amendments in the name of the hon. Member for Sheffield, Heeley (Louise Haigh) tonight, which are well tailored. The Labour proposal requiring this House to vote on a report on the evidence from the pilot is a good compromise; it is an example of this Parliament working together to make sure that what we do is evidence-based. The good thing the Minister could do if she goes down my route is proceed with my anti-blade contracts while those pilots are going on, because an anti-blade contract does not need to bother this legislature.

Sarah Jones: It is a pleasure to follow the right hon. Member for Kingston and Surbiton (Sir Edward Davey) and I agree with much of what he said. The hon. Member for Bexhill and Battle (Huw Merriman) put his finger on it when he said that these knife crime prevention orders are a roll of the dice. That is absolutely the point we all want to make, and while I completely disagree with the conclusion he has come to, this is what we are doing in this House: we are rolling a dice and there might be unintended consequences that we do not know yet. That is what I want to speak about today. I shall speak to the amendments I added my name to: 7, 9, 10, 12 and 23.

I chair the all-party group on knife crime, and yesterday we hosted an event on knife crime prevention orders. We heard evidence from the Magistrates Association, lawyers, academics, charities and youth offending teams who work with children and young people involved in knife crime. There was resounding agreement: they all want to stop knife crime and protect young people, but they all believe that these orders are not the answer. I think they are a knee-jerk reaction to a moral panic and they risk exacerbating, not diminishing, the problem.

Lawyers, magistrates and youth offending teams are all in agreement that, far from being preventive, as the name of the orders suggests, the orders will have unintended consequences that could criminalise a generation of young people and actively work against the Government's stated aim of reducing knife crime.

This final stage of the Offensive Weapons Bill is the first opportunity MPs have had to have our say on whether or not these orders should become law. This is indicative of the Government's approach of late: rushing through ill-thought-out plans so they can appear to be doing something without actually listening or engaging with experts or allowing parliamentary scrutiny. No real consultation took place other than some rushed consultation within the police—although we heard yesterday that even the senior police representative for children and young people was not asked about these knife crime prevention orders.

As far as we can tell, the orders are the result of a few behind closed doors conversations between the Home Office and a few senior Met police. They have not comprehensively been thought out, and they were not a part of the Government's own serious violence strategy. This is not the proper way for the Government to create laws, and it is an example of how bad, ineffective policy is created.

As we have heard, these are civil orders that would be placed on children as young as 12 who are suspected of carrying a knife. They could place severe, lengthy and potentially unlimited requirements and restrictions on the person subject to the order. If the requirements are not all met, a breach will be punishable by up to two years in prison. We have a situation in which somebody—a child—who may never have carried a knife and never have broken the law will end up with a criminal record and potentially a prison sentence for an order placed on them just on the basis of probability, rather than a criminal standard of proof. This leaves room for subjective decisions being made and for many young people to feel unfairly targeted.

The Government should be seeking to draw people away from the criminal justice system, not pushing children into it. And for solutions to be effective, they need to target the underlying cause of the behaviour. Sending children to custody does not work and is not an appropriate or proportionate response. Vulnerable young people must have access to education and employment so that they have routes away from drug gangs and the like. Criminal records and other criminal sanctions will disrupt lives and further marginalise young people, locking them out of mainstream society and exacerbating the root causes of violence. Children and young people have told our all-party parliamentary group many times that many are picking up knives out of fear. They feel that it is a necessary form of self-protection because everyone else has one and the police are not there to help them. Knife crime prevention orders will not deter children from picking up knives. They would rather be in prison for carrying a knife than be stabbed to death.

Another thing that was clear from our meeting yesterday was that the orders are neither necessary nor new. Magistrates and lawyers who are involved in children's sentences have not called for more sentencing options. There are already intervention options available that could be promoted and developed. Many youth offending teams have programmes to address knife carrying, and if they had the money to do more outreach, they could

help more children in this way. Conditional cautions can place requirements on children and young people, such as having to see their youth offending team and attend education programmes. These have lower reoffending rates than other more punitive responses, and they deal with behaviour outside the court system. Likewise, there is the triage system, where a young person who is arrested in a police station can be directed to appropriate intervention without being unnecessarily over-criminalised.

The similarities between knife crime prevention orders and the old antisocial behaviour orders are clear. The author of the Youth Justice Board report on ASBOs told us yesterday that they were disproportionately used on children and that they were breached in over two thirds of those cases. The use of ASBOs petered out over time because the courts and other agencies became increasingly concerned that they were counterproductive. Children had come to view them almost as a badge of honour and to define their identity around them. ASBOs were actually encouraging the behaviour they were designed to discourage. Over a nine-year period, more than 5,500 children were sent to prison for breaching their order. The bottom line was that they were not effective, because the kids kept coming back.

A number of other concerns have highlighted how little time has been given to the detail of these orders. Who will monitor them? Who will be responsible for reporting breaches? It seems that charities running programmes with young people would be expected to tell on their young people if they did not turn up. That would betray all the trust those organisations had carefully built up and would undoubtedly affect engagement. If the orders are imposed on the basis of probability, will not the victims of crime be more resistant to going to the police in case they get an order slapped on them, too? If school exclusions are already a big problem and a driver of young people becoming involved in violence, what impact do the Government expect the orders to have on access to education? A school will not want to take on a child who has been issued with a knife crime prevention order.

Finally, young black boys are already disproportionately represented in the criminal justice system, and there are real problems with trust and community relationships with the police. The imposition of restrictive orders such as these, especially when someone is only suspected of carrying a knife, will feed into those young boys feeling disproportionately targeted or harassed by police, their feelings of marginalisation and alienation, and their feeling that they are being treated less fairly than others by the justice system. This will be a major setback.

In 2010, the then Home Secretary, the right hon. Member for Maidenhead (Mrs May), described ASBOs as a “top-down, bureaucratic, gimmick-laden approach”.

She said that they were

“too complex and bureaucratic...they were too time consuming and expensive and they too often criminalised young people unnecessarily, acting as a conveyor belt to serious crime and prison.” The Government should listen to that now. They should also listen to the wide coalition of professional bodies and organisations that have come out against these orders. They should listen to concerns raised by the Joint Committee on Human Rights and to the Justice Secretary himself, who has highlighted a lack of evidence that the orders will be effective. They should also look at the evidence of what works to tackle violent crime. They should consult, and they should work out the actual impact of the policy before imposing it.

Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op): It is a pleasure to follow my hon. Friend the Member for Croydon Central (Sarah Jones). On behalf of the all-party parliamentary group for British Sikhs, I want to thank Members across the House for their support for the amendment that we tabled in this House and for their subsequent support for removing the unintended consequences for the Sikh community that the Bill would have had in its previous form. Unamended, the Bill would have meant that Sikhs who possessed a 50 cm kirpan in the home would be committing a criminal act and subject to a year's imprisonment, so I am grateful for the Minister's intervention to amend the justification for a Sikh possessing a kirpan from the narrow “religious ceremonies” to “religious reasons”. This was a fundamental change to protect the rights of Sikhs to purchase and possess a kirpan.

The Lords has made a further amendment on the gifting of the kirpan to others at a ceremony, and I thank Lord Kennedy and Lord Paddick for their work. I also pay tribute not only to the work done behind the scenes, especially by my right hon. Friend the Member for Wolverhampton South East (Mr McFadden) and the right hon. and learned Member for Beaconsfield (Mr Grieve), but to the Offensive Weapons Bill team in the Home Office.

With this amendment, the Sikh community have been given a clear commitment by the Government that they will not be penalised, and I hope that that approach will be taken by all other Departments. The APPG would like to work with the Minister on developing the statutory guidance surrounding the amendment, and I hope that she will continue to work with us to protect the Sikh community from any further discrimination.

4.30 pm

Paul Blomfield (Sheffield Central) (Lab): I will speak briefly about the Government's response to Lords amendments 27 and 28. The Minister talked about the collaborative approach that has been adopted in relation to many aspects of the Bill, and I want to thank her for her engagement and also thank her colleague Baroness Williams. My hon. Friend the Member for Sheffield South East (Mr Betts) and I had two constructive meetings where we brought knife manufacturers to meet the Minister and Baroness Williams, and we were pleased with how the Minister engaged with the concerns that were raised. I thank my hon. Friend the Member for Sheffield South East, who is no longer in his place, for his generous comments and—there is a bit of a Sheffield theme here—the shadow Minister, my hon. Friend the Member for Sheffield, Heeley (Louise Haigh)—[*Interruption.*] Sheffield is the centre of the world, depending on where you start from.

The point on which we all agree relates to the deep concern within all our communities that are affected by knife crime in some of the most horrific ways. We all want effective action to tackle the problem, and the emphasis should be on effective action. We need the right laws to tackle the problem without unintended consequences. I was concerned about the original proposals, which would not have addressed the problem and would have caused unnecessary damage to the knife manufacturing sector and to small businesses in particular, to which the Minister referred in her opening remarks.

It was for that reason that I proposed a trusted trader scheme on Report simply to open up the debate, and that discussion developed in the Lords into the proposals for a trusted courier scheme. I pay tribute to Lord Kennedy

[Paul Blomfield]

for taking up the issue effectively, brokering some of the meetings and engaging productively with Ministers. Although the proposals that we have from the Government today offer a different approach, they nevertheless address our concerns and are probably better than my original amendment on Report.

I have consulted with the local businesses who joined us at the meetings, and I pay particular tribute to James Goodwin from Egginton Bros Ltd for first raising the issue with me, and also to Alastair Fisher from Taylor's Eye Witness. They welcomed the Government's proposals in response to the Lords amendments. More widely, the knife manufacturing sector and retailers, who also had a lot at stake in ensuring that we got things right, will also welcome the proposals. With that, I join other hon. Members in endorsing the Government's proposals.

Lords amendment 27 disagreed to.

Lords amendment 28 disagreed to.

Government amendments (a) to (k) made in lieu of Lords amendments 27 and 28.

Lords amendments 1 to 22 agreed to.

Amendment (a) proposed to Lords amendment 23.— (Louise Haigh.)

Question put, That the amendment be made.

The House proceeded to a Division.

Madam Deputy Speaker (Dame Rosie Winterton): I remind the House that the motion relates exclusively to England and Wales. A double majority is therefore required.

The House having divided: Ayes 249, Noes 308.

Votes cast by Members for constituencies in England and Wales: Ayes 237, Noes 285.

Division No. 376]

[4.35 pm

AYES

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

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

Sheerman, Mr Barry
 Sherriff, Paula
 Siddiq, Tulip (*Proxy vote cast by Vicky Foxcroft*)
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Angela
 Smith, Cat
 Smith, Eleanor
 Smith, Laura
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Soubry, rh Anna
 Spellar, rh John
 Starmer, rh Keir
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Stringer, Graham
 Sweeney, Mr Paul
 Swinson, Jo

Tami, rh Mark
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, Valerie
 Walker, Thelma
 Watson, Tom
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Williams, Dr Paul
 Wilson, Phil
 Zeichner, Daniel

Tellers for the Ayes:
Jeff Smith and
Bambos Charalambous

NOES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, rh Stephen
 Baron, Mr John
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Braverman, Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria

Chalk, Alex
 Chishti, Rehman
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Mims
 Davis, rh Mr David
 Dinanage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, 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
 Gale, rh Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, rh Mr Nick
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David

Jones, Mr Marcus
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, rh Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pngelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 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
 Ross, Douglas (*Proxy vote cast by Tracey Crouch*)
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, Royston
 Soames, rh Sir Nicholas
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stewart, Bob
 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
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:
Wendy Morton and
Mr Alister Jack

Question accordingly negatived.

Lords amendment 23 agreed to.

Lords amendments 24 to 26 and 29 to 61 agreed to, with Commons financial privileges waived in respect of Lords amendments 35, 43 to 48, 50, 51, 53, 55 and 57.

Government amendment (a) made to Lords amendment 62.

Lords amendment 62, as amended, agreed to, with Commons financial privileges waived.

Government amendment (a) made to Lords amendment 63.

Lords amendment 63, as amended, agreed to, with Commons financial privileges waived.

Lords amendments 64 to 95 agreed to, with Commons financial privileges waived in respect of Lords amendments 65, 66, 69, 73, 88 and 93.

ROYAL ASSENT

Madam Deputy Speaker (Dame Rosie Winterton): I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified her Royal Assent to the following Acts:

Civil Partnerships, Marriages and Deaths (Registration etc) Act 2019

Northern Ireland (Regional Rates and Energy) Act 2019

Healthcare (European Economic Area and Switzerland Arrangements) Act 2019.

Section 5 of the European Communities (Amendment) Act 1993

Madam Deputy Speaker (Dame Rosie Winterton): I inform the House that Mr Speaker has selected the amendment in the name of the hon. Member for Glasgow Central (Alison Thewliss).

4.57 pm

The Chief Secretary to the Treasury (Elizabeth Truss): I beg to move,

That this House approves, for the purposes of Section 5 of the European Communities (Amendment) Act 1993, HM Government's assessment of the medium term economic and fiscal position as set out in the latest Budget document and the Office for Budget Responsibility's most recent Economic and Fiscal Outlook and Fiscal Sustainability Report, which forms the basis of the United Kingdom's Convergence Programme.

I hope, first of all, that this will be one of the last times that we talk about this subject. We do not want to be holding this debate on the convergence programme document any more. I look forward to the opportunity to move on to a period of future growth outside the European Union.

Madam Deputy Speaker, if you listened to some of the public discourse today—the teeth gnashing, the wailing, the portents of doom—you would not realise that in fact the British economy is doing rather well and that Britain is on the up. We have more people in work than ever before, the fastest wage rises in more than a decade and a record number of new start-ups. What is particularly interesting is that it is younger people in particular who are starting up those businesses. We have seen an 85% increase in the number of 18 to 24-year-olds setting up businesses in the last three years, so far from being a bunch of Starbucks-hating socialists, they are in fact more pro-low taxes and pro-enterprise than many older generations.

We are also seeing investment flooding into Britain. We have got more investment in technology than other European countries, and the latest growth forecasts show that the UK economy is set to grow faster than Germany's or Japan's. The public finances have been brought back under control after years of profligacy under Labour; debt is falling as a proportion of GDP; and we are reducing the deficit ahead of our plans. Why has this happened? Well, it has not happened by accident or because the Government say it should happen. It has happened because this country has a successful free enterprise economy, and the private sector has created millions of new jobs. The Government have created the conditions to enable this to happen and built the infrastructure to help those businesses to succeed. We have cut corporation tax and other taxes so that businesses are able to invest more in training and capital investment. We have made it easier for companies to take on staff through employment reforms. We have reformed our welfare system, introducing universal credit so that it always pays to work and to move up the jobs ladder.

We are seeing the flourishing of Britain right across the country, with new businesses being established and succeeding. From Skyscanner in Edinburgh to WANDisco in Sheffield, Britain is leading the technology revolution. The sky is the limit for Britain, and there will be even more opportunities for growth and new trade around the world when we leave the EU.

Sir Edward Leigh (Gainsborough) (Con): I remember all the dire predictions of economic meltdown if the people voted to leave. What has happened to all those predictions? What does my right hon. Friend think would happen if we were to leave with no deal on Friday? Or perhaps I should ask the jobbing Prime Minister, my right hon. Friend the Member for West Dorset (Sir Oliver Letwin), because he appears to be in charge at the moment. Anyway, I am interested in the Minister's opinion about all the dire predictions of gloom if we leave with no deal.

Elizabeth Truss: The UK economy is projected to grow under all circumstances. Our future is in the hands of individuals and businesses in this country. It is those people who determine whether we will be successful or whether we will fail. I have a huge amount of respect for the entrepreneurs in this country who are setting up new businesses, growing and investing. We have a very bright future ahead of us.

The reality is that the threat to British prosperity is not our precise relationship with the European Union, but the ideas of some in this Chamber who want to limit people's opportunities, see public spending balloon and start increasing our national debt again by £1,000 billion. And what would happen then? Taxes would go up; people would be able to keep less of their own money; businesses would not have the funds they needed to invest in the future; and our economy would decline rather than grow. That is the real threat to British prosperity. Fundamentally, we have been successful and moved on from the post-crash era because we have backed the British people and British businesses to succeed. We have not gone out there and said that business is the enemy—something that should be fought against. We have said that business is a friend of success and aspiration, and we need to back it.

This year represents a big opportunity for Britain. First, 2019 is the year when we are leaving the European Union, but it is also the year of the spending review. As the Chancellor announced in the spring statement, we will be launching the spending review just before the summer and completing it in the autumn. That spending review will set the budgets for the next three years. For the first time since the financial crash we have choices, because there is now headroom in our budget. That headroom is thanks to the fact that there are more people in work than ever before, and they are contributing in taxes.

We now have choices we can make. First, we have the ability to cut taxes, which we will already be doing this April. People will see more money coming into their bank accounts from this April onwards thanks to the fact that this Government have decided to reduce taxes for those on the basic rate and for those on the higher rate. We are also able to invest in public services. Because we have taken these difficult decisions, we have allowed the economy to grow. We have an opportunity to modernise government to make it sleeker and better value for the people it serves.

Mr Jim Cunningham (Coventry South) (Lab): On investing in public services, what is the right hon. Lady going to do to invest in local authorities so that they, in turn, can invest? Coventry is a good example. Coventry has encouraged small businesses, and we have the University

[Mr Jim Cunningham]

of Warwick science park and so forth. What is she doing to encourage local authorities to invest in their public services, as she knows that for the past few years that has been very difficult for local authorities, to say the least?

Elizabeth Truss: I was very glad to visit a successful business in the hon. Gentleman's constituency. I know that he is very committed to the development of business in his area. It is important that money spent is raised locally as far as possible. As a Government, we have rebalanced from central Government giving money to local government to more of that money being kept locally, whether through business rates retention or council tax. That is an important principle. However, we did recognise in the Budget that local authorities were under pressure. That is why we put in an extra £650 million, which can particularly be spent on adult social care and children's social care where there is pressure. Of course, we will look at that balance in the spending review.

At the moment, we have a complicated landscape in the support offered to business. When there is a complicated landscape, it can sometimes be the big businesses that know how to work the system that end up getting the money. We need to move to a system where we have lower taxes and it is clearer and simpler to see where the support is. Of course, we are also investing in the infrastructure that helps business to succeed, whether it is local roads, fibre or rail. Ahead of the spending review, I am making visits around the country to hear from people on the ground to understand what the public's priorities for public spending are. It can sometimes be easy in Whitehall to listen to the big lobby groups—the big organisations that have an operation here in Westminster—but I want to hear what people in Coventry and other places around the country think about what their priorities are. I have done a few of these sessions so far, and the topics that come up tend to be education, local roads, the NHS—for which we have already put in additional money—and police. We need very much to keep in mind what the public want to see our money spent on rather than just listening to the big organisations.

Simon Hoare (North Dorset) (Con): I am delighted to hear my right hon. Friend mention education. May I press her to consider the fact that in our rural areas the funding per pupil is still not as it should be by comparison with urban schools? We have a huge number of Victorian schools, such as that which I visited earlier in the week in Motcombe in my constituency, where the maintenance of the buildings costs far more. We are therefore looking, in the comprehensive spending review, for a long-term increase in new money to deliver the first-class education to grow the entrepreneurs who will return the investment that we put into their education while they were at school.

Elizabeth Truss: My hon. Friend makes a very good point about education funding and how important young people having a good education is to the future of the economy. In this year's spending review, we are looking not just at how investment in physical infrastructure like bridges and roads improves our economy, but at human capital—where we need to put in extra money to

make sure that children and young people leave school, university or an apprenticeship with the skills that will help them to get a good job and to live a successful and fruitful life. That is very important. In the past, Governments have been more interested in spending money on things that are sexy and new—the big new pieces of infrastructure—and maintenance has sometimes taken a back seat, but it is very important to make sure that all the existing assets we have, whether roads or schools, are fit for purpose. In the zero-based capital review, we are looking at the balance between maintenance and new infrastructure investment.

Matt Rodda (Reading East) (Lab): I thank the Chief Secretary for giving way. Has she had any discussions with the Children's Minister, who is currently considering the very relevant issue of investment in nursery schools, which is an obvious case of human capital investment as it has a considerable benefit for society after only a few years?

Elizabeth Truss: I have had discussions with my hon. Friend the Children's Minister. That is one reason why we put additional funding into children's services at the Budget. Part of the human capital review is looking at where we invest in education. As a country, we currently put more money into the later stages of education. There are laudable reasons for that, but we put more money equivalently into universities than secondary schools. We are looking at how to ensure that all children are getting the best possible start of life. There is a lot of evidence that the earlier the investment, the better.

I mentioned the zero-based capital review, which will look at all capital infrastructure to ensure that we are getting the most bang for our buck. That is an opportunity in 2019 to look afresh at our future projects and where the greatest impact can be made. We are also looking at opportunities to reform the way we do things in government. Housing is a good example. At the moment, we spend £34 billion on housing through the housing benefit budget and things such as the housing infrastructure fund and Help to Buy. My question is: by liberalising planning and making it easier to build, can we reduce costs for people looking to get on the housing ladder and at the same time reduce costs for the Government? We should not always assume that it is just about spending more money. We also need to think about how we reform things to do them better, to reduce the cost for people for whom housing is a big item on their household budget and to reduce the cost for the Government.

In summary, 2019 is going to be a huge year for our country. The economy and the public finances are on the right trajectory, but we are not complacent at the Treasury. We are looking very carefully at how every single pound is spent. We want it to be spent as much as possible on ensuring that everybody has access to a good start in life, that our core public services are provided and that we help companies and enterprises continue to deliver the economic growth that they have over the past few years.

5.13 pm

Peter Dowd (Bootle) (Lab): The Chief Secretary referred to the gnashing of teeth. The only gnashing of teeth going on in this country is by those people who cannot get access to a dentist because of her party's health policy. She talked about the Tories being the party of

business. She may well wish to have a word with the right hon. Member for Uxbridge and South Ruislip (Boris Johnson), who used an Anglo-Saxon phrase in relation to business—the second word was “off”, basically.

If education is so wonderful and marvellous and schools are in such a good state, how come headteachers marched on Downing Street and presented the largest petition about the condition of schools and education? The answer from the right hon. Lady is always more deregulation.

Elizabeth Truss indicated dissent.

Peter Dowd: That is what the right hon. Lady said in relation to planning law. It is deregulation—that is what it comes down to. However she wants to dress it up, it is deregulation. Deregulation has got this country into so much trouble in a whole range of areas, including banking and housing. Let us not hear any more about how deregulation is going to solve all the problems of the world. It will not.

After that, I would like to thank the Chief Secretary to the Treasury, and give credit where credit is due. In a speech given on 19 March, the Chief Secretary finally acknowledged that we will now

“throw off the constraints of the post-financial crash world”.

There it is: it is official. It was a financial crash world, not Labour’s crash. But better late than never—apology accepted.

We find ourselves in the absurd and surreal position of debating a motion to approve the Government’s programme of convergence with the EU at a time when the issue of Britain’s membership of the EU is about to bring down yet another Conservative Prime Minister, so the only convergence on the cards is the one between the Prime Minister and her P45. The theological obsession of the European Research Group, which is opposed to any convergence with reality in fact, has hamstrung the Brexit negotiations and left the majority over there—on the Government Benches—as spectators in an unfolding disaster of their own making.

Reflecting on the first time I spoke in the debate on the Government’s convergence programme with the EU, I recall it was just before the snap election in spring 2017. I am sure we all remember that. At the time, prominent newspapers ran headlines such as “Blue Murder” in the sure and certain belief that the Conservatives would wipe out the Labour party, or “Steel of the New Iron Lady”, comparing the Prime Minister to Margaret Thatcher.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): We’re still in government.

Peter Dowd: The hon. Gentleman says that they are still in government, but that is a complete and utter fantasy, and even his honourable colleagues all smiled and smirked at that particular one.

Those supine, oleaginous headlines in the newspapers are gone, along with the words that dare not speak their name, “Strong and stable”. Whatever happened to that? Just two years later, those same newspapers now call for the Prime Minister to resign, stating, “Time’s up, Theresa”. This sea change among the Tories’ biggest supporters in the press sums up the failures of this Government.

While we are on the maritime theme, the Environment Secretary could not even use the limited imagination he has to think up another metaphor, and resorted to the hackneyed one:

“It’s not time to change the captain of the ship”.

What an imagination!

The Prime Minister’s red lines and her intransigence and insistence on a deal that has little or no support in the country or in this House have led us to this crisis. This weekend, we had the ludicrous spectacle—the ludicrous spectacle—of Cabinet Ministers jostling to brief the press about her imminent departure and her would-be likely successor, only to be followed by quick recants and unconvincing oaths of loyalty. It is almost Shakespearian.

The Government’s motion is based on the economic forecast provided by the Office for Budget Responsibility and the Chancellor’s spring statement—what there was of it. I am sure all Members would agree that the work of Robert Chote and his staff at the OBR is indispensable in informing debate and offering an independent forecast of UK economy. *[Interruption.]* If the hon. Member for Solihull (Julian Knight) wants to intervene, he should feel free to do so, but perhaps he could stop muttering across the Chamber inane comments that nobody can hear and nobody understands, and I suspect he himself does not even understand what he is actually saying.

However, it is worrying that the OBR’s recent forecast continues to be based on the UK securing a Brexit deal, which the Chief Secretary did not even mention, and a smooth transition, which she did not mention, particularly at a time when the Prime Minister continues to keep the option of no deal on the table. It is still there; it has not been taken off. This assumption means that if the UK does leave without a deal or leaves with a poor deal, the OBR’s forecasts will be in serious need of revision.

Similarly, at the spring statement the Chancellor spoke again of this mythical Brexit “deal dividend” that the economy will receive once parliamentarians sign up to the Prime Minister’s deal. According to the Chancellor’s imagination—which is significantly more febrile than the Environment Secretary’s—this “deal dividend” will lead to an increase in the public coffers. However, the Chancellor’s claims have already been debunked by the Treasury Committee, which described the dividend as “not credible” and “not fully consistent” with his own fiscal rules—yes, the rules that keep changing.

Rather than the fantastical picture that the Chief Secretary to the Treasury seeks to paint for our EU partners, I will take the opportunity to outline the real state of the UK economy and the Government’s woeful record. That is where we hear the gnashing of teeth—woeful record. Under the Conservatives, we have faced nine years of politically instituted austerity, which has weakened our economy and pushed our public services to breaking point. The Government’s austerity programme has suppressed incomes by more than £3,600 per household, costing the economy £100 billion; yet austerity is far from over. The departmental spending review that the Chief Secretary mentioned—likely to report in the autumn, as she said—will see real-terms cuts for most Departments. I will sit down if the right hon. Lady would like to give us some more information on that one.

Elizabeth Truss: I would be happy to. It is a 1.2% increase in real terms.

Peter Dowd: I do not think that is correct. I am afraid we will have to look at those figures. We will see them and we will hold the Chief Secretary to account when she is at this Dispatch Box and I am at the Dispatch Box where she is now.

Matt Rodda: My hon. Friend makes a good point about the complete failure of the Government's austerity agenda. Earlier, the Chief Secretary mentioned nursery schools. Many school and nursery school heads are experiencing a continuing programme of austerity, which is actually due to get worse. She mentioned that she had a brief conversation with her colleague in the Education Department. *[Interruption.]* However long the conversation was, the message I have had from headteachers is quite to the contrary; actually, a very short stay of execution has been given, for just one year, when the headteachers I speak to in my Reading constituency need a long-term programme of sustainable investment in nursery schools, rather than warm words.

Peter Dowd: My hon. Friend is absolutely right. May I nip back to the point about the 1.2% increase, if I may beg your indulgence, Madam Deputy Speaker? The 1.2% is the overall increase. What will happen—*[Interruption.]* No; the reality is that some Departments will have major cuts in their budget.

Rachel Maclean (Redditch) (Con): The hon. Gentleman is referring to a number of figures that he claims show a hit to every taxpayer; but 32 million taxpayers have had their taxes reduced under this Government, so they are keeping more of what they earn and they are better off. How many of those 32 million people would see their taxes put up under his proposals, and how many would be poorer under his proposals?

Peter Dowd: I will pick up some of those points later.

The reality is that meanwhile, the Government have presided over the slowest recovery since the 1920s—stubborn fact. The OBR has revised down GDP growth, and business investment is now falling. Those are not my figures; they are the OBR's figures. What about wages? I will touch on the points that the hon. Member for Redditch (Rachel Maclean) raised. Real wages are still lower than they were a decade ago, and according to the OBR,

“average earnings growth remains below the rates typical before the financial crisis”.

These are real people's real lives—real wages are not going up. For many workers who have seen their wages stagnate, borrowing and debt has plugged the gap. Household debt relative to income is forecast to increase over the next few years.

What about transparency in Government spending? Long gone are the days when Tory Ministers hailed their Government as the most transparent in history—replaced by a culture of secrecy and a disregard for parliamentary convention that saw the Government held in contempt of Parliament for the first time in history. It is not a proud record to have.

Even on transactional issues, such as the regular and timely release of figures for departmental spending of over £25,000, the Government seem to have quietly backslid, in some cases releasing data series late, incomplete, or not at all. The question is: what are they hiding? The Chief Secretary has made much of the Government's

record on the deficit, yet the reality is that on her watch, and that of her predecessor, they have simply passed deficits on to our schools, our hospitals and our local councils, with departmental spending cuts of over £40 billion since 2010.

Mr Jim Cunningham: When we talk about more money being put into Departments, whether for education or the health service, we have to remember that any additional money starts from a lower base. The Government are partially replacing what they took out in the first place. People do not seem to understand that major point. They said that austerity was over, but we still have it. Yes, people are in jobs, but they are very low-paid jobs. That is not taking people out of poverty; that is keeping people in poverty. What interests me the most, however, is that nothing has been said about further education, which has had major cuts. If the Government want to continue with austerity, they have to do something about further education.

Peter Dowd: My hon. Friend has obviously been reading Labour's “Funding Britain's Future” document, in which we picked up on that particular point. The hon. Member for Redditch mentioned tax cuts. Try telling that to people who have had 15% and 16% rises in their council tax, because the Government have shunted that on to the people. They are still taxpayers. Try mentioning to them that they have fantastic local services, when increases to their council tax do not even cover social care bills.

The Chief Secretary has bragged about the so-called Tory jobs miracle. However, she made no mention in the speech of the fact that it is built on insecure work, low pay and regional disparities. We have nearly 4 million people in insecure work and nearly 3 million people working under 15 hours a week across the UK. Workers in the north-east earn around £200 less than those in London, reifying the regional imbalance.

Simon Hoare: I hate to shoot the hon. Gentleman's unicorn just as he has started to ride it, but 90% of new jobs created are full-time jobs. This is a total myth that his party keeps peddling. It belies the hard work, initiative and enterprise of the British people. Is it not time to stop misleading?

Peter Dowd: Try telling that to the 3 million people in insecure work. It is okay hon. Members jumping up and being outraged at the facts. The facts are stubborn, I completely grant them that. We are not living in the halcyon world that the hon. Member thinks we are living in. There are 3 million people living in insecure work. That is not acceptable in a modern society. The Chief Secretary has done nothing to help headteachers who having to close schools early or the 87 people a day dying while they are waiting for social care, or to assist the nurses, doctors, police officers, social workers, road sweepers, fire fighters, security services staff, civil servants or the back-office staff who keep all those services running day in, day out and night in, night out. Those are the so-called vested interests the Chief Secretary refers to in her regular speeches.

The Chief Secretary recently visited Felixstowe, Walsall and Tadcaster—commiserations to the people of Felixstowe, Walsall and Tadcaster. She said that people want “the local roads fixed and not to have to sit in a traffic jam.”

Well, the Government are in a big jam at the moment. She went on:

“They want a less crowded commute into work. They want the basics sorted.”

This is after nine years of Tory Government! Where has she been? Did she really have to ask that question? A report today highlights that there are 2 million potholes out there with a £10 billion backlog of repairs under the Tories. No wonder people are sitting in traffic jams—they cannot get through the road for potholes. That is the reality under the Tories. Anyone with a scintilla of awareness already knows the answer to that. The good people of north Lincolnshire were certainly aware of it when I was in Crowle on Saturday, campaigning to rid them of their useless Tory council with the excellent Labour candidates. They want the Transport Secretary to do his job, and they want the Chief Secretary to do hers.

What about productivity—another abysmal failure of Tory economic policy? Productivity remains weaker than in most other advanced economies. The fact is that the Government have failed to prepare the UK economy for the future. Britain’s infrastructure ranks behind that of Germany, France, the USA and Japan in terms of quality, and its rate of public investment is among the lowest in the OECD.

Elizabeth Truss: Is it not the case that in 1997 the Labour Government cancelled the road building programme?

Peter Dowd: Yes—to invest in public transport. We now have the Chief Secretary to the Treasury resorting to decisions made by a Labour Government two decades ago. That is how grim it has got for the Conservatives’ arguments—they are talking about something that happened 20 years ago.

Despite that, the Government have cut planned public sector investment. Their failure to negotiate a credible Brexit deal has already led to huge uncertainty, stifling investment and putting jobs at risk. Manufacturing is in recession; numerous employers have announced job losses; and businesses that rely on the EU supply chain have been left in confusion and despair—like most Government Members, who are in confusion and despair at the actions of the Prime Minister.

The internecine warfare within the Conservative party has paralysed the Government yet again, while the economy and many people’s livelihoods hang in the balance. It is affecting people’s livelihoods, manufacturing and business—more vested interests to be ridiculed and ignored by the Chief Secretary to the Treasury. All that while the Government are reporting to our EU partners that everything in the garden is rosy—no pun intended, Madam Deputy Speaker. Surely it is time for the Chief Secretary to acknowledge that the only Brexit that will gain majority support is Labour’s alternative plan: a permanent customs union, a strong relationship with the single market and full guarantees of workers’ rights and environmental protections.

The Government’s assessment of the UK economy is not based in reality. It does not account for the Conservatives’ catastrophic record of austerity, which continues to destroy our public services and suffocate the economy. It pays no regard to the Tory failure on wages, which remain lower than they were a decade ago. In addition to radio silence on productivity, there is little mention of the lack of public investment in our

infrastructure. In short, the Government’s assessment says far more about the ideological position of Tory Ministers and their insolvent ideas than it does about the actual economy. It says more about the hubris of a Government who have stayed in office well past their sell-by date and do not recognise the experiences of ordinary people.

In summary, economic growth stands at 1.2%; productivity is 35% below the Germans’; household debt as a proportion of income is set to rise from 139% to 143% by 2024; the national debt still stands at 82% of GDP—the Conservatives have doubled the national debt—and the deficit is £22.8 billion. That is the Conservative Government’s record after nine years of economic incompetence. That epitomises why the country needs a Labour Government that will put jobs and our economy first and invest to rebuild Britain for the many, not the few. I urge Members to reject the motion.

5.34 pm

Simon Hoare (North Dorset) (Con): It is a pleasure to follow the Chief Secretary to the Treasury.

Elizabeth Truss: Shadow.

Simon Hoare: I mean the shadow Chief Secretary. [*Laughter.*] Of, course, it is a pleasure to follow the Chief Secretary to the Treasury. It is a greater pleasure to follow her shadow, the emphasis being on the word “shadow”—it is sort of me and my shadow. I call him a friend; I think we get on pretty well when we have a gossip in the Tea Room. He is known for his great sense of humour, and it was deployed beautifully in his speech, which started as a serious attempt and then descended into some sort of 1890s music hall act slightly on its way out—rather like the Labour party and its economic manifesto. I am sorry he did not talk about the need to ring-fence anything in the Budget for the re-education of Treasury officials, which the little red book and Chairman Mao will doubtless be planning the curriculum for even as I speak.

I rise to make a few points to the Treasury Bench. This is a key time in our national economic affairs. The challenge/opportunity of Brexit, including the need for a deal to ensure an orderly withdrawal from the EU, will provide a fundamental foundation for maintaining economic growth and jobs, as my right hon. Friend referenced. From those jobs, of course, come the taxes that pay for the nurses, the doctors, the teachers, the roads and any other project the Government wish to support. We are approaching, if we have not already arrived at, that opportunity which comes with having fiscal headroom and permits choices to be made.

In the last few years—let us be frank—it has been economic management by necessity. We have been trying to deal with the task that we were bequeathed, not by choice, but which the electorate trusted the Conservative party to resolve. Treasury Ministers past and present deserve the nation’s thanks for facing into those difficult decisions. It is all too often characterised, sometimes by the hon. Member for Bootle (Peter Dowd) and his colleagues, as an ideological pursuit by the Conservative party that in some way engenders jollity and laughter. I believe that all politicians enter public office and service to improve lives and the lot of our constituents. More and more of our constituents, as they get older, look to

[Simon Hoare]

public services, and it should always be a matter of pride for a Conservative Government with a sound record of economic stewardship to deliver quality public services as efficiently as possible.

The end of the legacy of the crash and everything that flowed from it now provides that opportunity for choices. I would characterise those choices as needing the striking of a balance that is both sensitive and sophisticated. With my right hon. Friend the Chief Secretary and my right hon. Friend the Chancellor at the helm of the Treasury, I think we have both those characteristics, although I will not say which of them is sensitive and which is sophisticated—probably they will meld into the two. That is important, though, because we now have an opportunity to choose.

My right hon. Friend the Chief Secretary and I are very much children of the 1980s—our views and thoughts were shaped by the economic miracle that Mrs Thatcher and Geoffrey Howe worked—but we must appreciate that times have moved on. I am very struck by the fact that people in an earning bracket such that 25 or 30 years ago they would have looked to private health provision and education now look to and use state provision. I applaud that. I used the NHS. I had an operation at Dorchester last week, and I use my local education service—we have three girls in our local primary school. It is important to bear that in mind.

My right hon. Friend is right to point to the need for competitive taxation, whereby we can take people out of tax such that they have more money to spend, and it is absolutely right that our policies focus on those on the lowest incomes, but it is also right, in a fair and equitable society, that those who can should shoulder the burden, in a competitive way, to make sure we can deliver those services that people are looking for. I think it is too easy a prescription merely to say that we must pursue an agenda of tax cuts, as if British society had not evolved since 1985, 1986 or 1987. That is where the balance needs to be struck. It may be the balance between a liberal Tory and a more Thatcherite Tory—I do not know—but it needs to be struck.

As other Members have pointed out, as a result of a period of austerity we are now in a period in which the fiscal headroom allows for additional investment. The spring statement was helpful, and what my right hon. Friend the Chief Secretary has said about an average increase of 1.2% in departmental expenditure was also welcome. However, we would be foolish to ignore the fact that we are now having to claw our way back from a period in which spending has been—albeit quite justifiably—capped.

Any Member whose constituency contains a prison will notice that the fabric of the prison estate has deteriorated. Some people might say that that is a good thing because we are talking about prisoners, but I am inclined to think that if we are serious about bringing people back into society—the redemption strategy—we need to provide a satisfactory prison environment.

In an intervention on my right hon. Friend the Chief Secretary, I mentioned schools and the need for the long-term provision of new money in the comprehensive spending review. It is great that we are offering the widest and deepest range of free-at-the-point-of-use educational opportunities in our country, and when

T-levels come on stream, it will become even wider and even deeper, but it is folly to suggest that we can continue to provide that, and can make the necessary investment to deliver a happy, educated, productive next generation, with the fiscal envelope currently enjoyed by the Department for Education.

Matt Rodda: The hon. Gentleman is making an interesting and thoughtful speech. Has he considered the Government's policy of placing additional pension demands on schools in an unfunded way? If so, what does he think of it?

Simon Hoare: In an intervention on the shadow Chief Secretary, the hon. Gentleman referred to something that I am sure we have all heard from headteachers in our constituencies. Whether we are talking about national insurance, about pensions or about the demands of special educational needs, although increased DFE expenditure is going into most of our schools, it is nowhere near enough. We are asking schools to do more for more pupils with not quite as much money as they need. That is why I make the distinction. I welcome the increase, but new money is required, particularly as the range and the choice become wider and deeper.

I challenge anyone who represents a rural constituency, as I do, not to share my views on rural schools. I was delighted when the Chief Secretary took my point about the needs of maintenance. The costs of heating and running a whole estate of Victorian primary schools are greater than those in new build, perhaps in an urban setting, although that is not to say that there are no Victorian schools in urban settings. Such schools do not provide a good learning environment. Last month, I visited Motcombe primary school in my constituency. In a small classroom, one child is effectively being fried against a not particularly adequate heater, because the school does not have enough money to replace the heating system.

We must make a balanced judgment: we must aim to take those at the lowest end of the earning spectrum out of taxation, while also investing properly. We must strike that sensitive and sophisticated balance. My right hon. Friend was absolutely right: it is not just the big and sexy that we must consider, but schemes for local roads such as the C13 and the A350 in my constituency, and support for those who wish to remedy the rural broadband and mobile blackspots, which could become engines of economic growth and entrepreneurialism.

That takes me to my closing point, to which the hon. Member for Bootle alluded. Some of our recent debates appear to have pitted my party against the Government. I am sorry—I meant to say “against business”. [Laughter.] That was not a Freudian slip—or perhaps it was.

Business is the engine that generates the tax that delivers the services. We cannot have a hostile viewpoint; we cannot have a hostile environment for UK business to flourish. Without a flourishing business sector, without the freeing up of the entrepreneurial spirit that underpins the British character, the proceeds of growth—

Peter Dowd *rose*—

Simon Hoare: I am drawing to a conclusion.

We all want to see the proceeds of growth and the investment in our public services that is required.

5.45 pm

Alison Thewliss (Glasgow Central) (SNP): I beg to move amendment (a), in line 1, leave out from “House” to end, and add

“declines to approve for the purposes of section 5 of the European Communities (Amendment) Act 1993 the Government’s assessment of the medium term economic and fiscal position as set out in the latest Budget document and the Office for Budget Responsibility’s most recent Economic and Fiscal outlook and Fiscal Sustainability Report, because it does not contain detailed analysis of the impact of the Withdrawal Agreement and the Framework for the Future Relationship with the EU on the UK’s economic and fiscal position; and calls on the Government to publish an assessment containing that analysis immediately.”.

I was curious to hear the Chief Secretary to the Treasury start by saying she is so glad that this is the last statement she will ever have to make to the EU. I cannot agree, and the Scottish National party cannot agree either. It is surreal to be standing here days from the original day of departure from the EU attempting to fulfil this legal obligation as though things were business as usual. These past few days prove beyond any doubt that we could not be any further from business as usual in this House; we are absolutely through the looking glass. Events are developing every day around what kind of country we are going to be left with; there are grave concerns about the future from every aspect of civic society. So I certainly do not share the Chief Secretary’s optimism that there is a bright future ahead.

The Chief Secretary talked about young people. Young people are the most pro-EU group in this country, and it is their future that this Government want to take away, so shame on her for not recognising the limitations that young people will face when they want to set up businesses, when they want to trade with the EU, when they want to travel and advance their education and opportunities in life.

I do not wish by way of proposing the amendment to diminish the work that the Office for Budget Responsibility does. My colleagues on these Benches and I will always welcome efforts to make public accounts more transparent and independent. The OBR has conducted this analysis rightfully and properly within its remit, but unfortunately this is precisely the reason why the SNP cannot support the approval of this statement tonight: because the OBR can only make forecasts on the basis of stated Government policy regardless of whether the policy is likely to be achieved or, as the hon. Member for North Dorset (Simon Hoare) said, whether it is his party against the Government, or whether in fact the right hon. Member for West Dorset (Sir Oliver Letwin) is now the Prime Minister, because who knows? It is a Dorset thing; Dorset is leading the rebellion against their own Government. That is very interesting—and I see how happy the hon. Member for North Dorset is to be doing so. It is an absolute shambles when a Member who ought to be supporting the Government ends up leading the charge against them—although that is not at all uncommon these days; it is part of the whole madness of this Government.

The latest OBR fiscal sustainability report was published on 17 July 2018. It does not reflect the reality of the Prime Minister’s proposed deal, which was published much later, on 25 November 2018. In the OBR’s outline of the assumptions made in its economic and fiscal outlook, it is clear that the terms of the UK’s departure

from the EU are unclear and that there is “no meaningful basis” on which to predict the nature of the relationship between the UK and EU. That is the situation in which we have remained.

I checked and I have £3.52 in my purse and I would be as well throwing it down the stank as putting it on any outcome of the UK leaving the EU, so it would be an understatement to say that I could find it risky to endorse a fiscal spending plan based on one assumption of our future relationship with Europe. It is ludicrous for MPs to be asked to approve this motion without having any sight of any analysis of the Prime Minister’s deal. It is our job in this place as MPs to scrutinise the UK Government, but we are not being given the opportunity to do so effectively.

The Prime Minister has said that such an analysis of her deal does exist. She confirmed it in a letter to my colleague, the right hon. Member for Ross, Skye and Lochaber (Ian Blackford), so why will the Prime Minister not share the details of that analysis with the House? Is it because she knows, as we all know, that the economists are right and her deal will be bad for GDP, public finances and the living standards of all our constituents?

GDP growth has gone from being the highest in the G7 before the EU referendum to the lowest today. Imports have been slower than for other G7 countries, despite an unprecedented drop in the value of sterling, and it is interesting that for some time now the exchange rate on the cash machines at Glasgow airport, which I see when I come down to London every week, has been taken off, because nobody would take any money out if they saw how dreadful it was.

Inward and outward foreign direct investment have dropped, with some analysis suggesting that the drop in inward FDI is as much as 19% compared with a no-Brexit scenario, and we are starting to see job losses on a regular basis across these islands. It is no coincidence that this is happening. The Brexit job loss index says that more than 200,000 jobs have been lost already, without the UK having even left. In a no-deal scenario, Scotland can expect to lose 100,000 jobs, according to research by the Fraser of Allander Institute, which is based in my constituency. Speaking of my constituency, I recall hearing from a significant business there on Friday afternoon. It says that it is going down from a five-day week to a four-day week, that it has laid off temporary staff and that it is losing orders because of the uncertainty of this Government. It is unacceptable that businesses the length and breadth of these islands are being put into this position because of an internal dispute within the Tory party.

The OBR has not explicitly modelled the effects of a no-deal Brexit on the economy, but the London School of Economics has suggested that if the UK Government were to stick to their frankly unreasonable targets for reducing net migration, it would not be unreasonable to expect a long-term decline in output and productivity. The UK Government’s shambolic Brexit deal would also be hugely damaging, because EU nationals contribute hugely to our society and our economy. The Government’s aim to reduce the number of EU nationals here by 80% would have a massive impact on the UK’s economy, on population growth and, quite frankly, on our ability to survive as a country. The Government do not want poor people to have children—they have brought in the two-child limit—and they do not want people to come

[Alison Thewliss]

to this country and build their lives here, but we have an ageing population. Where do they think we are going to get the people from? I have absolutely no idea, and neither do they.

On top of all this, income inequality has risen since the Brexit vote to the extent that on two occasions the OBR could not predict the levels of tax that the Treasury was going to receive from the 1% in society. The tax windfall that the Chancellor is celebrating is not a sign that the economy performing well; it is a sign of deep-seated inequality, which is worsening under the UK Tory Government.

Peter Dowd: I am sure the hon. Lady is aware that, according to the Institute for Fiscal Studies, an extra £5 billion will be required to maintain services in line with population growth, along with an appropriate number of people to support those services.

Alison Thewliss: The hon. Gentleman makes an excellent point, and he is absolutely correct. Without people, the economy will falter. That is the economic reality.

The Resolution Foundation has said that the income tax take is up 8% so far this year, but that that is coming from the very highest earners. The wages at the bottom continue to stagnate. If the OBR cannot openly predict the short-term economic performance, it is unreasonable to ask the House to sign off on its guidance. It is more difficult now for families to survive on the money they have. Since the vote, the cost of bread is up 11%, the cost of butter is up 23% and the cost of milk is up 11%—and we still have not left the EU. If people cannot afford to put bread and butter on the table, this economy is heading for the drain.

It is a well-established fact that Scotland did not vote for or particularly want to leave the EU. I checked just before I stood up to speak, and 13,920 of my constituents have now signed the petition to revoke article 50. The Prime Minister has consistently ignored attempts by the Scottish Parliament to find any kind of compromise solution, such as staying in the customs union and the single market, which would limit the damage of this hard Tory Brexit. If she wants to drag Scotland out of the EU against its will, she should have the bottle to come to this House and present the analysis that she says exists. She should have the courage to tell people that it will cost jobs and businesses and that she cannot make guarantees about the future.

If the Prime Minister does not believe that her Brexit deal can stand up to scrutiny in this House, the UK Government need to face up to reality and ditch Brexit altogether by revoking article 50. They are throwing good money after bad on no-deal planning, on fridges, on staged traffic jams and on botched ferry contracts, when they could be spending that money on lifting the awful austerity cuts that we have seen over the past nine years. The Chief Secretary to the Treasury talks about going round the country and listening to people's public spending priorities, but I bet none of them talked about spending £33 million on Eurotunnel due to the shambles created by the Secretary of State for Transport, or about the £1 billion to bribe the Democratic Unionist party in an attempt to keep the Government in power.

Day after day in my constituency, I see the impact of this Government's callous approach to cost-cutting. I see the benefits freeze, which is expected to cost families £800 a year, on top of the £900 a year that the Bank of England says Brexit is already costing every family. I see the two-child policy, which leaves families nearly £3,000 a year worse off if they have a third child and which makes a woman with three children on a 16-hour contract work the equivalent of 45 hours to make up the difference. I also see the thousands of pounds a year being lost by the WASPI women who are no longer entitled to their side of the pension bargain, having had their pensions cruelly stolen by previous Governments and by this one as well. How can any Minister look the population in the eye and say, "There is no money for you," when the Government are asking us to sign a blank cheque for a hard Brexit?

I am a lifelong campaigner for Scottish independence and scarcely have I seen a clearer case for it than the shambles of the Conservatives and the incompetence of the Labour party in opposing them. The UK Government's incompetence is changing hearts and minds all over Scotland on the merits of independence, and I hope that there will soon be an opportunity for the people of Scotland to take matters into their own hands.

5.55 pm

Sir Edward Leigh (Gainsborough) (Con): I rise to support the Chief Secretary to the Treasury, who is rather a heroine and is leading a one-woman campaign to try to keep public spending down. It is all very well to call for more public spending—I use the NHS exclusively and value the work of those who care for me and my family—but only patients would suffer were we dramatically to increase health spending in line with Labour party policy. There would be a dramatic decline in productivity and no obvious increase in good healthcare.

The shadow Chief Secretary to the Treasury spoke for nearly 20 minutes, but it was interesting that there was little about the Labour party's plans. Although this Parliament is staring at the detail of the various Brexit solutions, all the various outcomes pale into insignificance compared with the threat posed to this country by a Government led by the Leader of the Opposition. Conservative Members of Parliament need to point the finger again and again at what will happen if this Government go and the Labour party takes over under its present management. One cannot meet a Labour MP who does not say in private that they are scared stiff by a Government led by the Leader of the Opposition.

What would happen if the present Leader of the Opposition took over? I predict that there would a few months of dramatic spending increases and everybody would be happy. In the end, however, the country and the economy would be crashed. Let us remember that the present Leader of the Opposition execrated the Governments led by Tony Blair and Gordon Brown, saying that they were right-wing stooges of capitalism, and he is the man who now wants to lead us on what would be the road to ruin. He would open the gates and unleash mass immigration. In the end, we would not have a better health service, better education or better investment; we would have only economic chaos and mismanagement.

Conservative Members must look laser-like at the alternatives, but we also have to put our own house in order. My advice to my hon. Friends is, frankly, to get

on with Brexit and to vote for the Prime Minister's deal. The economic clouds would lift; the pound would shoot up; and investment would increase. The Government could then carry on to the next general election, when we could really put the spotlight where it needs to be: on the disaster that would befall this country if the shadow Chief Secretary gets anywhere near power.

5.58 pm

Colin Clark (Gordon) (Con): I am glad to rise to support my right hon. Friend the Chief Secretary to the Treasury. I serve on the Treasury Committee, and it is a pleasure to follow my right hon. Friend the Member for Gainsborough (Sir Edward Leigh), who is so optimistic. I am also glad to follow the hon. Member for Glasgow Central (Alison Thewliss), who always speaks from the heart.

Do Labour Members and SNP Members welcome the fact that, despite their concerns about Brexit, *Forbes* recognises the UK as the No. 1 place to do business? The UK is currently the second highest location for inward investment in the world and the highest in Europe. The market believes that the UK has a future after Brexit; Opposition Members do not.

Alison Thewliss: Does the hon. Gentleman not agree that there is no deal as good as the deal that the UK currently has as an EU member state?

Colin Clark: I do not agree with that, actually. The Treasury Committee has discussed the fact that the UK has the highest employment growth in Europe, which is an inexplicable miracle. Mark Carney, the Governor of the Bank of England, could not explain why it is happening. This country is a jobs miracle because this Government believe in private enterprise. Opposition Members do not believe in private enterprise. They believe in the crushing hand of the state, which damages business and does not build it up.

In my constituency, we have 1.2% unemployment. We have the highest employment levels we have ever had. The oil and gas industry expects £200 billion-worth of future investment because it is optimistic about business. This Government's Treasury is supporting the oil and gas industry and backing much of the fiscal policy that is making this the most attractive place to do business.

This is so difficult because the Opposition parties simply cannot get their heads around the Conservatives being the party that supports aspiration, which is instinctively what we do. Many Conservative Members are, like me, self-made businessmen. We are the party of enterprise, and I am living proof of that enterprise.

Several hon. Members *rose*—

Colin Clark: We are the party of optimism and, on the subject of optimism, I will let a pessimist speak up.

David Linden (Glasgow East) (SNP): The hon. Gentleman spoke earlier about the UK's high ranking in *Forbes* magazine. Can he tell us how the UK rates on food bank usage?

Colin Clark: That is the difference between the hon. Gentleman and me, because I consider the fact there are food banks to support people to be an example of

charitableness. I want to celebrate the success of this country, not the failure, and it is the Conservative party that will make sure this country is a success.

Stewart Malcolm McDonald (Glasgow South) (SNP): Will the hon. Gentleman give way?

Colin Clark: I will finish, because we are running out of time.

We are the party of opportunity, and they are the parties that would destroy opportunity. We are the party that wants to support everyone in society and give people a hand up, and they are the parties that would crush people with taxation. It is interesting that the hon. Member for Glasgow Central mentioned the OBR and taxation, because it was the OBR that recognised that the differential in taxation will damage the Scottish economy—and that was the Scottish Government's choice.

This is a Conservative party building the economy, and the socialist parties on the Opposition Benches would crush the United Kingdom economy as we leave. I support the motion.

Question put, That the amendment be made.

The House proceeded to a Division.

Madam Deputy Speaker (Dame Eleanor Laing): I ask the Serjeant at Arms to investigate the delay in the No Lobby.

The House having divided: Ayes 288, Noes 309.

Division No. 377]

[6.2 pm

AYES

Abbott, rh Ms Diane	Cadbury, Ruth
Abrahams, Debbie	Cameron, Dr Lisa
Ali, Rushanara	Campbell, rh Sir Alan
Allen, Heidi	Carden, Dan
Allin-Khan, Dr Rosena	Carmichael, rh Mr Alistair
Amesbury, Mike	Champion, Sarah
Antoniazzi, Tonia	Chapman, Douglas
Ashworth, Jonathan	Chapman, Jenny
Bailey, Mr Adrian	Charalambous, Bambos
Bardell, Hannah	Cherry, Joanna
Barron, rh Sir Kevin	Clwyd, rh Ann
Benn, rh Hilary	Coaker, Vernon
Berger, Luciana (<i>Proxy vote</i> <i>cast by Mr Chris Leslie</i>)	Coffey, Ann
Betts, Mr Clive	Cooper, Julie
Black, Mhairi	Cooper, Rosie
Blackford, rh Ian	Cooper, rh Yvette
Blackman, Kirsty	Corbyn, rh Jeremy
Blackman-Woods, Dr Roberta	Cowan, Ronnie
Blomfield, Paul	Coyle, Neil
Brabin, Tracy	Crausby, Sir David
Bradshaw, rh Mr Ben	Crawley, Angela
Brake, rh Tom	Creagh, Mary
Brennan, Kevin	Creasy, Stella
Brock, Deidre	Cruddas, Jon
Brown, Alan	Cryer, John
Brown, Lyn	Cummins, Judith
Brown, rh Mr Nicholas	Cunningham, Alex
Bryant, Chris	Cunningham, Mr Jim
Buck, Ms Karen	Daby, Janet
Burden, Richard	Dakin, Nic
Burgon, Richard	Davey, rh Sir Edward
Butler, Dawn	David, Wayne
Byrne, rh Liam	Davies, Geraint
Cable, rh Sir Vince	Day, Martyn
	De Cordova, Marsha

De Piero, Gloria
 Debbonaire, Thangam
 Dent Coad, Emma
 Dhesi, Mr Tanmanjeet Singh
 Docherty-Hughes, Martin
 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
 Farrelly, Paul
 Farron, Tim
 Fitzpatrick, Jim
 Fletcher, Colleen
 Flint, rh Caroline
 Fovargue, Yvonne
 Foxcroft, Vicky
 Frith, James
 Furniss, Gill
 Gaffney, Hugh
 Gapes, Mike
 Gardiner, Barry
 George, Ruth
 Gethins, Stephen
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Margaret
 Griffith, Nia
 Grogan, John
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hanson, rh David
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Sir Mark
 Hendry, Drew
 Hepburn, Mr Stephen
 Hermon, Lady
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hosie, Stewart
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Diana
 Jones, Darren
 Jones, Gerald

Jones, Graham P.
 Jones, Helen
 Jones, rh Mr Kevan
 Jones, Sarah
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Laird, Lesley
 Lake, Ben
 Lamb, rh Norman
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lee, Karen
 Leslie, Mr Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, Mr Ivan
 Linden, David
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Malhotra, Seema
 Mann, John
 Marsden, Gordon
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 McCabe, Steve
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McMahon, Jim
 McMorris, Anna
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Newlands, Gavin
 Norris, Alex
 O'Hara, Brendan
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Peacock, Stephanie
 Pearce, Teresa
 Pennycook, Matthew
 Phillips, Jess
 Phillipson, Bridget

Pidcock, Laura
 Platt, Jo
 Pollard, Luke
 Powell, Lucy
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Robinson, Mr Geoffrey
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Russell-Moyle, Lloyd
 Ryan, rh Joan
 Saville Roberts, rh Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Siddiq, Tulip (*Proxy vote cast
by Vicky Foxcroft*)
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Angela
 Smith, Cat
 Smith, Eleanor
 Smith, Jeff
 Smith, Laura
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Soubry, rh Anna

Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeter, Wes
 Stringer, Graham
 Sweeney, Mr Paul
 Swinson, Jo
 Tami, rh Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, Valerie
 Walker, Thelma
 Watson, Tom
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Wollaston, Dr Sarah
 Zeichner, Daniel

Tellers for the Ayes:
Marion Fellows and
Patrick Grady

NOES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Austin, Ian
 Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, rh Stephen
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Braverman, Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen

Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Mims
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 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 Frank
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddridge, James
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, rh Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, rh Sir Edward
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria

Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 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
 Ross, Douglas (*Proxy vote
 cast by Tracey Crouch*)
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok

Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 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
 Thomas, Derek
 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
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Zahawi, Nadhim

Tellers for the Noes:
Wendy Morton and
Iain Stewart

Question accordingly negated.

Main Question put.

The House divided: Ayes 309, Noes 292.

Division No. 378]

[6.20 pm

AYES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 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
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Braverman, Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Mims
 Davis, rh Mr David
 Dinéage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, 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 Frank
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy
 Hurd, rh Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, Dr Caroline

Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, rh Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pngelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew

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
 Ross, Douglas (*Proxy vote
 cast by Tracey Crouch*)
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 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
 Thomas, Derek
 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
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather

Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, rh Sammy
Wood, Mike

Wragg, Mr William
Zahawi, Nadhim

Tellers for the Ayes:
Wendy Morton and
Iain Stewart

NOES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Allen, Heidi
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniazzi, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Sir Kevin
Benn, rh Hilary
Berger, Luciana (*Proxy vote*
cast by Mr Chris Leslie)
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Cherry, Joanna
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crausby, Sir David
Crawley, Angela
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim

Daby, Janet
Dakin, Nic
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Debbonaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
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
Farrelly, Paul
Farron, Tim
Fellows, Marion
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Fovargue, Yvonne
Foxcroft, Vicky
Frith, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue

Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hepburn, Mr Stephen
Hermon, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hosie, Stewart
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Linden, David
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian

Miliband, rh Edward
Monaghan, Carol
Moon, Mrs Madeleine
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Newlands, Gavin
Norris, Alex
O'Hara, Brendan
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, Ellie
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Ryan, rh Joan
Saville Roberts, rh Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Siddiq, Tulip (*Proxy vote cast*
by Vicky Foxcroft)
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, Angela
Smith, Cat
Smith, Eleanor
Smith, Laura
Smith, Nick
Smith, Owen
Smyth, Karin
Snell, Gareth
Sobel, Alex
Soubry, rh Anna
Spellar, rh John
Starmar, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Stringer, Graham
Sweeney, Mr Paul
Swinson, Jo
Tami, rh Mark
Thewliss, Alison
Thomas, Gareth

Thomas-Symonds, Nick
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine
Western, Matt

Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Williamson, Chris
Wilson, Phil
Wishart, Pete
Wollaston, Dr Sarah
Zeichner, Daniel

Tellers for the Noes:
Bambos Charalambous and
Jeff Smith

Question accordingly agreed to.

Resolved,

That this House approves, for the purposes of Section 5 of the European Communities (Amendment) Act 1993, HM Government's assessment of the medium term economic and fiscal position as set out in the latest Budget document and the Office for Budget Responsibility's most recent Economic and Fiscal Outlook and Fiscal Sustainability Report, which forms the basis of the United Kingdom's Convergence Programme.

Mr Speaker: I have to inform the House of a correction to the result of the Division held earlier today on amendment (a) to Lords amendment 23 to the Offensive Weapons Bill. The number of Members voting in the No Lobby was 308, as previously announced, but the number of Members who represent constituencies in England or Wales and who voted No was 286, not 285. There is no change to the outcome of the Division.

Business without Debate

DELEGATED LEGISLATION

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

EXITING THE EUROPEAN UNION (SEA FISHERIES)

That the draft Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 17 January, be approved.—(*Mike Freer.*)

Question agreed to.

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

EXITING THE EUROPEAN UNION (AQUACULTURE)

That the draft Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 13 February, be approved.—(*Mike Freer.*)

The House divided: Ayes 304, Noes 275.

Division No. 379]

[6.36 pm

AYES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
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
Berry, Jake
Blackman, Bob

Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Mims
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, rh Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Evans, Mr Nigel
Evennett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Frank
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Frazer, Lucy
Freeman, George

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

Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, rh Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 Masterton, Paul
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Moore, Damien
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 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
 Ross, Douglas (*Proxy vote cast by Tracey Crouch*)
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 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
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wood, Mike
 Wragg, Mr William
 Zahawi, Nadhim

Tellers for the Ayes:
 Wendy Morton and
 Iain Stewart

NOES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Bailey, Mr Adrian
 Bardell, Hannah
 Barron, rh Sir Kevin
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Blomfield, Paul
 Brabin, Tracy
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Butler, Dawn
 Byrne, rh Liam
 Cable, rh Sir Vince
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Sir Alan
 Carden, Dan
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Cherry, Joanna
 Clwyd, rh Ann
 Coaker, Vernon
 Cooper, Julie
 Cooper, Rosie
 Cooper, rh Yvette
 Cowan, Ronnie
 Coyle, Neil
 Crausby, Sir David
 Crawley, Angela
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Daby, Janet
 Dakin, Nic
 Davey, rh Sir Edward
 David, Wayne
 Day, Martyn
 De Cordova, Marsha
 De Piero, Gloria
 Debbonaire, Thangam
 Dent Coad, Emma
 Dhesi, Mr Tanmanjeet Singh
 Docherty-Hughes, Martin
 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
 Farrelly, Paul
 Farron, Tim
 Fellows, Marion
 Fitzpatrick, Jim
 Fletcher, Colleen
 Flint, rh Caroline
 Fovargue, Yvonne
 Foxcroft, Vicky
 Frith, James
 Furniss, Gill
 Gaffney, Hugh
 Gardiner, Barry
 George, Ruth
 Gethins, Stephen
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Grogan, John
 Gwynne, Andrew
 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
 Hepburn, Mr Stephen
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hosie, Stewart
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Diana
 Jones, Darren
 Jones, Gerald
 Jones, Graham P.
 Jones, Helen
 Jones, rh Mr Kevan
 Jones, Sarah
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz

Khan, Afzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Karen
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Linden, David
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorris, Anna
Mearns, Ian
Miliband, rh Edward
Monaghan, Carol
Moon, Mrs Madeleine
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Newlands, Gavin
Norris, Alex
O'Hara, Brendan
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, Ellie
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Siddiq, Tulip (*Proxy vote cast by Vicky Foxcroft*)

Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, Cat
Smith, Eleanor
Smith, Laura
Smith, Nick
Smith, Owen
Smyth, Karin
Snell, Gareth
Sobel, Alex
Spellar, rh John
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Stringer, Graham
Sweeney, Mr Paul
Swinson, Jo
Tami, rh Mark
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Twigg, Stephen
Twist, Liz
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Williamson, Chris
Wilson, Phil
Wishart, Pete
Zeichner, Daniel

Tellers for the Noes:

**Jeff Smith and
Bambos Charalambous**

Mr Speaker: With the leave of the House, I propose to take motions 10 to 26, all appertaining to exiting the European Union, but covering sea fisheries, animals, a plentiful supply on agriculture, matters relating to the health service and to health and personal social services, and one on customs, together.

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

EXITING THE EUROPEAN UNION (SEA FISHERIES)

That the draft Common Fisheries Policy (Amendment etc.) (EU Exit) (No. 2) Regulations 2019, which were laid before this House on 28 February, be approved.

EXITING THE EUROPEAN UNION (ANIMALS)

That the draft Livestock (Records, Identification and Movement) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 10 January, be approved.

EXITING THE EUROPEAN UNION (AGRICULTURE)

That the draft Common Organisation of the Markets in Agricultural Products Framework (Miscellaneous Amendments, etc.) (EU Exit) Regulations 2019, which were laid before this House on 13 February, be approved.

That the draft Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments) (EU Exit) Regulations 2019, which were laid before this House on 14 February, be approved.

That the draft Agriculture (Legislative Functions) (EU Exit) (No. 2) Regulations 2019, which were laid before this House on 13 March, be approved.

That the draft Food and Farming (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 11 March, be approved.

That the draft Market Measures (Marketing Standards) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 13 February, be approved.

That the draft Market Measures Payment Schemes (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 13 February, be approved.

That the draft Market Measures (Miscellaneous Provisions) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 13 February, be approved.

That the draft Agriculture (Legislative Functions) (EU Exit) Regulations 2019, which were laid before this House on 4 March, be approved.

That the draft Common Agricultural Policy (Financing, Management and Monitoring) (Miscellaneous Amendments) (EU Exit) Regulations 2019, which were laid before this House on 13 February, be approved.

That the draft Common Agricultural Policy (Financing, Management and Monitoring Supplementary Provisions) (Miscellaneous Amendments) (EU Exit) Regulations 2019, which were laid before this House on 13 February, be approved.

That the draft Common Agricultural Policy and Agriculture and Horticulture Development Board (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 21 January, be approved.

EXITING THE EUROPEAN UNION (HEALTH SERVICES)

That the draft Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 11 February, be approved.

EXITING THE EUROPEAN UNION (NATIONAL HEALTH SERVICE)

That the draft National Health Service (Cross-Border Healthcare and Miscellaneous Amendments etc.) (EU Exit) Regulations 2019, which were laid before this House on 11 February, be approved.

Question accordingly agreed to.

EXITING THE EUROPEAN UNION (HEALTH AND PERSONAL SOCIAL SERVICES)

That the draft Health Services (Cross-Border Health Care and Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019, which were laid before this House on 11 February, be approved.

EXITING THE EUROPEAN UNION (CUSTOMS)

That the draft Trade etc. in Dual-Use Items and Firearms etc. (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 4 March, be approved.—(*Mike Freer.*)

Question agreed to.

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

EXITING THE EUROPEAN UNION (CUSTOMS)

That the draft Customs Safety and Security Procedures (EU Exit) Regulations 2019, which were laid before this House on 27 February, be approved.—(*Mike Freer.*)

The House divided: Ayes 302, Noes 283.

Division No. 380]

[6.50 pm

AYES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
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
Berry, Jake
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Brady, Sir Graham
Braverman, Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Cartledge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Churchill, Jo
Clark, Colin
Clark, rh Greg

Clarke, rh Mr Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Mims
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
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

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

Kwarteng, Kwasi
Lamont, John
Lancaster, rh Mark
Latham, Mrs Pauline
Leadsom, rh Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, rh Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Little Pngelly, Emma
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
Maynard, Paul
McLoughlin, rh Sir Patrick
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, rh Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Mundell, rh David
Murray, Mrs Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O'Brien, Neil
Offord, Dr Matthew
Paisley, Ian
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
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
 Ross, Douglas (*Proxy vote cast by Tracey Crouch*)
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 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
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wood, Mike
 Wragg, Mr William
 Zahawi, Nadhim

Tellers for the Ayes:
Wendy Morton and
Iain Stewart

NOES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Allen, Heidi
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Bailey, Mr Adrian
 Bardell, Hannah
 Barron, rh Sir Kevin
 Benn, rh Hilary
 Berger, Luciana (*Proxy vote cast by Mr Chris Leslie*)
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Blomfield, Paul
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Butler, Dawn
 Byrne, rh Liam

Cable, rh Sir Vince
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Sir Alan
 Carden, Dan
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Cherry, Joanna
 Clwyd, rh Ann
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Cooper, Rosie
 Cooper, rh Yvette
 Cowan, Ronnie
 Coyle, Neil
 Crausby, Sir David
 Crawley, Angela
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Daby, Janet
 Dakin, Nic
 Davey, rh Sir Edward
 David, Wayne
 Davies, Geraint
 Day, Martyn
 De Cordova, Marsha

De Piero, Gloria
 Debbonaire, Thangam
 Dent Coad, Emma
 Dhesi, Mr Tanmanjeet Singh
 Docherty-Hughes, Martin
 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
 Farrelly, Paul
 Farron, Tim
 Fellows, Marion
 Fitzpatrick, Jim
 Fletcher, Colleen
 Flint, rh Caroline
 Fovargue, Yvonne
 Foxcroft, Vicky
 Frith, James
 Furniss, Gill
 Gaffney, Hugh
 Gapes, Mike
 Gardiner, Barry
 George, Ruth
 Gethins, Stephen
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Grogan, John
 Gwynne, Andrew
 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
 Hepburn, Mr Stephen
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hosie, Stewart
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, Diana
 Jones, Darren

Jones, Gerald
 Jones, Graham P.
 Jones, Helen
 Jones, rh Mr Kevan
 Jones, Sarah
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Laird, Lesley
 Lake, Ben
 Lamb, rh Norman
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lee, Karen
 Leslie, Mr Chris
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lewis, Mr Ivan
 Linden, David
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Malhotra, Seema
 Mann, John
 Marsden, Gordon
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 McCabe, Steve
 McCarthy, Kerry
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McMahon, Jim
 McMorris, Anna
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Newlands, Gavin
 Norris, Alex
 O'Hara, Brendan
 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, Ellie
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Robinson, Mr Geoffrey
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Russell-Moyle, Lloyd
 Ryan, rh Joan
 Saville Roberts, rh Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Siddiq, Tulip (*Proxy vote cast
 by Vicky Foxcroft*)
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Angela
 Smith, Cat
 Smith, Eleanor
 Smith, Laura
 Smith, Nick
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex

Soubry, rh Anna
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Stringer, Graham
 Sweeney, Mr Paul
 Swinson, Jo
 Tami, rh Mark
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Turner, Karl
 Twigg, Derek
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, Valerie
 Walker, Thelma
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Wollaston, Dr Sarah
 Zeichner, Daniel

Tellers for the Noes:
Jeff Smith and
Bambos Charalambous

Question accordingly agreed to.

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

EXITING THE EUROPEAN UNION (CUSTOMS)

That the draft Cash Controls (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 27 February, be approved.—(*Mike Freer.*)

Question agreed to.

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

EXITING THE EUROPEAN UNION (CUSTOMS)

That the draft Customs (Economic Operators Registration and Identification) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 27 February, be approved.—(*Mike Freer.*)

Question agreed to.

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

EXITING THE EUROPEAN UNION (PUBLIC PASSENGER TRANSPORT)

That the draft Common Rules for Access to the International Market for Coach and Bus Services (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 26 February, be approved.—(*Mike Freer.*)

Question agreed to.

Bereavement Counselling

Motion made, and Question proposed, That this House do now adjourn.—(Mike Freer.)

7.4 pm

Matt Warman (Boston and Skegness) (Con): “You have a lot of misfortune in your family.” Those, Mr Speaker, are the words that a registrar spoke to me when I registered the death of my mother, who died 20 years ago today, aged 53. Kind, compassionate, understated, he said them because just six weeks previously I had registered the death of my father.

I was, Mr Speaker, 27. I was not a child, but I was, I think, too young to know how to bear some of the sadness that I felt in 2009. Some people have, by the age of 27, borne far more emotion: they have married, had families, served and sometimes died for their countries, and in many instances they have also buried both their parents. However, 27 is young to be an orphan in the western world. I struggled to admit it then and I struggle to admit it now, but I found it impossibly hard. I should have looked for help, because grief makes us all angry, irrational, upset and difficult.

Perhaps too many of us in the House think that that strength is incompatible with weakness. Perhaps too many of us are stubborn. It is often said that that which does not kill us makes us stronger; perhaps that which kills those closest to us can make us stronger still, but few can do it on their own. In this Adjournment debate, I want simply to say to those who struggle with the loss of loved ones—and even the loss of close family members who are not so obviously loved—that there is already help out there, and to say, “You are strongest when you take it up, and go to the doctor or just talk to friends.” However, it is also true that more can be done by the Government and by others.

This week, we celebrate Mother’s Day. Mothers up and down the country will be appreciated through cards, breakfast in bed, and often questionable artwork from their children. For some, though—myself included—that day is a reminder of what we have lost. To use the modern jargon, it is a trigger. I thank you, Mr Speaker, for letting my personal circumstances have some influence on the parliamentary calendar. Changing it seems to be all the rage at the moment, but you know that MPs are surely at their best when we draw on our personal experiences.

The coming of Mother’s Day gives this debate a broader relevance, because I also want to raise the question of what more we can do in government to support those who have been bereaved, and how we can encourage wider society to make small, seemingly insignificant changes that can prevent immense upset for so many people. The bereavement charity Cruse currently claims on its home page that it can “help this Mother’s Day”, and that is hugely welcome, but such is the volume that the charity has suspended its email help service, and its phone lines are not open 24/7. It takes more than charity to tackle bereavement; it takes society, in all its little family platoons.

The Government have done great work in introducing bereavement counselling for parents who lose children, thanks in part to my hon. Friends the Members for Colchester (Will Quince) and for Eddisbury (Antoinette Sandbach), as well as other Members on both sides of

[*Matt Warman*]

the House. I am not calling for a similar kind of bereavement leave for everyone, because businesses, in truth, are largely respectful, and they are also hugely varied. However, I know from personal experience that many people do not feel the true impact of their loss for weeks, months, or even, in some instances, years after the person whom they have loved has passed away. Often they are in shock or trying to be strong for others, and that is on top of all the mundane considerations that have to be dealt with in such circumstances.

Paul Scully (Sutton and Cheam) (Con): My hon. Friend is making an incredibly powerful speech, and I know how proud his parents would have been to witness him doing so. I know about the delay that he has mentioned. My father died 30 years ago this year, of mesothelioma, and I remember reading my mother's diary, in which she was crying out for help nine months later. It is incumbent on us to recognise that delay, and I appreciate everything that my hon. Friend is saying.

Matt Warman: I thank my hon. Friend for that intervention, and that is why in some ways I am calling on the Government to have ongoing support for those who are recently bereaved and an open-ended offer of counselling on the NHS which can be accessed when they are ready, not at the easiest point for the NHS.

Jim Shannon (Strangford) (DUP): I also commend the hon. Gentleman on securing this debate and telling his own personal story. Across the United Kingdom of Great Britain and Northern Ireland one in four people suffers from mental health issues, and many of them are a result of the grief from someone close to them leaving, especially when that is sudden. Early intervention is key, and I would like the Minister to respond on that. Does the hon. Member for Boston and Skegness (*Matt Warman*) agree that we should have early intervention through the use of Cruse and perhaps other groups—I am thinking of church groups and ministers who are on call if needed?

Matt Warman: I thank the hon. Gentleman for his intervention, and I agree with him and will mention that issue in a few moments.

There should be a dedicated mental health helpline provided through the NHS, which under the long-term plan will be accessed via 111. It is important that there is an understanding within that that bereavement for a long time is an exacerbating factor in loneliness, suicide and more; it is a red flag that should be recorded for a long time.

The importance of such ongoing support cannot be overstated. We have spoken in this House many times about the tragedy of the rise in male suicide; while things are improving there is still a huge stigma around men feeling unable to open up and show their emotions—although I am hopefully doing all right today.

This is why it is particularly important to normalise the support around bereavement, and we must not leave it solely to those affected to reach out to organisations such as the Samaritans or Cruse. That registrar who I spoke to 10 years ago should have been trained to offer a signpost—although I confess that if he was or if he did I was in no state to listen—and the NHS and our

volunteering strategy should include better plans to encourage more people to train as volunteer bereavement friends and counsellors, as in the hugely valuable work we see with Dementia Friends, or, as Sue Ryder has called them, the bereavement “first aiders”.

Victoria Prentis (Banbury) (Con): My hon. Friend is making a fantastic speech and a series of good points. I am not at all ashamed to say that I had bereavement counselling when my son died, and I cannot see why anyone would not; we go to the doctor when we are feeling unwell, and of course we go to the bereavement counsellor when we need help with grief. Does my hon. Friend agree that it is very important that we normalise this?

Matt Warman: I absolutely agree.

There is also a role for us to play in opening up the debate and shining light on steps outside organisations can take to make bereavement in general more bearable, but also, on the theme of this debate, to make Mother's Day or Father's Day less difficult for those who have experienced loss.

Susan Elan Jones (Clwyd South) (Lab): I wonder if there may be a role for funeral directors in this, given the links they have with families. I congratulate the hon. Gentleman on his moving speech.

Matt Warman: I thank the hon. Lady for her kind words. The Co-op has done interesting and very valuable work on this, and the Department can put some of these initiatives together.

One interesting example I would like to see introduced across the board is the new policy from an online flower company called Bloom & Wild. It has given customers the opportunity to opt out of Mother's Day emails as it recognises that it can be a very sensitive time for some. If other companies were to follow suit, the dread—and I do mean dread—around this day might be mitigated for many people. I personally do not feel, for whatever reason, the same dread about Father's Day marketing, but obviously it should be treated equally in case anyone is worried. Organisations such as the Advertising Standards Authority could perhaps make this part of a voluntary code around data. I am not a Tory asking for some enormous nanny state. I am saying that providing another tick box for when people sign up for yet more emails would be kind. Companies bang on about corporate social responsibility all the time, so why not try this?

This debate is important to me for three reasons. Yes, this is a sad anniversary, but I am lucky to have this platform to say that the Government are right to acknowledge that they need to do more to ensure that there is ongoing support for those who have lost someone they love. This is also a chance to open up the discussion on how everyone in society and business can play a role in increasing the sensitivity with which these difficult days, which last for many years, are handled. I hope that by securing this debate, through your good offices, Mr Speaker, we will move fractionally closer to ensuring that all men and women who, like myself, have not always felt comfortable discussing such emotional topics are able to do so more freely, to seize the help that is there and perhaps ultimately to need that help just a fraction less.

7.15 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): Thank you for allowing this debate, Mr Speaker. I am really glad to have this opportunity to respond to my hon. Friend the Member for Boston and Skegness (Matt Warman), who has spoken incredibly movingly about his personal experience. In this place, it is difficult to speak rawly from the heart, but he has done well today. He has done extremely well. His speech sets in stark relief the fact that we are all human beings in this place, although people might be forgiven for thinking otherwise in recent days. We all bring our own experiences here, and it takes a lot of courage to share some of them. I am not always as confident and brave as he is when it comes to sharing my own stories. It is a pleasure to reply to him tonight.

The effects of bereavement and loss are different for us all, as my hon. Friend said. They can differ depending on age, on family circumstances and on whom we can reach out to for help, but one thing that I would really like to land is the fact that grief is lifelong. Grief never leaves us. When we lose a loved one, it stays with us for the rest of our life. My hon. Friend mentioned triggers, and they can happen at any point. It is important that I, as a Minister in the Department of Health and Social Care, ensure that we have sufficient support for people who are grieving, because it can come from nowhere. He used the word “normalise”, and that is so important when we talk about any aspect of mental ill health and mental stress, because it is not uncommon for us all to go through periods when we feel like that.

It is difficult, particularly for men, to reach out and ask for help. That is because it is seen as a sign of weakness, but it really should not be. “No man is an island” is the trite phrase that we often use, but it is also true. Sometimes, people feel that they cannot show weakness because they are the linchpin of their family and cannot grieve because they need to be strong for everyone else. It will be the mark of a compassionate society that we ensure that we have services for all those people. From a health perspective, it is also really important that we do that, because people who are suffering in this way are more likely to suffer from physical ill health and from weight loss, depression and anxiety. I have witnessed this within my own family following a bereavement. We must encourage people to access support from bereavement counsellors.

My hon. Friend spoke movingly about the fact that Mother’s Day was a particular trigger for him. He lost his mother and father at a young age, and the sense of grief when life ends prematurely is perhaps even more acute at that time. I was reminded of people I have met who were victims of terror, for example, or of Grenfell Tower. There, too, life ended very prematurely for those people. Sometimes we do not even think about the effects of seeing pictures of that fire flashed up every time Grenfell Tower comes up on the news. We risk re-traumatising people in that way, and as a society we really need to start looking at some of those behaviours. These things are often done with the best of intentions. I remember when we started the independent inquiry into Grenfell, there was obviously great interest in it on the news, but those pictures being flashed out on every news programme cannot have been pleasant for those left behind. There is a role for us to think carefully

about news reporting, broadcasting and what is available on the internet. There is also a challenge for editorial teams about how to report such things after the event, because we really should not expect people just to tolerate living with ongoing trauma.

Bereavement counselling is available to people at any time, and it is important to realise that the grieving process does last a lifetime and that feelings could be suppressed for decades before being triggered again. The first step for someone wanting to access a counsellor should be to go to their local GP or to self-refer to Cruse, as my hon. Friend mentioned. I am pleased that we will be making more services available through the 111 facility, because people being able to access care, advice and support when they need it will mitigate any harm that they are experiencing.

Cruse Bereavement Care is funded by clinical commissioning groups and local authorities and has branches all over the country that offer free, confidential advice to anyone who needs it. Cruse’s aim is that everyone who loses somebody should have someone to talk to when they need it, and I am pleased with the service it offers. The quality of service could be improved, however, so we are working with NHS England to develop better provision so that everyone can access it.

I also cannot commend the voluntary and charity sector’s input enough. I keep saying to CCGs that we should not look at mental ill health just as something to be medicalised, because support from voluntary providers and people with other skills can be just as important in helping people to get better and get used to their condition as any appointment with a clinician. The 111 service will provide 24/7 mental health crisis support, enabling access to a trained mental health professional who can signpost to treatment and other support, but the system should be holistic, so we need voluntary services, bereavement counselling and mental health professionals where they are needed.

My hon. Friend told us this evening that Mother’s Day is a particularly difficult time for him, and any kind of anniversary can reignite grief. I was interested to hear about Bloom & Wild’s policy, which is a good reminder of how a bit of sensitive thinking can make life so much easier. I would encourage all companies that are involved in activity around such times—any business that builds relationships with its customers—to be more sensitive in how it contacts people. That is just good corporate social responsibility, as he said. Advertising in the United Kingdom is regulated by the Advertising Standards Authority, but it could do more to spread good practice and encourage companies to think more carefully, because everyone can support people who have been bereaved.

I am pleased to see my hon. Friend the Member for Eddisbury (Antoinette Sandbach) here, and my hon. Friend the Member for Banbury (Victoria Prentis) was here earlier. The Baby Loss Awareness Week debate is now an annual fixture, and there is never a dry eye in the House when hon. Friends share their direct experiences. I find it amazing that it was so taboo to talk about such things until recently, but in this sphere we have led the way in acknowledging our grief and talking about it, and in so doing we are setting a good example for the rest of society. I know that it is difficult for colleagues, as I said, to talk so rawly about the emotions that they

[Jackie Doyle-Price]

have experienced, but when pictures go out from this House showing not a point-scoring bearpit but real naked human emotion, that is what the public want to see. They are the things that remind them that, in this place, we are all citizens of the United Kingdom with all the problems and challenges that everyone else has. We are not some class apart living a completely different life—not living in the real world, as some would say.

Those pictures from the annual baby loss debate open people's eyes and tackle the taboo. I very much hope that people watching those debates will think, "Do you know what? It's okay to feel bad. It's okay to have a good cry about something that happened to me many years ago." Grief is something you have to manage. You will never stop missing that loved one, and you will never stop regretting the fact you have lost them. Much of the time memories are happy and, in your own mind, you can celebrate their life and their contribution to your life, but the regret that they cannot see what you are doing now is something that never leaves you, and that is just a sign of being a good human being.

I sincerely thank my hon. Friend the Member for Boston and Skegness for securing this debate. He raised the issue of suicide, and particularly male suicide, which underlines the need to encourage men to acknowledge that it is okay to have a good cry and to ask for help. They do not have to be superhuman and it is not a sign of weakness. We need to do much more to encourage men to open up, and I have seen that directly in my role as Minister for suicide prevention. I have met families who have lost young men to suicide, and it might sound weird, but it is a privilege to have heard their stories and for them to be able to share their pain. I find it so inspiring that people who have gone through the most tragic things want to use that experience to make life better for everyone else.

Perhaps that is a good note on which to finish. We are all very proud of my hon. Friend, because he has done exactly that. He has shared his pain so we can all learn from it. That is the best of Britishness.

Question put and agreed to.

7.27 pm

House adjourned.

Westminster Hall

Tuesday 26 March 2019

[MRS MADELEINE MOON *in the Chair*]

Forced Live Organ Extraction

9.30 am

Jim Shannon (Strangford) (DUP): I beg to move,
That this House has considered forced live organ extraction.

It is a pleasure to serve under your chairmanship, Mrs Moon, and to open this debate. I thank all right hon. and hon. Members who have found time to attend this morning, and I am grateful to the Backbench Business Committee for granting this important debate. This issue is very topical, and something that I, along with other hon. Members, have followed for some time, and we are pleased to participate. I thank members of the audience who have come to listen to our proceedings, in particular Becky James, who I thank for everything she did to provide me with important information. Many others also contributed, including Rob Gray, who is in the audience, and I thank him for his help in putting this speech together. I also thank Amro, who works for me on the all-party group for international freedom of religion or belief, because this issue is regularly brought to my attention.

Finally, I thank the Minister for being here—he is always responsive. He knows that we are fond of him as a Minister, but we are also fond of his responses, which are always excellent and sum up the points made. I thank him in advance for summing up the debate. He knows that I am impressed by his tireless efforts, and we very much looking forward to hearing his response.

Two days ago, the UN marked the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims. Its purpose was to honour the memory of victims of gross and systematic human rights violations, and to promote the importance of the right to truth and justice. How fitting that we should be gathered here today to seek the truth about one of the most concerning human rights violations imaginable—forced live organ extraction. The hon. Member for Congleton (Fiona Bruce) is also here. When preparing for this debate, we discussed these issues and decided that that would be the most appropriate title.

For years, human rights organisations have reported that the Chinese Government are complicit in forcibly removing the organs of religious prisoners of conscience to supply organs on demand for China's vast and lucrative transplant industry. That horrifying practice is so terrible that it is hard to believe. A major world power—a permanent member of the UN Security Council no less—is treating human beings like commodities, like cattle, because they profess the wrong faith. Can any of us even begin to imagine living in a world where Government officials could stroll in, round up all the Christians in the Chamber—with respect, that probably includes most people here—and take their organs to supply to anyone who needs them? That is totally unacceptable.

David Simpson (Upper Bann) (DUP): When it comes to the extraction of organs, is it an age thing? Does it affect older people, or children? Do the organs have to come from more mature people, or are children included?

Jim Shannon: I thank my hon. Friend for his intervention. Today I wish to highlight forced live organ extraction from prisoners of conscience, including Christians, Uyghur Muslims, and those who have been in jail for some time. It is hard to encapsulate the vastness of what is taking place and the numbers involved. This level of cruelty is almost impossible to comprehend, and as much as we would all like the allegations against the Chinese Government to be unfounded, an extensive and growing body of evidence suggests otherwise.

One of the principal pieces of evidence—I am sure the Minister is familiar with it—is the work of former Canadian Cabinet Minister, David Kilgour. Alongside international human rights lawyer David Matas, and investigative journalist Ethan Gutmann—he has also been a good friend and helped us along the way—Kilgour conducted an investigation that indicates that somewhere between 40,000 and 90,000 more transplants have taken place in China than official figures claim. It is quite unbelievable.

Andrew Griffiths (Burton) (Con): I thank the hon. Gentleman for his usual commitment to encouraging debate, and I have been listening to his good speech. Is he drawn to the comparisons and the fact that we have seen this before? People were herded into camps; they were experimented on and had their organs harvested. People were persecuted for their faith, and we know where that ended, because millions of people died as a result of the holocaust. If we look at history, we see that there were opportunities for Governments to intervene and act, but they did not. Are we now at the point where we, as the western world, should say, “This must stop”?

Jim Shannon: That intervention has encapsulated the whole debate, and that is why it is so important. That is why we are here to speak today, and why we look forward to the Minister's response.

Mr Jim Cunningham (Coventry South) (Lab): As usual, the hon. Gentleman is diligent in speaking about the causes he pursues. This issue is very important. Under the Chinese Government, the Falun Gong are being re-educated and persecuted for their faith. Does he agree that between 70 million and 100 million people are affected by such actions and—this returns to the point raised by the hon. Member for Burton (Andrew Griffiths)—perhaps we are in a way going down the road that led to the second world war. We found out after that war what took place in Germany.

Jim Shannon: The hon. Gentleman and I are often in debates together—sometimes I intervene on him, or he intervenes on me, and it is pleasing to hear his comments. He reinforced the point made by the hon. Member for Burton (Andrew Griffiths).

The investigation by David Kilgour is far from our only source of evidence. There are testimonies from prisoners, confessions from Chinese medical professionals, and impossibly short waiting list times for transplants—I could go on and on. Some of that evidence was supplied by the China tribunal, which is chaired by Sir Geoffrey Nice QC. The focus is on the allegations, and on what

[Jim Shannon]

evidence has been submitted, investigated and documented. For example, there are discrepancies in explaining the source of the organs for the claimed number of transplants, which suggests an undisclosed source. Wider concerns link religious persecution and mass imprisonment with the threat of live organ extraction in China. That includes the Falun Gong, Christians, and the Uyghur Muslims. Case studies from the China tribunal give examples of Chinese prisoners facing torture, or undergoing forced DNA, blood and organ scanning tests. There is also the Chinese law relating to forced organ removal from executed prisoners, which led to an international response from Governments and subsequent legislation. All those things are mentioned in the inquiry by Sir Geoffrey Nice QC, and they clearly underline the issues.

Bambos Charalambous (Enfield, Southgate) (Lab): Does the hon. Gentleman agree that the Falun Gong have been particularly targeted by this awful practice, and that it should stop immediately as it is an abuse of human rights?

Jim Shannon: I agree, and I thank the hon. Gentleman for attending this morning. I know he is attending a Select Committee later, but he contributed early to this debate, which I appreciate.

All that evidence has been reviewed by many different organisations across the world including parliamentary bodies, or Parliaments themselves, in Italy, Spain, Canada, Israel, Taiwan, Ireland, the Czech Republic and the United States, as well as non-parliamentary bodies such as the UK Conservative Party Human Rights Commission—the hon. Member for Congleton is involved with that—and the China tribunal. I am here because of my interest in human rights, and because I wish, as we all do, to stand up for people across the world who are being persecuted because of their faith, or because they have no faith.

It would be much easier politically—and it would make it easier to sleep at night—to remain sceptical in the face of the evidence and be reluctant to accept it, and to push for absolute certainty before reaching any definitive conclusions, yet despite that natural inclination, all those bodies, on examining the evidence, could not help but arrive at the view that forced organ extraction is taking place in China. Indeed, the ongoing China tribunal, which is being led by Sir Geoffrey Nice QC, went as far as saying, in an interim judgment, that

“the tribunal members, are all certain, unanimously, beyond reasonable doubt, that in China forced organ harvesting from prisoners of conscience has been practised for a substantial period of time, involving a very substantial number of victims...by state organised or approved organisations or individuals”.

The evidence must be remarkably convincing to have drawn such a strong statement from an esteemed body of impartial investigators. Indeed, it is so convincing that several countries have passed or introduced legislation to make travelling to China for organ transplants illegal.

I carry an organ donation card. We have a different system in Northern Ireland. I am glad that legislation is coming through for change here at Westminster. I totally support that and I would be pleased to know that my organs might save a life if I were to pass. That would be good. However, where else in the world other than China is it possible to get an organ almost on demand?

The UK still claims that, because the World Health Organisation has declared China's transplant system ethical, all the evidence can be ignored. How has the WHO arrived at such a different conclusion? Has it assessed all the same evidence? If not, why? If it has, why has it not produced an explanation of why the evidence is unsatisfactory? What investigations has it carried out? Has it been to military and prison hospitals in China? Has it asked to go to them? Has it been free to examine those hospitals independently, or were its representatives taken on show tours by Chinese authorities? My principal request of the Minister today is that he formally write to the WHO and ask it to assess all the evidence and, if it deems that it is not accurate and does not reflect the situation, to produce a report to demonstrate clearly why that is so. Surely that would not be too burdensome for the WHO if it has already collected the evidence to show that there is nothing suspicious about China's transplant system.

It is worth noting that there will be further public hearings of the China tribunal on 6 and 7 April. The tribunal has issued a public call for evidence and is open to receiving further evidence on China's past and present transplant practices from Chinese officials, as well as from organisations such as the Transplantation Society, the Declaration of Istanbul Custodian Group and the WHO. I thank the Minister for sending FCO officials to attend the previous hearings. It shows commitment. I ask him to encourage the WHO to participate in the process. The truth is that we all sincerely, desperately hope that the allegations against the Chinese Government are false. If they are, is it not in everyone's interest for China and the WHO quickly to demonstrate that they are false so that we can all focus on other pressing issues?

That brings to me one of my key points. The allegations have been around for years. If there is no truth to them, have not the Chinese Government had ample time to prove that they are false? They have not done so. Would it not be a simple thing for them just to open their doors and allow the world in to investigate? They have not done that. The WHO itself has said it has concerns about the transparency of China's transplant system. What reason could there be for secrecy about the programme if it is clearly and demonstrably operating in line with international standards? Surely if the WHO has evaluated the system, it is a simple matter to point to the evidence that shows that there are no problems. Perhaps there is a perfectly genuine, straightforward reason why it is possible to get a kidney in two weeks in Beijing, as opposed to two years in the United Kingdom. Surely that in itself tells a story. Does it not raise a question in people's minds? Perhaps not, but we should honestly ask how it is possible. It seems that China has an organ transplant system that is the envy of the entire world. What possible reason could there be for hiding it?

Moreover, should not the Chinese Government want to stop the allegations? If the UK were for years to be incorrectly accused of killing religious minority groups to provide the rest of the population with organs, and if countries the world over were passing legislation against us, we would be doing everything in our power to present the evidence showing that the allegations were false, yet for some reason China has been utterly unable or unwilling to do so.

Why should that be? One might argue that China would not want to dignify the rumours with a response because they are so ludicrous. That might be the logic.

However, the Chinese Government have already admitted to taking organs from executed prisoners without their consent in the past. There is an evidential basis, and it is hardly as if the allegations are so beyond the realm of possibility that they are not worth responding to, yet the Chinese Government continue to claim that their transplant system is ethical, while maintaining its shroud of secrecy, and the UK Government continue to accept the claim at face value despite all evidence to the contrary. I refer the Minister again to the evidence available through the forum of the inquiry led by Sir Geoffrey Nice.

What we are talking about in this debate is organ harvesting—crimes against humanity, and a regime that is responsible for the greatest mass incarceration of a religious group since the Nazis in the second world war, as the hon. Member for Burton said in his intervention. I am afraid that simply to accept the Chinese Government's flimsy narrative because it is convenient is a total and utter abdication of our responsibility to all those who have suffered at the hands of tyrannical regimes. How will history judge us? The hon. Gentleman is right: now is the time to draw the line and stop live organ transplantation, and transplantation without permission of the people whose organs are removed. We say "Never again", but we do not, with our next breath, do something to make that brave declaration reality and ask the tough questions—although we are trying to do so in the Chamber today. We would rather bury our heads in the sand than deal with the harsh light of the truth that radiates all around us. The evidence has been gathered, presented, analysed and judged countless times by countless different institutions. It has repeatedly been found to be wholly credible and convincing. Meanwhile, the Chinese Government have offered nothing substantial by way of rebuttal, despite the fact that it would be easy to do so if they were telling the truth. The absence of comment from them reinforces what I am saying.

I ask the Minister, therefore, to act on the findings of the China tribunal and to take appropriate action, including potentially following in the footsteps of many other countries and banning organ tourism to China from the UK. Over the years I have put down a number of questions. It is wrong that people should travel from here to China for what is almost a live organ on demand to suit themselves. It is hard to take in what that means—it leaves one incredulous. It means someone can sit in London or in Newtownards and order an organ to be provided on demand. Within a month they can have the operation. We need to control that, structurally, as other countries have, not simply because it is the right thing to do, but also because it is necessary to protect UK citizens from unwittingly playing a role in the horrifying suffering of religious or belief groups in China.

If, however, the Government are not willing to do that, I ask the Minister at the very least to be a friend to the Chinese Government and ask them and the WHO to engage with the China tribunal process in their own interests. Will he ask them to present clear evidence that shows that the Chinese transplant system is ethical, and that makes all the sceptical investigators, human rights organisations and legislatures feel very silly indeed? Perhaps there is some issue I am not seeing, but I simply cannot fathom why that would be a controversial or difficult request. It seems to be logical and sensible and absolutely what we should be doing morally. If China is operating an ethical transplant system, it should be

jumping for joy to have opportunities to present the proof, or at least to relay it to the Minister to present to the House. If the Chinese Government are doing nothing wrong, there is absolutely no reason why the issue should be a sensitive one, or even require private diplomacy.

Mr Gregory Campbell (East Londonderry) (DUP): I congratulate my hon. Friend on securing this debate. Although much of what we are rightly talking about concerns external pressure on the Chinese authorities to do what is right in the face of mounting evidence, does he agree that internal pressure could well be added to that? If the tens of thousands of Chinese tourists who come here and the Chinese students who study in further education colleges in the United Kingdom became aware of the extent of the problem, they could add to the pressure when they returned to the Chinese mainland. We know how Chinese authorities respond to internal pressure, but it would add to the external pressure and hopefully bring a satisfactory conclusion.

Jim Shannon: I thank my hon. Friend and colleague for his salient and appropriate words.

I will quote the comments in the report, particularly the words of Sir Geoffrey Nice QC in the last paragraph:

"China's totalitarian approach of exerting absolute control over its citizens often causes widespread criticism and concern while leaving many serious unanswered questions. Many of the linked concerns stem from the climate of religious intolerance that prevails throughout China. This has also been documented as being a key element of the campaigns currently being inflicted on multiple faiths and ethnic groups. These campaigns would, under most analyses, be described as bearing the hallmarks of genocidal intent."

That is the seriousness of what we are saying here today. The report continues:

"The growing evidence of forced organ extraction in China, and the expert analysis of China's transplant system is hard to refute or ignore. As, too, is the gravity of the threat of live forced organ extraction faced by prisoners of conscience in China. This is demonstrated by the China Tribunal making the unusual decision to issue an Interim Judgement."

I referred to that earlier, and it is impossible to think otherwise. Sir Geoffrey Nice says:

"We should all, perhaps, reflect on how the oxygen of publicity given to the allegations made and supported to the extent they are by our interim judgment, may allow the real oxygen of life to continue life itself in some who might otherwise be killed. Such a conceivable outcome—slight as a probability, arguably remote but certainly possible—makes it not only appropriate for us to record our present certainty about the...forced organ harvesting practices but a duty publicly to do so. Doing so now may possibly save innocents from harm."

In conclusion, when we add all those things together, they confirm why this debate is so important and express the viewpoint of Westminster Hall, our Minister and how we all collectively think. Let us give the Chinese Government a chance to clear its name proudly and publicly, and, if it should refuse that opportunity, let us not simply shrug our shoulders and move on, as others have said. We need to do something now.

Let us question this reluctance from China. Let us finally accept what all the evidence is telling us: that when it comes to organ transplants in China something is deeply, horrifyingly, morally not right. I put the issue before Westminster Hall for consideration and I look forward to contributions from right hon. and hon. Members; in particular, I look forward to the Minister's response.

9.53 am

Fiona Bruce (Congleton) (Con): I start by commending the hon. Member for Strangford (Jim Shannon) for his impassioned, stirring and challenging speech. This is not the first time he has addressed the House on this issue and, sadly, I am sure it will not be the last. This is not the first time that I have addressed the issue of forced live organ extraction in China in this House, but again, it is unlikely to be the last; nor is it the first time that I have expressed my disappointment at the lack of attention to this issue from the UK Government—I say that with all courtesy to one of the most attentive and courteous Ministers in this place. It is also likely that it will not be the last time I express my disappointment at the lack of attention from the international community to an issue that cries out for such action.

Later on in my speech, I will be so bold as to suggest some specific action that could be taken to address a serious human rights concern, a crime against humanity and, if the information we are hearing is correct, potentially nothing less than a 21st century genocide, as my hon. Friend the Member for Burton (Andrew Griffiths) implied in his strong intervention. Surely, at the very least, it demands further investigation at both UK Government and United Nations level.

Over the years, as we have heard, substantial research has been done on the issue of forced live organ extraction from prisoners of conscience in China. I have attended many meetings in this House, including with the Minister's predecessor, and listened to the accounts of that research in countless meetings in Committee Rooms as well as in debates in this Chamber. The sheer numbers alleged are absolutely staggering.

As long ago as 2016 the Conservative Party Human Rights Commission, which I have the privilege of chairing, produced a report on this issue. We called it then:

“A form of genocide cloaked in modern medical scrubs”,

quoting Ethan Gutmann, to whom I pay tribute for his persistent work on this subject. We also quoted the first-hand testimony to us of Dr Enver Tohti, formerly a doctor in China, who gave evidence to our commission personally of having been forced to remove an organ from a live prisoner. He subsequently fled China and now lives in London, driving a London bus.

In this place, the Conservative Party Human Rights Commission showed the horrifying film “The Bleeding Edge”, starring the brave actress Anastasia Lin. If the Minister and his officials have not seen that film, I urge them to do so. It showed in graphic detail a young Falun Gong woman being taken from prison and held down, screaming and without anaesthetic, while operators began the act of removing her organs. Let us make no mistake: once this lethal act is committed, the victim faces certain death. Indeed, that is how the film ends. It is a far cry from the voluntary organ donation we are used to in this country. That is why I do not use the term harvesting; as the hon. Member for Strangford has said, that is far too gentle a word for an utterly sinister act.

Yet, time and again, our Government give the same response to concerns expressed by Members of this House and of the other place on the issue of alleged forced live organ extraction in China. Just a few days ago, Lord Ahmad of Wimbledon quoted the same response

given in this Chamber in October 2016 when he said, in reply to concerns expressed by Lord Alton in a written parliamentary question on the issue:

“Although I do not doubt the need to maintain close scrutiny of organ transplant practices in China, we believe that the evidence base is not sufficiently strong to substantiate claims about the systematic harvesting of organs from minority groups. Indeed, based on all the evidence available to us, we cannot conclude that this practice of ‘organ harvesting’ is definitely happening in China.”

That answer is simply not good enough.

Over the years, as we heard from the hon. Member for Strangford, more research has been done on this issue. Most recently, as we have also heard, in December 2018, a people's tribunal, the independent tribunal into forced organ harvesting from prisoners of conscience in China, was set up. Should not the very fact that that is being led by Sir Geoffrey Nice QC—a world-renowned lawyer and professor of law with decades of relevant experience who, among other things, led the prosecution of Slobodan Milošević at the international tribunal for the former Yugoslavia—show that this issue merits time and attention at the most senior level of Government?

The tribunal has done its work. It has conducted days of hearings, it has heard evidence from some 30 witnesses and it is showing again and again that the evidence produced in the 2016 report by David Kilgour, David Matas and Ethan Gutmann, which I believe is 700 pages long and is entitled: “Bloody Harvest/The Slaughter: An Update”, must be looked into at Government level. In his recent oral evidence to the tribunal, Dr Matas emphasised that although there are problems with establishing exact data, sufficient concern has been raised for this issue to be investigated at the most senior level, both by Governments and by the UN.

The estimates in the report are so wildly different from the Chinese Government's that they merit investigation. China's central Government suggest that there are approximately 10,000 organ transplantations per year, but the research suggests that it may be as high as 60,000 to 100,000. In one hearing, the Conservative Party Human Rights Commission heard of the size of the hospitals constructed to undertake these operations, pointing to a far greater number taking place than the Chinese Government's official figures indicate.

Jim Shannon: We see hospitals on industrial scales; that is the magnitude of what the hon. Lady refers to. Those outside listening must grasp what we are looking at—industrial-scale organ removals from living people.

Fiona Bruce: That is a graphic description. Anyone who has seen an indication of these buildings has to be concerned about the scale of what is going on, and about the number of people disappearing. What is happening to those people?

Indications suggest that prisoners of conscience routinely have their blood type and DNA assessed, so that they can be made available for this tragic and sinister practice of forced organ removal. Indications suggest that specific groups are being targeted, such as prisoners of conscience and people of certain faiths, including Falun Gong, Uyghur Muslims, Tibetan Buddhists and House Christians. This is religious persecution and a crime against humanity—the crime of crimes.

Witnesses have testified to the China tribunal that they have seen Falun Gong practitioners examined by doctors while other prisoners are not, then often disappearing from the prison without a trace. One witness, a Falun Gong practitioner herself, suggested that she was subject to the same thorough medical examinations as others but was diagnosed with a heart condition, so did not face the same fate. Presumably, because of her heart condition, she was deemed to be unfit to become an organ donor.

Mr Gregory Campbell: The hon. Lady is outlining in very graphic terms the extent of some of the problems. Does she agree that, for issues such as this, a huge amount of emphasis and onus rests on bodies regarded as reputable and reliable, such as the World Health Organisation? A considerable degree of responsibility rests on bodies such as those to respond to this emphatically, and to do their homework and research to ensure that they give a more accurate picture.

Fiona Bruce: The hon. Gentleman is absolutely right. I raised that very point in a meeting with the Minister in Portcullis House. That must have been well over a year ago, yet nothing has been done to raise it with the WHO, as far as I am aware.

The China tribunal published an interim judgment confirming that it had identified several human rights violations, including breaches of the right to life under article 3 of the universal declaration of human rights, the right not to be subject to arbitrary arrest under article 9 and the right to be free from torture under article 5.

Andrew Griffiths: My hon. Friend has such a passion for human rights. She is a real asset to this place, and I am privileged to intervene on her. When we hear about the selection of people to go through this process of forced organ harvesting, I am reminded yet again of the death camps. We hear about the WHO saying that the evidence does not demonstrate these kind of practices, which is reminiscent of the Red Cross turning up to the Nazi death camps and giving them a clean bill of health. We talk about the industrial nature of this practice, and that same industrial nature of the death camps meant that the Nazis could be so efficient in their hideous operation. Does she agree that all the evidence points to that taking place, and that we must do more to definitely prove it, and to take action?

Fiona Bruce: My hon. Friend is right. We condemn holocaust deniers absolutely. With all that is being done to raise concerns about this issue now, surely something must be done. To carry on—potentially—denying it is insufficient, inadequate and irresponsible. Let me reiterate: we are discussing the forced removal of organs in China, frequently from prisoners of conscience, which ultimately results in the death of the individuals subjected to this practice—a practice that amounts to manslaughter or, more probably in most cases, murder.

The speed with which organs can apparently be matched to those who request them, often from the west, is so swift—perhaps a couple of weeks. Matches in this country might take months, years or might never happen. There seems to be no other explanation than that organs are being removed to order. For donors to be available at such short notice seems virtually incredible.

The hon. Member for Strangford is right: organ tourism, as it has been called, has been banned by several countries, including Italy, Spain, Israel and Taiwan, and the Canadian Senate has approved similar legislation. We must do the same. It would send out a strong message of concern on the part of the UK Government. No evidence is needed for our Government to do so, if they are concerned about pointing to official evidence.

Far more Members in the House are concerned about this issue than will have the opportunity to speak today. Early-day motion 2138, which calls on the UK Government to ban organ tourism from this country, has been signed by 38 Members as of yesterday. That is a very high number to sign an early-day motion.

Andrew Griffiths: Does my hon. Friend agree that it may be an idea for the hon. Member for Strangford, herself and others to seek a Backbench Business debate on the issue, so as to better inform our colleagues? While 38 have signed that early-day motion, I am sure that, if the facts are laid before more Members, more will support our taking action.

Fiona Bruce: Indeed, I very much hope that, as a result of this debate, more and more Members will be concerned. It staggers me that so many people are silent in the face of such concerns. Is it because, putting it bluntly, contrary to contemporary mass atrocities, such as Daesh atrocities against religious minorities in Syria or Iraq, or military atrocities against religious minorities in Burma—now Myanmar—we do not have what might be called a smoking gun?

In the case of the Daesh genocide, we continue to find new mass graves. We hear from those tortured and raped; we hear from abused survivors. In the case of the genocide of the Rohingya Muslims in Burma, we hear from people forcibly displaced to Bangladesh about the abuse that they suffered at the hands of the Burmese army. That is how we obtain the evidence to inform our actions to address such atrocities. But in the case of killing or murder by way of forced organ removal from prisoners of conscience in China, there are no such victims to tell their stories. That is because no one survives. It is almost a perfect crime.

Should that prevent us from speaking out? It should not. The continuing expressions of concern over several years should at least trigger red flags and stir the UK Government to, at a minimum, engage in a dialogue with the Chinese Government to inquire about those reports. Let me respectfully suggest that if the endeavours at dialogue fail, our Ministers should call for an independent UN inquiry. Surely, in all humanity, the time has come for that.

Should the challenge of the lack of evidence of mass graves faced by anyone trying to explore the truth prevent us from doing so? Should it prevent the UK Government from using their very considerable international influence to do so? Interestingly, I was at a meeting just last night with my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs, who said that we underestimate in this country the respect with which our Government are regarded internationally—across the world.

Will we once again hear the phrase “never again” spoken with regret when eventually the truth comes out about this issue, as it surely will one day? It is not the

[Fiona Bruce]

case that nothing can be done. Our Government could inquire about the numbers of organ removals and their sources, as we have heard. They could reduce demand by banning organ tourism. If it becomes clear that the majority of organs do come from prisoners of conscience or Falun Gong practitioners, that in itself should sound alarm bells. If the Chinese Government do not want to co-operate with such inquiries, the international community must be engaged. This is not a case of a few voluntary organ transplants; it is a case of alleged mass killings through forced organ removal, of religious persecution, of grave allegations of crimes against humanity. It cries out to be addressed. Those who fail to do so will one day be held to account.

One step that the UK Government could take would be to proactively ensure that the UN investigate the alleged crimes properly. That could be achieved by way of a UN Human Rights Council resolution establishing, first, a UN special rapporteur on the human rights situation in China and, secondly, a commission of inquiry to investigate the systematic, widespread and grave violations of human rights in China.

If I may, I will be so impertinent as to read from two draft resolutions. I am sure that they are highly imperfect. I would be delighted if the Minister were willing to discuss them with me at some point after the debate and perhaps with others concerned about this issue. Let me explain what I mean. The draft resolution to establish a UN special rapporteur states:

“The Human Rights Council, Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other human rights instruments, Reaffirming that all States Members of the United Nations have the obligation to promote and protect human rights and fundamental freedoms...Expresses its deep concern about continuing reports of systemic, widespread and grave violations of human rights in the People’s Republic of China...Notes with regret that the authorities of the People’s Republic of China have not created the necessary conditions to permit the international community, including the United Nations system, to examine these reports in an independent manner and calls upon the Government”—

of China—

“to address these reports and concerns in an open and constructive manner, including...By providing all pertinent information concerning the above mentioned issues and removing restrictions on access to the country by the international community”.

There is much more detail in the draft.

I will just quote briefly from the second proposed resolution, to establish a commission of inquiry. It states that the

“Human Rights Council, Alarmed by”

reports of

“the precarious humanitarian situation in the country”—

the People’s Republic of China—

“especially of religious groups persecuted because of their religion or belief, Reaffirming that it is the responsibility of the Government of the People’s Republic of China to ensure the full enjoyment of all human rights and fundamental freedoms of its entire population, including by ensuring the right to freedom of religion or belief for all...Decides to establish, for a period of one year, a commission of inquiry comprising three members, one of whom should be the Special Rapporteur”.

As I have stated, the special rapporteur would be established by the previous resolution. The second resolution states that the Human Rights Council

“Further decides that the commission of inquiry will investigate the systematic, widespread and grave violations of human rights in the People’s Republic of China, including...violations of...freedom of religion or belief, and enforced disappearances, with a view to ensuring full accountability, in particular where these violations may amount to crimes against humanity”.

Will the Minister agree to meet me and others concerned about this issue to discuss what we have raised today? I believe that they are among the gravest concerns that have been raised in this House in recent times. Will the Minister agree that at the very least these issues merit further investigation by the UK Government and by the international community through the UN?

10.16 am

Afzal Khan (Manchester, Gorton) (Lab): It is a pleasure to speak in this important debate. I thank the hon. Member for Strangford (Jim Shannon) for securing it and for the detailed and powerful speech that he delivered this morning.

I found it very difficult to learn about these graphic practices in China. I am simply appalled and disgusted by them. Credible research from multiple organisations, including the *British Medical Journal*, suggests that many thousands of people are being killed for their organs, particularly people in minority groups and most notably practitioners of Falun Gong—a peaceful, meditative practice—although Tibetans, Uyghurs and, potentially, House Christians have also been targeted for political reasons.

The allegations that Falun Gong practitioners, Tibetans and Uyghurs have been victims of this horrific practice are well documented and strong. The international community has strongly condemned organ harvesting in China, and action needs to be taken to end this abhorrent and unethical practice. The UN special rapporteurs on torture and on freedom of religion or belief have both requested that the Chinese Government explain the sources of the organs and that they allow them to investigate. There has been no response.

I understand that the Chinese ambassador to the UK and prominent doctors in China who are involved in transplantation were invited repeatedly to give evidence, but they have not responded. That is deeply worrying. There needs to be accountability for these blatant human rights abuses.

My primary concern is that people’s organs are being harvested because of those individuals’ beliefs. The sheer discrepancy between the official transplant figures from the Chinese Government and the number of transplants reported by hospitals is alarming. Although the Chinese Government say that 10,000 transplants occur each year, hospital data shows that between 60,000 and 100,000 organs are transplanted each year. Clearly, something does not add up.

Medical ethics are simply being put aside. An unregulated system exists in which organs are being delivered not to the most deserving recipients, but to the highest bidders. Furthermore, with the current situation of religious persecution and mass imprisonment of Uyghurs in re-education camps, it is clear that an independent investigation is required. It would be interesting to hear

the Minister's comments on that. I strongly advise the Government to follow in the footsteps of the European Parliament and the US Congress, both of which have called for an independent investigation. Several countries have already taken legislative action to prevent their citizens from taking part in transplant tourism.

Will the Minister provide urgent assurance that the British Government will step up their efforts to hold the Chinese Government to account for these blatant human rights violations? Will the Minister also urge the Government to condemn publicly and in the strongest possible terms any form of live forced organ extraction, and call for an end to the practice? The world's silence on this barbaric issue must end.

10.20 am

Patricia Gibson (North Ayrshire and Arran) (SNP): I am pleased to participate in this important debate, and I extend my warm thanks to the hon. Member for Strangford (Jim Shannon) for securing it. He set out a comprehensive and convincing case, as did other hon. Members, concerning forced live organ donation in China. We have heard from several hon. Members about the allegations of forced live organ extraction from prisoners in China. We have heard, for at least the past decade, about the alleged victims being members of religious and ethnic minorities.

Forced organ removal is when people are killed so that an organ can be removed—with the recipients being, apparently, wealthy Chinese people or transplant tourists who travel to China and pay substantial sums to receive transplants. The waiting times for such transplants are short, and it seems that vital organs can even be booked in advance. As the hon. Member for Strangford pointed out, the China tribunal, which has investigated this, has issued an interim judgment stating that it is

“sure beyond reasonable doubt—that in China forced organ harvesting from prisoners of conscience has been practised for a substantial period of time involving a very substantial number of victims.”

We also heard that from the hon. Members for Congleton (Fiona Bruce) and for Manchester, Gorton (Afzal Khan). That is absolutely horrific and an affront to all that is decent. Quite frankly, it is the sort of thing that one would expect to read about in a science-fiction novel.

Around 2006, a report was published giving credence to the claims that the Chinese authorities were indeed removing organs from executed members of the Falun Gong. At that time, the Chinese authorities acknowledged that organs had been taken from executed prisoners, but only with their consent. However, the European Parliament disputed China's official version of events and passed a motion condemning the state sanctioning of organ removal from non-consenting prisoners of conscience, including from large numbers of Falun Gong practitioners who were imprisoned for their religious beliefs. The figure for transplants—we will probably never know the true figure—is somewhere between 40,000 and 90,000, as the hon. Member for Strangford set out.

Carol Monaghan (Glasgow North West) (SNP): Given that that first report was published in 2006, does my hon. Friend agree that the UK is 13 years overdue in calling for an inter-governmental investigation into Chinese practices?

Patricia Gibson: My hon. Friend is absolutely right. She tempts me to skip to that point in my remarks, but I will get there in due course. Her point is well made, and it has been made several times around the Chamber.

This barbaric, inhumane practice must end. As my hon. Friend said, the international community, including the UK—I hope that the UK will lead the international community on this, but I will settle for the UK being included—must leave China in no doubt about how repugnant this practice is to any country that has any sense of decency or places any value on the dignity of human life. There can be no equivocation, no excuses and no turning of blind eyes.

As the hon. Member for Strangford has pointed out, people are being treated like cattle. He gave us a comprehensive account of how utterly unspeakable the practice is. We find ourselves in a bizarre situation in which the World Health Organisation has declared organ transplants in China to be ethical, claiming that there is no cause for suspicion. I urge the Minister, as other hon. Members have done, to query and pursue that as a matter of urgency, since it seems to fly in the face of a considerable amount of evidence from the China tribunal, Geoffrey Nice QC and others. A number of hon. Members have expressed alarm at the World Health Organisation's assessment, and I think that such a ruling undermines the organisation.

As we heard from the hon. Member for Congleton, Italy, Spain, Israel and Taiwan have introduced laws banning their citizens from participating in organ tourism, with Canada working towards adopting similar legislation. Perhaps the Minister can tell us what plans are in place to introduce similar legislation in the UK. Given that the UK has signed the Council of Europe convention against trafficking in human organs, forbidding the intentional removal of human organs from living or deceased donors, it is quite a small leap for the UK to forbid its citizens from engaging in organ tourism. Perhaps the Minister can explain what the Government are doing to take that small but extremely important leap. As the hon. Member for Congleton informed us, the UK Government and the UN must do more about the vast industrial scale of this horror and what can only be categorised as crimes against humanity.

The fact that Falun Gong practitioners are targeted in this way in China goes to the heart of the matter, as the hon. Member for Strangford has articulated, because an attack on freedom of religion is an attack on all freedoms. The right of all people to worship their God in peace, however they perceive their God, is a fundamental right. The threatening of that right endangers the very basis of freedom, in the widest sense, as the hon. Member for Manchester, Gorton pointed out.

In June last year, the all-party parliamentary group for international freedom of religion or belief produced a report, which found a signal lack of understanding and misperception of religion and belief among decision makers working within the UK asylum system. We need to understand religious persecution better and deal with it in an appropriately sensitive way. Decision makers in the UK asylum system need to have the appropriate training to ensure that they make the correct decisions, which are literally a matter of life and death to applicants seeking asylum.

[Patricia Gibson]

There is no doubt that China exerts absolute and cruel control over its citizens, and that is something about which the international community is, and ought to be, exercised. The targeting of multiple faiths and ethnic groups has been characterised by some as the hallmark of genocidal intent, as the hon. Member for Burton (Andrew Griffiths), who is no longer in his place, indicated. There are loud echoes of the evils of history.

The UK Government need to step up to their international and moral responsibilities, as does the international community. No one could fail to be moved and horrified by the evidence and the stories of forced live organ extraction. It is an outrage, and we must not be afraid to say so. International institutions and Governments around the globe must bring to bear as much pressure as possible on China. That is our duty, and it is what decency demands of us.

If any nation treats any of its people in such a cruel and despicable way, we need to stand with other free and democratic states and condemn it using the harshest and most unequivocal language that we can articulate. I look forward to the Minister telling us what influence and pressure his Government have exerted, and will continue to exert, on China in the light of this debate. I also ask the Minister what the UK Government will do to encourage greater action from the international community on this barbarism.

There is no doubt that China is an important and influential international player, but no state should be allowed to engage in such horrific human rights abuses simply because it is influential. We have an international duty to uphold human rights and values however we can. We can do more to effect change. It is time for the international community to do so, and the UK must play its part.

Mrs Madeleine Moon (in the Chair): Before I call the Minister, I should acknowledge that I had prior advice from the hon. Member for Bishop Auckland (Helen Goodman), who has just arrived, of a domestic emergency that prevented her attendance earlier. She has had a member of staff making notes throughout and I am sure that if she has notes for the Minister or for those who have called the debate she will deal with that afterwards. I call the Minister.

The Minister for Asia and the Pacific (Mark Field): I suggest, Mrs Moon, that if the hon. Member for Bishop Auckland (Helen Goodman) wanted to speak I would be very happy to hear her and then I will sum up on that basis. As she has just rushed into the Chamber she may not feel it is appropriate to do so.

10.30 am

Helen Goodman (Bishop Auckland) (Lab): I am very sorry that I was not here at the beginning of the debate. I congratulate the hon. Member for Strangford (Jim Shannon) on raising this important issue about which we are all extremely concerned. It overlaps with a debate we had a few months ago about the situation of the Uyghur people and the camps that they are in. That is where some of these activities are thought to be going on.

I have been concerned about the subject for some time. I think I first asked a parliamentary question about it in 2006, so it is a long-standing issue. As I was

not able to be in the debate, I congratulate the hon. Member for Strangford and we look forward to hearing from the Minister about what he is going to do.

10.31 am

The Minister for Asia and the Pacific (Mark Field): I thank the hon. Member for Bishop Auckland (Helen Goodman) for giving me a mere 29 minutes to sum up on the debate. She was ably deputised by the hon. Member for Manchester, Gorton (Afzal Khan).

This is a serious issue, so I do not want to be too light-hearted, but it is great to be able to congratulate the hon. Member for Strangford (Jim Shannon) on securing the debate and for his birthday yesterday. There is also a birthday girl in the Chamber today: my hon. Friend the Member for Congleton (Fiona Bruce). I am sure there was a misprint in *The Times* about the age.

Fiona Bruce: Sadly not.

Mark Field: There is clearly something in the water that gives these late March babies an interest in human rights. Both those hon. Members and others have raised major concerns about live organ extraction going back many years. I commend their characteristic dedication and welcome the opportunity to set out the Government's position. The hon. Member for North Ayrshire and Arran (Patricia Gibson) put on pressure when she said that we need to do more about the situation. We can work together with officials. I will set out the position, which I suspect may not be entirely satisfactory in the eyes of some of those who have contributed. As Minister, my commitment is to try and raise the profile of the issue internationally—not necessarily ramp up the pressure—because only when we work internationally can we make a genuine impact on the broader ethics of organ harvesting, as well as on the specifics about what we do with the WHO and other United Nations-related organisations.

In her brief contribution, the hon. Member for Bishop Auckland referred to broader Government concerns about the human rights situation in Xinjiang province, in north west China, and about wider reports about restrictions on freedom of religion and belief. Many Members will be aware about the Government's extensive concerns about the situation in Xinjiang, which I discussed and debated with Members in this Chamber as recently as 29 January. There are credible reports that over 1 million Uyghur have been held in extrajudicial camps in Xinjiang and have faced a plethora of restrictions on their cultural and religious freedoms.

We also have substantial evidence of persecution of other religious minorities, including Christians, a range of Muslims from different sects, Buddhists and Falun Gong practitioners. They all face persecution and interference in their places of worship, their religious teaching and their customs. The UK Government are deeply concerned by the situation. In the last year no fewer than three different Ministers, including myself, have raised our concerns about human rights directly with our Chinese counterparts when visiting Beijing or at various international and public forums. At this month's session of the UN Human Rights Council our Minister for Human Rights, Lord Ahmad, raised our concerns about Xinjiang in his opening address. The

UK also raised the issue in our national statement and we co-sponsored a side event focusing on human rights in Xinjiang.

On the specific issue of Chinese state-sanctioned or state-sponsored organ harvesting, Members outlined concerns about the sheer number of transplants taking place in China, which far exceeds the publicly reported supply of organs available. Some have suggested that the reason for that must be Chinese state-sponsored and sanctioned organ harvesting. Others have alluded to reports that the supposed donors are held extrajudicially and murdered on demand to supply organs to wealthy Chinese and foreign patients. If true—we have to recognise that there has to be evidence—these practices would be truly horrifying. We need to properly and fully investigate such reports and allegations, and establish the facts.

It is certainly the case that China's organ transplant policy and system is far from transparent, as we would understand it in this part of the world. We are also aware of the cultural sensitivities in China regarding voluntary organ donation, and that the number of registered donors is low.

Carol Monaghan: I congratulate the hon. Member for Strangford (Jim Shannon) on bringing the debate. Does the Minister agree that the UK has a duty to update legislation—specifically the Human Tissue Act 2004—so that we can prevent UK citizens from travelling to China and participating in forced live organ donation, whether knowingly or not? The Minister has raised the issue of the doubts over what is happening. While those doubts exist, surely we must be doing more here to prevent people travelling to China.

Mark Field: I will come to the hon. Lady's points later in my speech—there is a specific passage about that. We recognise that there are international comparators, as referred to by my hon. Friend the Member for Congleton, which I would like to explore. I do not want to commit further than that, as I suspect it may be a Home Office or public health matter. My hon. Friend and the hon. Lady have made very serious points about ethics, and I will come to them.

It would appear that, in the past, a significant proportion of organs were routinely taken from executed prisoners without prior consent. China committed to stopping this practice from January 2015. While this was an important and positive step, there are still fundamental ethical questions about the ability of condemned prisoners in China to give free and valid consent. Indeed, China's use of the death penalty is itself a subject of great concern, not least because there is no transparency about the number of executions it carries out. Many NGOs assess that China executes more people than the rest of the world combined, but no accurate figures are available. We advocate against the use of the death penalty worldwide in all circumstances, including in China and a number of other countries, including close allies. We do not just condemn the practice, but advocate against it.

Members today have outlined concerns that organs are not only being taken from executed death row prisoners, but also from prisoners of conscience, primarily Falun Gong practitioners, as well as other religious and ethnic minorities. Concerns have been raised that sometimes organs are removed while the victim is still alive, and without anaesthetic.

There is a growing body of research, much of which is very worrying. As the hon. Member for Strangford mentioned in his speech, one key source is the written analysis by David Kilgour, David Matas and Ethan Gutmann. My officials have studied their latest report carefully and consider it to be an important source of new information about China's organ transplant system. It points out that it is extremely difficult to verify the number of organ transplants conducted in China each year, and to verify the sources of those organs. The report rightly questions the lack of transparency in China's organ transplant system, but acknowledges the lack of incontrovertible evidence of wrongdoing. The authors make it clear that they have no smoking gun, or smoking scalpel, to prove their allegations, so they are forced to rely on assumptions and less-than-rigorous research techniques. Some of those assumptions, particularly the statistical assumptions, came up in hon. Members' contributions, but they are still assumptions. We have to work on the basis of rigorous evidence—obviously, we are trying to develop as big a body of that as we can. Those research techniques include having to infer the scale of the organ transplant system from hospital promotional material and media reports, rather than properly corroborated data sources.

Jim Shannon: I thank the Minister for his comprehensive reply. Along with that evidence, which many hon. Members referred to in their contributions, is he aware of the report of the United States Congressional-Executive Commission on China, which referred to a clear evidential base? That might help the Minister when it comes to gauging and bringing together all the information. It recognises the outcome of the China tribunal in the investigations it has carried out. That wealth of evidence across the world—at home, as the Minister has referred to, and in the United States—cannot be ignored.

Mark Field: I am now aware of that report and I will try to learn more in our future discussions.

The Kilgour, Matas and Gutmann report was used at the recent tribunal organised by the International Coalition to End Transplant Abuse in China, which was chaired by the eminent lawyer Sir Geoffrey Nice, as has been said, and which my officials attended. Additional evidence considered by the tribunal was due to be published online earlier in the year. We are still waiting for it to be uploaded, but we are aware of the provisional findings, parts of which have been quoted extensively by hon. Members. We await with great interest the full publication.

From all the available credible evidence, it appears that China has not fully implemented its organ transplant commitments of January 2015. However, the World Health Organisation takes the view that, from its observations, China is putting in place a system of donation and transplantation that it regards as ethical and voluntary, and that allocates organs in a fair, transparent and traceable way in keeping with international norms and principles. The World Health Organisation shares that view with several of the world's leading experts on organ donation and transplantation.

Several hon. Members raised the issue of the WHO, the UN and international pressure. The WHO does not have a mandate or role to act as an inspector of whether new policies are being adhered to in China or any other country, but we will make it aware of the debate, of the

[Mark Field]

new evidence and of the sources to which I have referred, as well as providing a copy of *Hansard* to illustrate the concerns that have been expressed. We also note with interest the work done by the tribunal, and the information generated so far. We do not want to duplicate that work, so we are keen to utilise the evidence when it is finally published.

The hon. Member for Congleton asked whether we could call on the UN to undertake an inquiry or push for a rapporteur on the specific issue. We are working closely with international partners in the UN Human Rights Council, and will continue to do so, on a range of human rights issues in China. That work has previously included calling on China to implement the recommendations regarding Xinjiang from the UN's Committee on the Elimination of Racial Discrimination, and to allow the UN unrestricted access to monitor that implementation. Xinjiang is obviously a priority, but I appreciate that this is a separate issue, for which an increasingly important body of evidence is being amassed. I hope that, by working closely with the international community within the UN again, we can make genuine progress.

Fiona Bruce: Will that include liaising with the American roving ambassador for religion or belief who, in the last week, has expressed concern about human rights issues in China in strong terms?

Mark Field: I shall be delighted. I suspect my colleague, Lord Ahmad, will do that, but it makes a lot of sense, not least given our relationship in the United Nations.

We shall continue to scrutinise the situation carefully, and we welcome all new evidence. At present, however, our assessment is that there is not a strong enough evidential base to substantiate the claim, which has come up today, that systematic state-sponsored or sanctioned organ harvesting is taking place in China.

Jim Shannon: The hon. Member for Bishop Auckland (Helen Goodman), who was unfortunately unable to be present at the start of the debate, referred to the previous debate about the Uyghurs. I understand that there is an evidential base: some 15 million Uyghurs have had DNA blood tests for the compatibility of their tissue for organ transplant; nine crematoriums have been constructed in Xinjiang province, the first of which hired 50 security guards; and there is a dedicated organ transplant lane at a Uyghur airport. They are just some of the stories, but if they are not evidence of what is taking place, what would be?

Mark Field: There is evidence for deep concern, as has been demonstrated in the debate, but we believe that we are some way away from the notion of it being evidence that it is state sanctioned. However, I am well aware that the issue is now being looked at by a number of interested parties, to which I and the hon. Gentleman have referred. As I have said, we will work within the international community on the issue, which I think will raise the attention of many countries that have deep concerns about such matters.

The hon. Members for Glasgow North West (Carol Monaghan) and for North Ayrshire and Arran raised the separate but related issue of British citizens travelling

to China for medical treatment—so-called organ tourism. We do not collect data on that and are not really able to do so, but we believe that relatively few people in the UK choose to travel to China for that purpose. As it stands, the British Government cannot prevent those individuals from travelling—I am sure hon. Members recognise that it would be difficult to police that and understand whether people had gone for that purpose—but it is important that we make them aware that other countries may have poorer medical and ethical safeguards than the UK, and that travelling abroad for treatments, including organ transplants, carries fundamental risks.

There is a broader issue about the sheer ethics of what we might call a free market in transplanted organs. This debate is an important staging post, although we have had debates in Parliament before. Health is one of the few attributes that some of the poorest people in the world have, and we find the notion that the rich world can take advantage of that an even bigger ethical concern. Travelling abroad, whether to China or elsewhere, is something that we want to work on with other countries. Where manageable legislation is in place that seems to be operating effectively, we should take it seriously.

I will come back to hon. Members with some thoughts about whether we feel legislation is practicable and can be introduced. I recognise hon. Members' deep concerns, which reflect deeper ethical concerns about the notion of there being a free market for organs, and about the large-scale travel of British citizens to take advantage of that terrible harvest, although I do not think there is any evidence.

Patricia Gibson: I understand the Minister's point about the difficulty of preventing people from travelling. I ask him—in his remarks a moment ago, he hinted at this—to consider that we pass a law preventing people from travelling for this reason and from being organ tourists. That would put our moral position on the map and set a marker, which is very important.

As the Minister says, we can look at what countries such as Italy, Taiwan, Israel and others have done and what measures they have in place to prevent their citizens from becoming organ tourists. Ethically, it is very important that we introduce such measures and it cannot be beyond the wit of any UK Government to put them in place.

Mark Field: I do not want to make any great commitment on this—I recognise that another Government Department may well have responsibility. We do not just want to put laws in place. We want to ensure they are effective. The worst of all worlds is to have legislation that is essentially bypassed in a straightforward way. Rather than making a commitment now that I end up having to backtrack on, I hope the hon. Lady will forgive me if I say that, given the depth of concern reflected by all Members, we will go back and try to look at things, particularly international comparators, to see how we can craft legislation that will be effective in the way that all of us would desire.

I conclude by taking this opportunity to reassure all hon. Members that, contrary to suggestions, our trading and economic relationship with China does not prevent us from having very frank discussions with the Chinese authorities, and nor does it affect our judgment on this increasingly important issue. We shall continue to engage

with China on a full range of issues, including human rights. I outlined earlier the UK's recent actions in the UN Human Rights Council and our vocal condemnation of the abuses perpetrated in Xinjiang. We shall continue to promote universal freedoms and human rights, and to raise serious and well-founded concerns with China at the highest levels.

I thank all hon. Members for their contributions. I know that so much else that is going on crowds out interest elsewhere. It is great to see so many people in the Public Gallery, obviously recognising that these issues are close to the hearts of many representatives. Although it is perhaps understandable that much of the press coverage focuses on Brexit-related issues, a terrific amount of other work goes on. Many hon. Members—Back-Benchers and Front-Benchers alike—focus on that work.

As a Foreign Office Minister, I try to do my level best to keep working hard. I am afraid that a few conversations abroad obviously have a Brexit flavour to them, but there is also a sense that there is other important work to be done. Last week, I had two days away at the OECD in Paris, doing some very good work to stand up for the rules-based international order, and to work in relation to anti-corruption and integrity matters together with a number of other countries from across the world.

It is rather important that all of us utilise our energies in any way we can to address the important issues raised today, which I know we will come back to. I hope Members will work closely with the Government—with the Foreign Office and other Departments—to try to ensure that the terrible scourge of involuntary organ harvesting is, before too long, firmly in the past.

10.53 am

Jim Shannon: I thank right hon. and hon. Members for their contributions, which were very significant and helpful. I am particularly thankful to the Minister for his response. I never doubted that it would be honest,

truthful and helpful, and I appreciate it. I understand the issues as we try to move forward, but I gently suggest to him that we need to use every avenue of opportunity we can to persuade China to stop what has been referred to as the industrial-scale removal of live organs.

Members have referred to the religious, ethnic and other groups across the whole of China that are affected: Falun Gong; Christians and House Christians; Uyghur Muslims; Tibetan Buddhists; and prisoners who are doing time for their crimes, but none the less should not have their organs removed.

My hon. Friend the Member for Congleton (Fiona Bruce) was very helpful in her contribution, as indeed were all Members. It was said that there is no victim to tell their story except for the person who found that they had a heart defect and therefore were unsuitable for a heart transplant. There is some of the evidential base.

The hon. Member for North Ayrshire and Arran (Patricia Gibson), who spoke for the Scottish National party, suggested that this was like something out of a science fiction novel. It is not. It is worse than that—it is real life, or in this case real death.

We are all deeply indebted to you, Ms Moon, for chairing the debate. I am grateful to hon. Members who have taken part, and to the audience who have attended today—a significant number of people are here.

We are here for one purpose. We want to see change, we want to see accountability and we want to see the removal of live organs for transplant stopped. We want China to grasp the urgency of the issue. The Minister referred to murder on demand, which we can never sanction. We urge the Chinese Government to realise that and draw back.

Question put and agreed to.

Resolved,

That this House has considered forced live organ extraction.

Royal Commission on Police Funding

10.56 am

Stephen Lloyd (Eastbourne) (Ind): I beg to move,

That this House has considered a Royal Commission on police funding in the 21st century.

It is a pleasure to serve under your chairmanship today, Ms Moon, and it is excellent that I am three minutes ahead, so we have 33 minutes for this debate. I am delighted to have secured the debate and to see the Minister for Policing and the Fire Service in his place. I am sure that his father is watching Parliament with great interest, but I will not go on about that.

The purpose of the debate is to implore the Government to implement a police royal commission. The last one was in 1962, which was before the Beatles; it is that long ago. It was the time when Elvis Presley was in his pomp, but this country has changed quite a bit since then, to put it mildly. In the ensuing 57 years, some elements of policing have remained the same—for example, there are 48 forces, all of which are very independent—but much else has changed. Governments of all complexions have made a few piecemeal adjustments here and there. Funding has gone up and down; it has been feast or famine. Now we are in 2019, and the vista for crime-fighting and the police force is completely different from how it was 57 years ago.

The idea of having a police royal commission has been around for about seven or eight years. My view is that over the last year or so, it has really begun to gain traction. The public understand it, and more than 370,000 people have signed a petition on it. In Parliament, there is growing cross-party support for it. In total, 51 MPs—from, importantly, all the different political parties—have signed my early-day motion. My objective in calling on the Government to establish a royal commission is not partisan, because I am absolutely certain that in this Parliament, in particular, anything partisan has absolutely zero chance of happening. My whole approach is to make this cross-party call; to engage with the different representatives of the police forces, from the national Police Federation to the superintendents to the Association of Chief Police Officers; and to engage with the media.

This is all about securing a royal commission, but why? I have talked about how it is 57 years since the last royal commission reported, and crime has changed so much in that time that I am not even going to labour the point—the Minister knows about that very, very well. In those days, we did not have cybercrime or the supranational, global crime that we are dealing with today. Equally, on a basic level there have been significant changes in how the police deal with crime. The Minister will be aware that research tends to indicate that the fêted bobby on the beat does not make a huge difference in driving down crime. He will also be well aware that there are good reasons why the public like to see police on the beat, so that they feel secure. The job of our police forces is to serve us and the public, and to ensure that the public feel secure.

To be blunt, in today's climate, morale within the police is, as the Minister knows, perilously low, and it has been for the past couple of years. I do not want to say that it has never been lower, because that sounds like grandstanding.

Afzal Khan (Manchester, Gorton) (Lab): I thank the hon. Gentleman for securing the debate. About 25 years ago, I served as a policeman in Greater Manchester police, which last summer ran a scheme that enabled MPs to go and experience what it is like. I agree with the hon. Gentleman that things have changed; things have changed since I was a police officer, and we can see that even more clearly if we look further back. How can we engage more Members so that we can go ahead with his good idea?

Stephen Lloyd: I thank the hon. Gentleman for his intervention, particularly as he used to be a police officer. His intervention is really useful, because he has hit the nail on the head. To make the idea work and to put enough pressure on the Government—they have one or two other things on their mind at the minute—we need to grow the number of Members who back it in Parliament, and grow it in the media. We have a good support base of 51 Members. I was talking to some peers last night, and we are looking to push this in the Lords as well. To me, it is self-evident that policing has transformed, and that policing needs have completely changed in almost 60 years.

As I said, the changes in police forces have been piecemeal. It is difficult for politicians today to understand what the real issues are, because so many different groups give us different ideas and solutions. Only a week or so ago, we had the Prime Minister saying that the cuts in police numbers bore no relation to the increase in knife crime, and the following day the Metropolitan Police Commissioner saying that they did.

I am not making a political point. I believe we need this royal commission because the public yearn to have a group of independent experts—not politicians or the media, but people from policing around the world—taking evidence from a whole range of groups. On a royal commission, such people would be recognisably independent and expert. Using the evidence that was given, they could assess what was fact and what was fiction. I use those words advisedly, because when I and other politicians try to understand policing issues, be they about resourcing or about what we ask the police to do, one problem is that we are told so many different things.

I am not an expert. Unlike the hon. Member for Manchester, Gorton (Afzal Khan), I have not been a policeman.

John Howell (Henley) (Con): In my police force, a lot of what the hon. Gentleman is talking about already happens. The force is already changing how it delivers police services; for example, there is a much bigger emphasis on rural crime. I am not sure how a royal commission would link into that, and what effect it would have on our very different constabularies.

Stephen Lloyd: That is a moot point, but the hon. Gentleman's intervention reflects precisely my point: we can no longer have piecemeal changes, with one force doing one thing and another force doing another. A lack of consistency is at the heart of the problem of poor morale within police forces and a lack of engagement, support and trust among many of the public.

Let us take the numbers. Our ratio of policemen and women to members of the public is the third lowest in Europe. I do not know whether that is acceptable; perhaps it is, or perhaps we should have more, or less.

The point is that it is incredibly difficult for politicians and the Government to understand accurately the needs of modern-day policing and what the resources should be. That is because when it comes to policing and resources, there is so much noise, and so many noises off, from the different interest and lobby groups, and we must draw a line.

No one in the Chamber can fail to recognise that policing and crime have changed so much in 57 years; we know they have. With a royal commission, we want to get the politics out of it. Policing is too important—I will not even get on to police and crime commissioners; that is for another day—for politics. Politics goes straight through policing, from top to bottom, be it about resourcing—too much, or not enough—or what the police should and should not be doing.

I think I am offering the Government an opportunity, because I believe that if a Government, of whichever kind, set up a royal commission properly and robustly, the public will be grateful to them. The findings and conclusions of such a commission will set policing for the next 40 or 50 years. Because of the respect in which a royal commission is held, the public will listen to it and believe what it says in its report. That is crucial, because all the spin, disingenuousness and vested interests around policing mean that the public do not know who to believe. They do not believe us any more, and I do not blame them. What the hell do I know about policing?

As it happens, I have family members in the police and I work closely with the force in Eastbourne, which is brilliant. I was out with Sergeant Scott Franklin-Lester only a few months ago. After four hours, in which he arrested two people, I said, “I hope your mum doesn’t know how dangerous your job is.” I asked that excellent police sergeant for guidance and advice, and his feedback was really helpful and productive. I am not going to drop him in it, but his feedback reminded me how huge the issue is, and that there is a lack of consistency and public trust, as well as low morale in the police. It seems to me that a police royal commission, which I am convinced would get wide cross-party support, is one answer.

Afzal Khan: At its heart, the matter is complex, and things have moved on. The Home Affairs Committee has said that the

“current model for police funding is not fit for purpose”.

Does the hon. Gentleman agree that relying on council tax is a particularly unfair way of raising that funding, because areas that have been hardest hit by cuts will raise the least funding? There are clearly complex areas that need to be considered, and a royal commission would be the right way forward.

Stephen Lloyd: I thank the hon. Gentleman for his excellent intervention on that specific point. I have a lot of respect for the Select Committee. However, he identifies, as did the hon. Member for Henley (John Howell), that there are many different issues around funding, resources and what we want our police to look like over the next 40 or 50 years. That is why, in my campaign to get the police royal commission off the ground, I am deliberately trying not to pinpoint specific problems. I know them and I see them, and the hon. Member for Manchester, Gorton is absolutely right. But I do not simply want the Government to fix one issue, and then next year—or in six months’ time, after Brexit, if we are not in “Groundhog Day”—fix another little problem. As the hon. Member

for Henley has quite rightly pointed out, for example, his own force recognises that rural crime is an issue, so it has fixed it. I am saying, “Stop.” We need to draw a line in the sand.

We need to get the right people on the commission. We need them to take evidence for, say, a year, from all the vested interests and from people with opinions, be they representatives of police forces, academics or possibly even politicians. Following that, we need to come up with a report that, depending on what we want for 21st-century policing and what areas we want to focus on, shows us the resources and the number of police officers required to keep the public safe. That would allow the public—and the politicians, but in this instance the public are key—to give real buy-in to what the commission propose, and also to our police force. I am not going to use clichés: our police force is highly respected as one of the best in the world, and the public have a lot of time for it, but I am concerned that that is fraying. That is wrong for the men and women who are in uniform out there, trying to keep us safe, and it is also wrong for our country.

It is absolutely crucial for the Government to make this decision while we are still slightly ahead of the game. A royal commission would not cost a ton of money—it is not a Chilcot report, or anything—or take an awful lot of time, but it would make a huge difference to the value that the public will put back into our police force. Most importantly, it would improve the police’s delivery and their capacity to fight crime. I urge the Government to recognise that a royal commission is going to happen; I am sure of it. With respect to the Minister, I know why the Government will push back: the line will be, “It will not be for a few years. We need to do something fast.” I do not know about the Minister, but frankly, I am pretty fed up with every Government bringing in new changes to the police here and there, and continuing with that piecemeal process. Let us get this done properly.

A royal commission would mean that other things, such as the excellent rural initiatives, stop. I think, however, that it would be worth the 18 months or so that it would take to put a commission together and compile a report, and the two or three years it would then take to roll out its conclusions. Let us prove to the public—particularly at the minute, with Brexit—that we are not just focused on short-term fix and mend; let us get this one right. If the Minister puts his name to a royal commission, I am sure that he will be much loved and appreciated across the length and breadth of the country, and that such a commission will have an enormously positive impact on our police forces, our public, and, most importantly, fighting crime in all its different forms. Let us not wait another 20 years; the time has come, and I urge the Minister to push the forward button now.

11.14 am

The Minister for Policing and the Fire Service (Mr Nick Hurd): It is a huge pleasure to serve under your chairmanship, Mrs Moon, for what I think is the first time. I congratulate the hon. Member for Eastbourne (Stephen Lloyd) on having secured this debate, and on presenting a good case in an extremely beguiling manner. He has promised me the love and admiration of the nation if I accede to his request; he took me back in

[Mr Nick Hurd]

time to 1962, and he mentioned Elvis, but obviously the most important feature of that year is that it is the year I was born. He did his very best to beguile me, but he has not entirely persuaded me of his case. However, since we are in the mood for finding common ground, let me establish some, because it is important.

The hon. Gentleman is right to say that we are recognised as having one of the best police systems in the world, and that the public still have relatively high levels of confidence in the police. He is right to point out that the public are increasingly concerned about crime, and are, I think, primarily unsettled by the terrible cycle of serious violence; that is not just an urban issue, but is deeply unsettling for everyone. The hon. Gentleman is also right about his fundamental point: we are working through a period of profound change in the nature of crime, the risks to public safety that we are trying to manage, and the nature of the demand on the police and the resources available to them. He did not mention this, but one of the defining features of our age is the growing power of technology to do both good and evil, and the make-up of our country's communities and the cultural norms and attitudes that underpin them also continue to change fast. The hon. Gentleman knows as well as I do the fundamental power of the seventh Peel principle:

"the police are the public and the public are the police".

All of those are fundamental truths, and arguably the core challenge facing any Government or police leadership at any time.

We are living through a process of accelerated change, but I wholly support the point made by my hon. Friend the Member for Henley (John Howell): the police are managing that change. There are ways in which we can improve, but just as the country and crime are changing, so are the police. My local police force, the Met, is unrecognisable from what it was 10 years ago. A lot of rubbish is talked about the police and their attitude to change, and some people have fallen into the trap of talking about them as one of the great unreformed public institutions. The police are managing a huge amount of change in what they do and how they work.

John Howell: The point that I was trying to make was that if we compare Thames Valley police with the Metropolitan police, for example, they are completely different organisations tackling different sorts of crimes. I wonder whether the differences in the make-up of constabularies are now so great that a royal commission would not be able to work across all those different activities.

Mr Hurd: That is a valid and important point. I understand the temptation to say, "There are lots of difficult things going on and there is a need to take a long-term view, so let us ask some sensible people to take some time, go away and talk to people, and think about this." My concern is not just that which my hon. Friend the Member for Henley expressed, but that a royal commission feels like a rather outdated and static process, given the dynamic situation that we are in.

The practical point is that we are approaching an extremely important point in defining the future of policing in this country, which is the next spending

review. We cannot be certain, because we live in uncertain times, but the Chancellor has indicated that all being well with Brexit—I know that is a big "if"—that will be a summer for autumn event. For me, that spending review is the next critical point for shaping the immediate future of policing in England and Wales, and there are some things that we just do not need royal commission advice on.

Quite rightly, the hon. Member for Eastbourne talked about resources and officer numbers. If we cut through all the smoke, fire and political heat, there is cross-party recognition of the need to increase the capacity of our police system. We can argue about how fast and how far, but the Government and Labour Front Benchers recognise the need to do that, and we are moving in that direction. Next year, as a country we will be investing £2 billion more in our police system than three years ago. Police forces up and down the country are recruiting more than 3,000 new officers, in addition to staff. It is not only about increasing investment and officer numbers, but about looking hard at how police time is managed, the power of technology to free up time and internal demand and external demand, not least of which are the demands of looking after people on the mental health spectrum. A huge amount of work is going into looking at how we can increase capacity through increased investment and looking again at how the valuable time of frontline officers is used. We do not need a commission to help us in that critical work.

Afzal Khan: The commission being proposed has a lot of weight. In a sense, two fundamental issues make the difference: the ability of people to move around and the ability to communicate. That has opened up a world of things on the crime side in terms of how criminals operate across counties and internationally, on the internet and through fraud. It would be helpful to have a commission to look at the totality and to help us have a police force that is fit for the 21st century.

Mr Hurd: I understand the point, and I will address it, but my point is that I am not sure that a royal commission is the right solution at the moment for addressing some of the challenges that we know about. We have the capacity among the Government, the political process in this place and police leadership to work through them ourselves. I mentioned the spending review, and that is the major opportunity in the short term. We must not lose sight of getting it right or be distracted by the idea of royal commissions.

We are working closely with the police to look at demand and cost pressures and to ensure that the bid into the spending review is properly informed. With the police we are working through the question of how much further we can go in making the police more efficient and productive on behalf of the taxpayer. We are looking at the balance between crime prevention and the reaction to crime. We are looking at how we can give better support to frontline officers, because it is clear that we can and should do that. We are looking at system issues—issues that have rolled down through the ages, but that continue to be relevant, such as the balance between the centre and the local, the question of how we build and deliver national capabilities and the fundamental question of how we learn from the past for the next stage of upgrading police technology across this fragmented system.

How do we develop more consistent standards across the fragmented system? How do we do a better job of spreading innovation and best practice? Some of that best practice is frankly brilliant, but it exists in pockets. How do we ensure that it is spread across the system? How do we ensure that the fragmented system takes a more systemic approach to tackling some of the perennial problems that it faces? How do we ensure that we allocate resources in the fairest possible way? Those are challenges that we know we have to address, and we are working together with the police to do so. I simply am not persuaded that a royal commission will help those things in the immediate specific context, but I will come back to the point. First, I will give way to the hon. Member for Halifax (Holly Lynch), who is a great supporter of the police.

Holly Lynch (Halifax) (Lab): I thank the Minister for giving way and the hon. Member for Eastbourne (Stephen Lloyd) for eloquently setting out the challenges facing the police. Will the Minister give us a little more information on the points he was making? I am aware of the work Tom Winsor is undertaking with forces as they go through their assessments of what crime demand will look like in the coming years, with a view then to look at the resources required to match that. What might the timeline and the process be? However we approach having to meet resources in the future, that information and analysis will be important.

Mr Hurd: The hon. Lady is superbly informed and passionate about policing. She makes a good point and illustrates something I was trying to capture: the degree to which the police are changing and responding to challenge. The challenge to police leadership from Her Majesty's independent inspectorate was, "You don't do a good enough job of anticipating and managing future demand." That sounds critical, but we know the reality. Police leadership is stretched in dealing with the demand in front of it.

The challenge from the inspectorate is that we need to do a better job of anticipating future demand, and the instrument was the force management statement. There were some grumblings and criticism at the start of that process, but every force complied with it. The inspectorate handled that process very well. We have all our first force management statements in, and we are now into a second iteration of that process. That is a good example of where the police have recognised the need for change, prodded by external eyes and external challenge. The system is now working together to improve on the first iteration, and I am encouraged by that.

I recognise the clarity of the argument made by the hon. Member for Eastbourne, and I understand its drivers. I have tried to explain why I am not persuaded in the short term that a royal commission is the answer to some of the challenges we have to work through with the police in the immediate context, which is the critical spending review. We have to get that right, because it will shape the future of policing for the next three to five years.

I want to close on a more constructive and positive note. Looking at the history of police reform in this country going back centuries, it is striking that the same questions are always asked. They tend to come back to, "What is the right balance between the centre and the local?", "Who are the police accountable to?", and, "How do we strike the right balance between law and order and the protection of individual liberties?" Then there is the fundamental question of, "Have we got the right structure of policing?" That tends to come back, as it has over the years, to the question of, "What is the right structure in terms of the number of police forces?" If we look at the length of history, we have come down from 200-odd forces to 43, and the question whether it is the right structure is still being asked.

The reality is this: the system has real strengths in local accountability and ensuring that local police forces are attuned to local need and accountable to the residents and citizens they serve. The hon. Gentleman spoke about piecemeal reform, but I would argue that the reforms to the police system since 2010 have not been piecemeal. They have been extremely significant, not least the introduction of police and crime commissioners to further sharpen local accountability. That is a real strength in the system that the public understand and respect, but the reality—it is heard from every police audience—is that the system is extremely challenged by the current environment of policing, not least because more and more crime simply does not respect borders, because it is either online or physically runs across borders, such as county lines. The fragmented police system struggles with this environment of rapid change. Although a lot of change is going on, it is driven at a slow and unsteady pace across the system, and the police recognise that.

As it has been over time, the whole question of whether this is the right policing structure continues to be valid, and it will continue to be asked. I happen to think that we can do a great deal to make the system work smarter, and that is one of my major priorities, but the political reality is that no party—Conservative, Labour or any other—has a mandate from the British people to take a big-bang approach to restructuring policing, even if it wanted to. I have no doubt that whoever is in power, we will come back to the question whether we have the right structure to combat modern crime and modern demand on the police as the police evolve, as we understand it through the police's own understanding and as we build capability in the system to look ahead a bit further, which is one of my priorities. In that context, there may well be merits to and an argument for an independent look at that.

Stephen Lloyd: I have to intervene otherwise the debate will run out of time. All I will say in answer to the Minister is that the fundamental thing the police royal commission would give, which we lack, is trust for the public.

Motion lapsed (Standing Order No. 10(6)).

11.30 am

Sitting suspended.

Personal Independence Payments: Merseyside

[SIR EDWARD LEIGH *in the Chair*]

2.30 pm

Maria Eagle (Garston and Halewood) (Lab): I beg to move,

That this House has considered the administration of personal independence payments on Merseyside.

It is a pleasure to serve under your chairmanship, Sir Edward. I welcome the Minister, who has been, though is not at present, the Minister for Disabled People. As a former Minister for Disabled People myself—I served for an entire Parliament, in fact—I am grateful for this opportunity to highlight a worrying deterioration that I have noticed in the administration of disability benefits in my constituency.

Personal independence payment is meant to help people with the extra costs of disability, and is payable regardless of income. None the less, many sick and disabled people who apply for it and receive it are often unable to work, tend to be poor and find it difficult to make ends meet. Many have chronic fluctuating conditions, and are very ill or very disabled. PIP is therefore usually, in my experience, an essential component of enabling people in such situations to live a decent and dignified life. It is a crucial benefit, which is all the more reason to get it swiftly and correctly to those who are entitled to it.

According to the House of Commons Library, since 2010 some £4.8 billion has been cut from disability benefit. Indeed, the introduction of PIP and the replacement of disability living allowance, its predecessor benefit, was intended from the start to cut entitlement to make it less generous, and to create monetary savings in the escalating cost of DLA. The expected savings of £3 billion a year have not materialised, but the Tory Minister in the Lib Dem-Tory coalition who introduced the benefit in 2013 said that PIP would be

“easier to understand and administer, financially sustainable and more objective.”—[*Official Report*, 13 December 2012; Vol. 555, c. 463.]

“Financially sustainable” means, in this context, cheaper in terms of the overall spend. That means cutting entitlement and awards when we get down to the circumstances of individuals.

Since PIP’s inception, administrative problems have been to the fore. In its first seven months, only 16% of the targets for resolving claims were met. The National Audit Office was critical, suggesting that the Department for Work and Pensions should

“set out a clear plan for informing claimants about the likely delays they will experience”.

I wish it had, because my constituents are increasingly experiencing delays, and I do not see any plan to stop them. Ever since PIP was introduced, constituents have complained to me about the way in which they have been treated when being assessed, the delays in the process of administering it, and subsequent reconsiderations and appeals. Whatever the outcome of the original assessment, it is hard to find people who are satisfied with the administration of the benefit.

Recently I have noticed that things are worsening. For the previous two years, until last December, I had a stable, steady number of cases coming through, spread over the months. I have been able to help with some cases and not others, but the flow has been pretty steady. However, during the first three months of this year my office has faced a threefold increase in complaints about PIP, and some of the circumstances my constituents relate to me are simply horrendous.

There are a set of different problems. For example, I hear about inappropriate questions at assessment, so that when people are disqualified from the benefit they consider the process completely unfair. Asking somebody who is debilitated by mental illness whether they can pick something up off the floor just does not seem relevant to that individual. In my experience, home assessments are rarely allowed, and when people cannot attend, usually for genuine reasons, they are simply disallowed the benefit.

I have one constituent who has been trying since December 2017 to be assessed. He has been refused, despite many debilitating conditions, including severe schizophrenia, bipolar disorder and chronic obstructive pulmonary disease. There are physical and mental reasons why he cannot attend an assessment centre, but PIP administrators simply will not attend him at home. He has been unable to get to the 11 face-to-face interview assessments he has been set. Consequently, his last DLA payment, which was received in the middle of last year, has long since expired.

My constituent has lost employment and support allowance as a consequence. He has now lost almost £5,000 of income, and is financially reliant on his extremely elderly and disabled mother for the basics—all because he cannot get to an assessment. Why on earth can they not assess him at home? It is ridiculous that he has been asked to attend 11 times when he clearly has problems doing so. Why can we not have some common sense?

In addition, there are poor assessments and a poor attitude from assessors. My constituents report that they are often simply not believed. Some feel sneered at, and some are right to feel that way, from the accounts that I have heard. Inaccuracies in medical assessments mean that sometimes the reports that are produced end up bearing no resemblance whatever to what has been said at the face-to-face interview, and my constituents tell me that they feel as if a completely different case and person has been reported on.

Jim Shannon (Strangford) (DUP): May I reflect on the hon. Lady’s opinions regarding PIP? I am very involved in this matter in my constituency back home, with the changes that there have been. Does the hon. Lady feel, as I always have, that it is important that the assessor or officer who comes out to visit the person in their home, or takes them to an office for interview, has knowledge of the medical circumstances of that person? Also, when it comes to mental and emotional issues, does she agree that it is important to have someone there to support the person being assessed—perhaps as a witness as much as anything?

Maria Eagle: I agree with both those points. A lack of understanding and basic common decency sometimes seems to creep into these assessments.

I also have vulnerable constituents who are being prevented from getting help in explaining their situation to assessors. For example, I have a constituent who has a brain stem tumour, among other physical conditions. Perhaps not surprisingly, her mother was with her at the assessment. However, she was told that her mother could not answer any questions for her, despite the fact that my constituent has significant difficulty in processing information because of her condition. That goes completely against the PIP assessment guidance, which says that “companions may play an active role in helping claimants answer questions”.

I have constituents who were prevented from having that kind of help and, perhaps not surprisingly, thereafter had their PIP stopped because it was felt that they had not answered the questions appropriately.

There are extremely long delays in assessments, reconsiderations and particularly tribunal dates for appeals. It is hard to justify the fact that the average waiting time for PIP is now 15 weeks. That is almost four months. It is completely unacceptable to make disabled people, who rely on that money to make their lives a little easier, wait so long for a first payment.

Reconsiderations are a necessary step to be gone through, but they almost never overturn the original decision. In my recent experience, I have not come across a single case in which that has happened, even when it is blindingly obvious that that is the point at which what has gone wrong can be put right with the least possible damage. Surely the purpose of the reconsideration stage is to apply a little common sense, but these days it just seems to be a way of wasting another two or three months, during which the individual does not get their benefit.

The wait for a tribunal is the killer. On Merseyside, the average wait is more than nine months, but I know of people who have waited for 12. It is an absolute scandal. How can the Government or the Minister possibly justify treating vulnerable, sick and disabled people in such a callous and horrendous manner?

I have also come across many reports of compassion fatigue among bureaucratic and indifferent contractors who are paid to assess vulnerable and desperate people. Compassion fatigue is not a new phenomenon, but it seems to be rife these days. It was reported in the newspapers recently that a DWP official had submitted papers to an appeal tribunal in which they referred to the appellant, a disabled person, as a “lying bitch”. How revealing of their attitude is that? Yet there is not much evidence of fraud in claims for these benefits: according to DWP figures, it represents only 1.5% of the total expenditure. That figure is put into context by the heftier 4.2% of total expenditure on making up underpayments to people who have not claimed their full entitlement—one can hardly argue that there is a huge problem of fraud that we need to crack down on.

Let me give a few examples of cases in my constituency that illustrate my concerns. Some people’s benefits have been stopped, quite unfairly, when they have fallen foul of overly bureaucratic practices that take no notice of plain common sense and that apparently cannot be put right without the lengthiest process imaginable, causing extreme hardship and pain. I have a constituent with kidney disease who attends hospital weekly for dialysis. She was diagnosed with a very painful and severe complication

of her condition and was treated for it as an in-patient. When she got home after being discharged last July, she was exhausted, disoriented and in severe pain. She was expecting a district nurse to attend her at home to change a dressing, but her carer was confronted at the door by someone who claimed to be a health professional, but who—sure enough—seems in hindsight to have been sent by the DWP.

The “medical professional”, who was turned away by the carer because my constituent was in no fit state to be seen, appears to have had a compassion bypass. Instead of being given another appointment at a more convenient and sensible time, my constituent had her benefit stopped last August because she was said to have refused to be interviewed. Not only was she in no fit state to be interviewed, but she had received no letter. Even if such a letter had been sent, she had been in hospital for weeks and was very poorly, so she certainly would not have seen it. Why on earth was another appointment not made as a matter of plain common sense? Her request for a reconsideration last October was refused. What is the point of having reconsiderations if we cannot reconsider a case like that?

My constituent applied for a tribunal hearing in December—given her very poor health, it took her that long to navigate the process of filling in all the required forms. For three months, she tried to make the best of things, but she came to see me last week asking how long she would have to wait for an appeal. As I have said, and as the Minister may know, the average wait on Merseyside is 38 to 42 weeks, so I had to tell my constituent that she might have to wait another six months before the matter could be resolved. I have no doubt that the decision would be overturned at a hearing, as happens in 75% of the cases that get that far.

When I asked my constituent how she was doing, she told me that she had no money for food. Her weight had reduced to just 6½ stone. On the day she came to see me, she had eaten two slices of toast—one for breakfast and one for lunch—and was planning a main meal of a bowl of soup. I would normally offer food bank vouchers to a woman in that condition, but my constituent has a special diet because of her dialysis, so she could not have eaten what a food bank would have given her. She was able to take advantage of Can Cook, a charity in my constituency that stepped in at my request to provide some fresh food commensurate with her dietary requirements—but most people do not have Can Cook in their constituency.

I happened to bump into the Secretary of State, so I asked her who I should write to about this scandalous case, given that the hon. Member for Truro and Falmouth (Sarah Newton) has resigned as Minister for Disabled People, Health and Work and has not been replaced. The Secretary of State got her officials to sort it out within two days, which is excellent, and I thank her for it. My constituent has been reassessed on higher rates of care and mobility than those from which she was disqualified, and she will receive full back payments this week. Thank goodness she came to see me, but she did not see me for 10 weeks—and what about those constituents who have not come to see me and who are suffering in silence and despair at home? What about those who are too vulnerable to get out to see me, particularly those who are debilitated by mental ill health and are struggling on with no money and no food?

Jim Shannon: I am quite moved by what the hon. Lady says. Many of us know of people in similar circumstances. At my constituency office, three people in 10 days came to see us who had fallen off the radar—no one knew about them. Their issues were clearly mental and emotional. Does the hon. Lady feel that someone in the benefits system should be following up on people who have been refused benefits? That would be a method of finding out what is happening to those people.

Maria Eagle: The hon. Gentleman is correct. One would have thought that the reconsideration would introduce an element of plain good sense, but it does not seem to be working in that way at present. There is a general issue with how the debility caused by mental ill health is not well recognised or sympathetically dealt with in the system. People who are debilitated with mental ill health often find it even harder than people who have physical disabilities to face up to filling in the forms and getting themselves organised to get some help, so they are even more vulnerable.

PIP has less generous criteria for its mobility component than DLA, because it is designed to save money: people are required to be less able to walk than under the older benefit system. Because PIP is the gateway to one of the world's most innovative and practical disability entitlements—the world-leading Motability scheme, one of the best things that makes disabled people's lives easier—problems in its administration hit recipients particularly hard. For many of my disabled constituents, access to a Motability car is a lifeline—it makes their lives liveable—yet in the last two years, the DWP's own figures show that 44% of people who were getting the higher rate mobility component under DLA lost their entitlement under PIP. Of those who are being reassessed from the DLA higher rate mobility component to PIP, only 53% got the equivalent of the enhanced rate. The other half either got the lower rate, and therefore lost their car, or got no mobility component at all.

People naturally appeal when they lose so much, and they are entitled to do so. PIP appeals accounted for 52% of all social security and child support tribunal receipts, and 73% of PIP appeals succeeded. Too many people who should appeal do not; they put up with the loss of income and the hardship because they cannot cope with the process. For people who first joined the Motability scheme before 2012, the car has to go back once the benefit has been gone for 26 weeks. However, the average wait for a tribunal on Merseyside is nine months, which means that people's cars have to go back even if they win the tribunal, as 75% of them do. What is the point of taking away a disabled person's car only to give it back again? Is it any wonder that people feel messed around? They have been messed around. I have a number of cases where people have quite wrongly lost their Motability car. When they finally get to appeal, they get it back. Why mess them around in the first place?

One constituent has lost her car and is awaiting a tribunal hearing—she will have waited almost a year by the time she gets one. I tried to have her case expedited with the Courts and Tribunals Service, as I have with a number of others, as this young woman has to make three or four journeys to hospital, in different directions, to different hospitals every week. She and her parents, who are fairly low-paid workers, used the car to get her to those hospital appointments. Her journeys cost £17 per

journey in a taxi, multiplied three or four times a week. When her mother came to see me, they were starting to decide which hospital appointments to go to and which not to go to. I asked the Courts and Tribunals Service to expedite the hearing, and it was put in front of the judge—that is the first time I have got that far—but he said no, so she will have to wait until this summer.

The Mayor of Liverpool has a mayoral hardship fund, with millions of pounds that were raised through the invest-to-save arrangements, which was supposed to be about improving the Merseyside economy. He now spends all of that fund supporting poor people, and the young woman now has her taxi journeys paid for. That is the only reason she is still able to attend her hospital appointments.

The Minister must recognise that there is a severe problem here, at the very least in the length of time it is taking to get appeal hearings, and in the way in which people are being messed around in the interim. The people who benefit from PIP are some of the poorest, most vulnerable and most disabled people in our society. They should not be being put through the mill to get their basic entitlement to an extra benefit. I hope the Minister will be able to show us that the situation is going to improve in future.

2.52 pm

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Sir Edward. I congratulate my hon. Friend the Member for Garston and Halewood (Maria Eagle) on a powerful and passionate opening speech. She has addressed the injustices and spoken up on behalf of her constituents. We know that disabled people and those with long-term health conditions are much more likely to live in income poverty and significantly less likely to be in employment, and that they face barriers to participating in wider society and therefore to being able to lead active and independent lives. Personal independent payments and their predecessor, the disability living allowance, can be a lifeline for disabled people and their families, but, as my hon. Friend set out, all too often our constituents come to us in a state of great distress, having encountered an array of difficulties during both the application and assessment process for PIP.

The feedback from my constituents and from organisations working in my constituency is much the same as that set out so fully by my hon. Friend. Claimants say they have little trust in the application process; they find it unfriendly, distressing and opaque. They experience difficulties completing the application forms and understanding the basis on which they are being assessed. Many say that the staff conducting the assessments for Atos and Capita frequently lack the expertise to make accurate decisions on claims involving a wide range of mental and physical health conditions. Claimants often find that their assessment reports include basic factual errors and omit relevant details, and they are therefore ultimately a misrepresentation of the assessment.

I want to highlight the case of a constituent who has schizophrenia and a personality disorder. She struggles with every aspect of daily life, including maintaining her tenancy and her home, paying essential bills and maintaining a relationship with her son, who is in care. Because of paranoia and panic attacks, she is not able to use public transport, but she is physically healthy.

In her assessment, she was able to perform activities such as standing up from a chair and touching her toes, and she also told the assessor that she occasionally went jogging to support her mental health. As a result, she was awarded nil points. She was also refused PIP at the mandatory reconsideration stage. My experience of reconsideration is much the same as that of my hon. Friend—very few receive a reconsideration that results in a different decision.

On appeal, my constituent was represented by my fantastic constituency caseworker at the tribunal. She was awarded the standard mobility rate and the enhanced daily living rate of approximately £400 a month, which is a life-changing amount of money for her. However, during the period when she was not entitled to PIP, she was forced to use food banks on several occasions. She was unable to visit her son because she could not afford to pay the taxi fares. As my hon. Friend set out so clearly, it simply takes too long for appeal decisions to be made.

As we have already heard, the latest figures from the Department for Work and Pensions show that the average time to appeal a PIP decision successfully has more than doubled since 2014-15, to a national average of 31 weeks, while the average time is longer for the Liverpool tribunal venue, at 38 weeks. Those delays force some of our most vulnerable constituents into isolation and destitution. They are left struggling to pay for food, rent and bills. Indeed, benefit delays and changes are the main reason why people are referred to food banks on Merseyside, and the Trussell Trust has warned repeatedly that benefit changes are forcing people to turn to food banks, as I know from my own experience volunteering at the North Liverpool food bank at St John's church in Tuebrook. I pay tribute to the selfless and dedicated individuals who work at food banks across the city, and across the country.

My constituency of West Derby has a PIP claimant rate of 8.6%, which is the 13th highest PIP recipient rate of all the constituencies in Great Britain. The case of my constituent is by no means unique; we have heard the cases cited by my hon. Friend. I am struck by two observations—first, the high proportion of claimants who are eventually successful in winning their PIP appeal and, secondly, the particular difficulties faced by individuals with mental health issues.

As my hon. Friend said, around three quarters of all PIP refusals that go to appeal in Liverpool are successful. That appeal rate comes as no surprise to me, my casework team or charities in Merseyside, who have worked tirelessly to help local people receive the support they are entitled to. I thank the numerous organisations across Merseyside that support our most vulnerable constituents to navigate the complex benefit system. I mention in particular St Andrew's Community Network in north Liverpool, and Merseyside Welfare Rights, now known as the Merseyside Law Centre.

I anticipate that the Minister will say that decisions are overturned because claimants submit more evidence at appeal stage than they did earlier. I appreciate that that is a factor, but surely something is fundamentally wrong in the system when the figure for successful appeals is so high. We need to look at both the assessment and reconsideration processes for reform.

I finish by saying something about the disadvantage and challenges faced by people who are struggling with mental ill health when navigating the PIP process. For those

who have mental health issues, the assessment process can be a doubly challenging experience, with the stress of undergoing an assessment exacerbating existing health conditions. Research by academics at York University released earlier this year found:

“Overall, claimants with a psychiatric condition were 2.4 times more likely than a claimant with a non-psychiatric condition to have their existing DLA entitlement removed following a PIP eligibility assessment.”

Mental health conditions are very common among PIP applicants, but our benefit system appears to continue to discriminate against people with mental ill health. We have a long way to go to achieve parity of esteem in the social security system for physical and mental health.

Today I received an example from one of the charities working on behalf of my constituents. It has

“been supporting a gentleman who is coming to us for life coaching. He had previously been awarded High rate DLA for life due to his injuries from an accident in work, his mental health & Type 1 diabetes. He had to go to an assessment for PIP and...made to walk the whole length of the building to the assessment room even though he asked her if there was a closer room as he was struggling only to be told no and to hurry up!!! He said the interview was very rushed...he felt really uncomfortable and made to feel like he was making his illness's up. He wears a monitor on his arm”—

because of his diabetes—

“so his blood sugar's can be read constantly and when the report was sent it stated he had a gadget on his arm but not sure what it was,”

even though he had explained that during his interview. The charity's letter continues:

“He then received a letter stating that he was going to be getting a drastically reduced rate as he didn't need special care and that his mobility was fine so he would also be losing his mobility car. The report also stated his pain medication was moderate!! Did the examiner have the medical knowledge & Qualification to make that assumption?

He has since slipped into a total depression and on our last coaching session he just sat and cried and said he didn't know why he was even bothering. He hasn't had the enthusiasm to see his 3 young boys, which he used to see daily on the school run. He is terrified that once the car is repossessed he won't be able to see them at all as they have recently moved.

He has sent off a mandatory reconsideration with the help of us and PSS however some people don't have this support and wouldn't know where to go for this kind of help. This process has totally turned his already unhappy life totally on it's head and his self harming is more apparent than I have seen in the last 12 months.”

The letter finishes with the rhetorical question:

“Why when a person was awarded DLA for life should they have to be reassessed???”

As the local charity said to me today in an email, this story has a number of policy implications. They include the question of reassessment when an award had previously been made for life; the way that interviews are conducted and how that leaves claimants feeling; the perceived lack of appropriate medical qualification, especially in complex circumstances such as the example that I have described; and the eventual reconsideration on appeal, which, in the words of the local organisation,

“will end up costing a fortune and is likely to reverse the original decision.”

Time and again, the PIP process lets down some of our most vulnerable constituents. As a result, trust in its administration is in desperately short supply. I hope the Minister will listen to these concerns and the example

[Stephen Twigg]

cases we raise through our speeches, so that we can work together to ensure that in the future we have a PIP system that really works for all disabled people.

3.3 pm

Ms Angela Eagle (Wallasey) (Lab): It is a pleasure to be here, although I wish we did not have to discuss this extremely difficult issue. I pay tribute to my sister and hon. Friend the Member for Garston and Halewood (Maria Eagle) and other colleagues who are here to talk about this important issue. I want to spend a bit of time relating what is happening with personal independence payments on the other side of the River Mersey, on the Wirral. For the Minister's interest, I will mention five cases. I will give him a letter with the more important details, and I hope that he will help me to deal with the three that are outstanding.

Wallasey is 25th in the table of PIP cases and our authority, Wirral Council, is 22nd out of 380 local authorities for volume of such cases. Within Wallasey, what are known as psychiatric disorders were the most common reason for claiming PIP, which is why I associate myself with all the points made so far by my hon. Friends on how cruel and disruptive the stress people are put through when making claims is. Psychiatric disorders include anxiety and depression, learning disabilities and autism, and 36% of people who make claims for PIP in Wallasey belong to that group. The system should take much more account of the effects that the process is likely to have on those who are already suffering from mental illness or depression, or who have learning disabilities that mean they cannot—even with the best will in the world—operate effectively in the kind of system that the Government's PIP reforms have placed them in.

The second most common reason for awards was musculoskeletal disease in general, which includes osteoarthritis, inflammatory arthritis and chronic pain syndrome. In Wallasey, waits at the Birkenhead tribunal were 33 weeks, but as of two weeks ago that had risen to 38 weeks—that is nearly 10 months, on average, to get a re-assessment and an appeal. Some 73% of appeals found in favour of the claimant by the end of last year. That is what the statistics say. Once more, we see the same pattern of extremely and unacceptably high, and increasing, waits for access to tribunals. It is close to a three-quarters success rate for people who appeal. I join my hon. Friends the Members for Garston and Halewood and for Liverpool, West Derby (Stephen Twigg) in saying that we worry about those who do not make claims, do not come to see us at our advice surgeries, and are suffering an often catastrophic loss of income in silence when we can see that they might well be entitled to support from the PIP benefit.

There are some general themes about how Atos Healthcare runs the contract for PIP assessments. I will go through some cases—I will not use names—and then spend a bit of time pointing out the themes that worry me the most. Constituent one has a benign brain tumour, epilepsy, short-term memory loss, anxiety, mild depression and an adjustment disorder. He has had brain surgery and will need to have it again in the future. He has regular seizures, which cause loss of awareness, perception and consciousness.

On 10 January he had a reassessment, which was carried out at his house, although, funnily enough, it was not requested that it should be. He has received DLA, carer's allowance and mobility for the past 15 years, but in this assessment he scored only six points, despite medical evidence stating that he needs help at home. There were also discrepancies between the points scored and the information in the report. Medical evidence states that he cannot prepare food or clean himself without supervision, but his PIP assessment report states that he can do both unaided. He was recorded as being able to carry out complex budgeting calculations because he recognised a £5 note. The assessor recorded him as having good eye contact and focus, despite the fact that he was crying and shaking throughout the interview. There is no mention in the report of this man hurting himself and other people in the middle of the seizures that he has regularly. It was emphasised that he is not safe alone either inside or outside the home because he is a risk to himself and others. Despite my constituent showing the assessor some of his injury marks from seizures, which were not mentioned in the report, and his doctor's letter that references them, he had reductions in his benefit that leave him and his wife £578.20 a month worse off.

Constituent two has 95% hearing loss, agoraphobia and anxiety and has been on DLA for 17 years. Because of her severe anxiety she asked for a home assessment, having previously had severe panic attacks when she attended the jobcentre. It was initially refused, but I intervened and a home assessment was granted. At the assessment in September last year, a sign language interpreter was not provided. Her father sat in the interview and asked if he could write the questions down for my constituent so that she would know what was going on, because she has 95% hearing loss. The assessor refused to allow that, claiming my constituent was making it up and could hear the questions. The assessor terminated the interview early, and the DWP claimed it had no knowledge of my constituent being deaf, despite the fact that she had been claiming DLA for her disability for 17 years. The Department must surely have known that. In February this year my constituent received a letter stating that her PIP claim was terminated because the interview ended early. It was the assessor who terminated the interview and the DWP did not think the fact that she could not hear was a good enough reason. She has now been without benefits for almost a year.

Constituent three received a wheelchair from the local NHS service because her mobility and health was declining. She was advised to apply for PIP as the wheelchair she was fitted with does not fit in her car and she is unable to get around independently as a result. In the assessment she stated that she could walk for only 10 to 15 metres, but the assessor recorded her as having the ability to walk for 50 metres. The assessor also failed to record other issues with mobility and health that my constituent mentioned. The incorrect information meant she did not score highly in the assessment and as a result was not awarded PIP. The case has gone for mandatory reconsideration and she is waiting to hear back.

A couple of issues have been resolved now. Constituent four has had multiple sclerosis for 30 years. He was diagnosed with secondary progressive MS in 2003. He received DLA and qualified for higher rate mobility.

Yet at his most recent assessment for PIP in November last year he lost the higher rate mobility component and was worried that he would lose his Motability car, which has been specifically adjusted to allow him to drive to work. He has an electrical stimulator in his leg to help him move, and he uses crutches, which means he has tennis elbow and carpal tunnel syndrome, and he has lost fine motor skills in his right hand. Despite that, the assessor said that he could use crutches and so his hands were fine.

Despite not seeing my constituent walk more than 15 metres at his assessment, the assessor claimed he could walk between 20 and 50 metres with aids. My constituent provided 13 letters of support from medical professionals, including neurologists and consultants, but despite all that and despite having multiple sclerosis, which is a deteriorating condition, it was decided he needed less support, not more. After I wrote to the DWP and raised his case with the jobcentre, his mobility component was reinstated last month, but it took four months. Just think of all the anxiety that my constituent suffered as a result, none of which helped his condition.

Constituent five was on PIP enhanced daily living from 2005 and received the mobility element because he has epilepsy. He has depression, anxiety, attention deficit hyperactivity disorder and cancer in the pituitary gland. He asked in advance of the assessment if it could be recorded because he has problems with his concentration and memory. He was told by the DWP that it would not provide a recorder and it would accept only a double tape machine, such as the police use. At interview the assessor wrote that he was relaxed and coped well when he was actually anxious and upset, and he was crying because he had to attend the assessment on his own as his family live in Northern Ireland. The assessor listed medicines that my constituent does not take and omitted medicines that he does take. He was also not warned that as a result of his claim being reduced he would lose the enhanced daily living component and the ESA enhanced disability premium. Consequently, he struggled to manage to live and feed himself. A reconsideration took place relatively quickly, thanks to my intervention, and the benefit was reinstated. Having heard about such cases, the Minister must surely see what is going on.

Assessors are not adequately prepared for the assessments that they must do. For example, sign language interpreters are not provided, but the assessor carries on with the interview regardless. The DWP claims it is not aware of someone's major hearing loss when it has been paying DLA for hearing loss for 17 years. It takes no extra care to ensure that the constituent involved can have a fair assessment.

Over and again, the process is demeaning and dehumanising. It is a grossly unfair system. It is flawed and uncaring and puts people through the mill. Recently the Disability News Service put in a freedom of information request and although the DWP said it would be too expensive to produce figures for all the claims, it did produce figures for a sample of 100 cases. In 97 cases decisions were made without the DWP making any attempt to seek further advice or clarification from Atos, despite ongoing complaints about assessors' inaccuracy and omissions since PIP was introduced in 2013. That must be why so many appeals are successful. All the relevant evidence is considered a second time around, and it is hard not to come to the conclusion

that claimants are assumed to be lying if assessors do not record things accurately. Are targets set by the DWP or by the organisations that have the contracts for knocking people off disability benefits such as PIP?

There seems to be a pattern of behaviour not being caught by how the system runs, and it causes some of the most vulnerable people in our society massive amounts of distress. It deprives them of the money that is not only their entitlement, but which they rely on to live and to afford the basics. It does not give them any chance to appeal until an average of 10 months have gone by, often leaving them destitute. We ought to be able to change the system to take account of the very important and special needs that some of the most vulnerable have. I hope the Minister will accept the envelope containing the three outstanding cases that I mentioned in my speech and I very much hope we can get a resolution for them sooner rather than later.

3.18 pm

Dame Louise Ellman (Liverpool, Riverside) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Sir Edward. I congratulate my hon. Friend the Member for Garston and Halewood (Maria Eagle) on securing this important debate, and I agree with all the comments that she made. The situations recounted by my hon. Friends who have spoken today echo the experience of my constituents.

My constituents' experience of PIP is marked by gross unfairness and sometimes blatant deception. The assessment system itself is not fit for purpose, and there are too many examples of clear disregard for claimants. Sometimes, reports do not reflect the interviews that have taken place. I want to highlight the experience of my constituent, Mr A, a highly intelligent man who has undertaken skilled work over many years, despite a long-term and permanent disability caused by serious illness in early childhood. He has faced many operations. His Motability car makes it possible for him to work. It is his lifeline.

My constituent's PIP assessment sought to remove his enhanced mobility benefit, which meant that his Motability car would be withdrawn, resulting in the loss of his employment. The decision was reached five years after his previous award, although he had been informed that it would not be revisited for 10 years, in view of the ongoing nature of his disability. He was distraught. At his mandatory reconsideration he was unsuccessful, and I supported him in pursuing his case to a tribunal. In preparing for that, my constituent uncovered evidence that the report submitted by Atos for the mandatory reconsideration was not an accurate record. Indeed, it was fabricated. It was simply an exercise in cutting and pasting from the earlier failed assessment. No separate examination had taken place.

Confronted with that clear evidence, the DWP withdrew its threat to remove Mr A's car, reinstated his enhanced mobility award and restored the original commitment to a 10-year assessment period, in view of the ongoing permanent nature of his disability. The tribunal was cancelled. I was delighted with that result, but I was, and remain, appalled by my constituent's experience and by the knowledge that he was put under such stress. I was outraged to hear that the report that was to decide about his future and his health was simply made up. It is disgraceful that that could have happened, and it was only my constituent's diligence that unearthed it.

[*Dame Louise Ellman*]

There are wider questions, however. How many similar injustices have taken place, and how many of those went unchallenged by people without the knowledge or resilience to pursue the matter? My experience suggests that there are many such instances. It is not good enough. The questions for PIP eligibility are not framed to elicit the correct information to describe the claimant's condition effectively. Sometimes the reports that are drawn up do not reflect the assessments that were done, and sometimes, as in my constituent's case, they are simply made up.

I see many constituents who make representations about the withdrawal of benefit. I see injustices too often, and I see too much suffering. Sometimes people pursue their claims to a tribunal and often they win, but as we have heard this afternoon it can take nine to 12 months for a tribunal to take place, and by that time many of my constituents have become destitute—and what of those who do not appeal? It is time that there was an investigation of the assessment procedure for PIP. That investigation should include the reliability of the assessors. The DWP appoints Atos and Capita, which act in its name. It is the Government who are ultimately responsible.

I know that the Minister will be concerned to hear the example that I have cited, and those given by my hon. Friends. I call on him to act, and to investigate the whole process. It is a matter of justice.

3.23 pm

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): I congratulate my hon. Friend the Member for Garston and Halewood (Maria Eagle) on securing the debate, and on her speech.

Personal independence payment has been debated in this House on many occasions. Members have highlighted their constituents' experiences and the failings of the system in their constituencies. The fact that we are here today yet again highlighting the failures of the PIP system and the resulting impact on our constituents speaks volumes about the Government's inaction on the issue. We already know that there are too many people being denied the support that they need. We need only look at the figure of 28,000 mandatory reconsiderations of benefit decisions taken by the DWP, or the fact that the Ministry of Justice cleared nearly 21,000 benefit appeals in the quarter leading to December 2018. The figures for mandatory reconsiderations and appeals are even more staggering when we consider the rates of success: 89% of mandatory reconsiderations in January 2019 led to a change in the DWP's original decision, and 73% of appeals were decided in favour of the claimant in the quarter leading to December 2018. It is clear that people are being denied the support that they need, not because of their own actions but because of a systematic failure at the heart of the Government's welfare reforms. The success of claimants in challenging the decisions taken by the DWP highlights that clearly.

As I have said, the Government's inaction is shameful and impacts negatively on the lives of ordinary people every day. There have been repeated calls for action, from charities, third sector organisations, parliamentarians, claimants and even the United Nations. The Select Committee on Work and Pensions made some key recommendations in its 2018 report on PIP and employment and

support allowance assessments, including that face-to-face assessments should be recorded, and that claimants should be provided with a copy of the assessor's report. Another recommendation related to using contractual levers to improve contractor performance. Yet claimants are still being denied access to assessors' reports and most assessments pass with no record of the proceedings. Private companies such as Atos that hold contracts for PIP and ESA assessments in both Scotland and Merseyside continue to make profits while denying vital support to claimants.

I am pleased that there is now a commitment that the next Labour Government will ban the outsourcing of public services for vulnerable people to companies such as Atos. We should be looking after the vulnerable, not penalising them so that private companies can turn a profit. In preparation for the debate, I looked at the statistics produced by the Library about the administration of PIP on Merseyside. I was struck by how much the Merseyside situation resembles that in my constituency. Liverpool Walton, Birkenhead and Knowsley all have higher PIP claimant rates than most constituencies and the overall rate for Merseyside is higher at 7.1% than the UK rate of 4.4%. The figure of 5,040 PIP claimants in Coatbridge, Chryston and Bellshill contrasts sharply to the 3,700 average per Scottish constituency. A majority of PIP claimants in Merseyside were reassessed from disability living allowance, as were a significant proportion of claimants—46%—in my constituency. In Merseyside, the percentage of awards decreased following reassessment is higher than the national average, and that is also true of the rate in Coatbridge, Chryston and Bellshill, compared with the Scottish average. We are twin towns. It is clear that the people of Merseyside are, just like my constituents, being let down by the Government. The next Labour Government will end unfair PIP assessments and invest in proper support for vulnerable people across the country.

To conclude, I would briefly like to refer to the situation in Scotland. Members will be aware that the Scottish Parliament is due to take responsibility for 11 benefits, including PIP. The Scottish Government have established a new agency, Social Security Scotland, which will be responsible for the administration of those benefits.

Sir Edward Leigh (in the Chair): Order. We must relate the debate to Merseyside at all times.

Hugh Gaffney: It is still related to Merseyside, Sir Edward. The point I am trying to make is that the Merseyside connection is the same as the Scottish connection. We can see that there are no Tory or Scottish National party MPs here to stand up for their constituents as I am doing. There is a twin connection between Scotland and Merseyside. In 2024 the SNP will get that administration of benefits—but they have rejected it just now.

3.29 pm

Marsha De Cordova (Battersea) (Lab): It is an honour to serve under your chairmanship, Sir Edward, and I congratulate my hon. Friend the Member for Garston and Halewood (Maria Eagle) on securing this important debate. As a former Minister for Disabled People, she is well aware of many of the issues and barriers that disabled people face. I mean no offence to the Under-Secretary of State, but it is appalling that to date we still do not have a Minister for Disabled People, given that it

is nearly two weeks since the former Minister resigned. However, given that the Under-Secretary is, himself, a former Minister for Disabled People, I am sure he will address some of the concerns that have been so eloquently raised by many of my colleagues.

My hon. Friend raised some important points, and highlighted the dire situation in her constituency. She started by mentioning the increase in complaints about the personal independence payment, and said that in the last three months alone, there has been a threefold increase in appeals. There are multiple issues and problems with the assessment framework, beginning with the lack of provision that means that people who require a home assessment are not given one. Inaccurate assessment reports are provided by assessment providers, and many individuals who are assessed do not even recognise what has been written. Some providers do not comply with guidance that allows supporters to be in the room to contribute to the assessment or support the person they are with.

The most important point, which was highlighted by many hon. Members, was the delay in PIP award decisions, and the long time that people have to wait for appeals. One person had to wait more than 12 months for an appeal, and the average is more than 36 weeks, which is not acceptable. There are a high number of mandatory reconsideration cases where decisions are not overturned. That stage was introduced by the Department to help get the decisions right, but that is not happening, as demonstrated by the number of assessments that are overturned when they arrive at tribunal.

My hon. Friend the Member for Garston and Halewood and my hon. Friend the Member for Liverpool, Riverside (Dame Louise Ellman) referred to a culture of indifference among assessment providers, and other Merseyside MPs made strong cases and represented their constituents well. Frankly, however, they should not have to come here, plead, and bring forward their cases. It is great that we can do that, but the Department should be getting those decisions right in the first place. The problem is that that is not happening.

My hon. Friend the Member for Liverpool, West Derby (Stephen Twigg) highlighted the experiences of his constituents who have been turned down for PIP. Those decisions are often overturned at tribunal, but in the meantime people are left destitute and have to turn to foodbanks, which cannot be acceptable. We also heard about the experiences of those living with mental health distress, which we know causes untold problems. My hon. Friend the Member for Wallasey (Ms Eagle) highlighted the experiences of her constituents; in her area people wait an average of 33 weeks for an appeal, and more than 70% of those decisions are overturned at tribunal. She highlighted five cases, and in each one the decisions made were wrong, and people were left financially worse off. The personal independence payment is supposed to help meet people's extra costs, but if those costs are not being met, what happens to the lives of those individuals? We should be supporting ill and disabled people.

Matt Rodda (Reading East) (Lab): It is deeply moving and troubling that so many people's lives are affected in this way by what appears to be poor quality administration by some staff in the Department. I realise that civil servants are under intense pressure, but does my hon.

Friend agree that there is perhaps a need for much greater training to try to avoid the terrible problems of delays and people having to resort to foodbanks?

Sir Edward Leigh (in the Chair): Order. If one is going to intervene, it is normal courtesy to be present for most of the debate beforehand.

Marsha De Cordova: My hon. Friend makes a valid contribution to the debate, and he is absolutely right. My hon. Friend the Member for Liverpool, Riverside spoke about the assessment frameworks and providers, such as Atos, with which there are countless issues.

When PIP was first introduced, make no mistake, it was a cost-cutting exercise. The Government wanted to cut expenditure and the disability living allowance case load. However, that has not happened, and the Government have spent £4 billion more than anticipated, despite thousands of disabled people losing out on vital support. I frequently hear from disabled people from Merseyside to Merton who have been pushed into destitution by the poor administration of PIP.

Earlier this month, the *Liverpool Echo* covered a case of a lady whose epileptic mother had been left penniless after her PIP was suddenly withdrawn. In Merseyside, as in the rest of the country, disabled people are suffering because of the fundamentally flawed PIP assessment framework. Thousands of disabled people on DLA have been denied vital support when reassessed for PIP as a result of the assessment criteria.

There is no better example of that than the changed criteria for those who claimed the enhanced mobility component. Under the DLA, a person qualified for that component if they were unable to walk 50 metres, but under PIP that has reduced to 20 metres. That has impacted on many people who received the higher rate mobility component and who had access to the Motability scheme. Indeed, 51,000 disabled people have lost their Motability vehicles, as have those who challenged decisions, and who then had to get their vehicle back when the decision was overturned in their favour. One lady who wrote to me said that having her car taken away was like "losing her independence", which is unacceptable. Why will the Government not take note of such experiences, and understand that the criteria must change?

We know that 72% of PIP decisions brought to tribunal are overturned, which demonstrates the appalling inaccuracy of the assessment framework and the poor decision making. As my hon. Friend the Member for Wallasey highlighted, in her constituency 76% of appeals are overturned, and disabled people are forced to wait on average for nine months, or 36 weeks, for cases to be heard.

In the past year, the Ministry of Justice has spent £104 million administering social security and child support tribunals. The Government have spent more than £1 billion on outsourced contracts to assessment providers such as Atos and Capita, which have repeatedly failed to meet the Department's own quality standards. A survey by the Disability Benefits Consortium found that almost two thirds of people claiming PIP felt that their evidence was not taken into account by their assessor. Recent figures released by the DWP show that more than 3,500 people died within three months of being denied PIP. Does the Minister agree that there is no stronger indictment of a failing system than thousands

[*Marsha De Cordova*]

dying after being deprived of social security? When will he finally recognise that it is time to bring those assessments back in house and end the outsourcing?

The DWP is currently carrying out seven reviews into disabled people being wrongly deprived of social security, and four of those are due to the unfit-for-purpose PIP assessment. Most recently, we learned that the DWP is conducting a review into 4,500 people who were on DLA but wrongly denied PIP. In 2017, the tightening of the criteria for those experiencing psychological distress was ruled by the High Court as “unlawfully discriminatory”. That led to a review of 1.6 million people’s PIP cases.

We have heard that Liverpool City Council is introducing a support scheme, but it should not have to do that. I urge the Minister to think about overhauling the assessment framework for PIP, rather than merging the assessment frameworks for PIP and ESA. It is time for a radical overhaul of the system, because PIP has created a hostile environment for disabled people—the very people we should be supporting.

3.40 pm

The Parliamentary Under-Secretary of State for Work and Pensions (Justin Tomlinson): It is a real pleasure to serve under your chairmanship, Sir Edward. I understand that we are waiting for a permanent Minister for Disabled People, but in the meantime—I am sure it will not be long—it is a great honour to be here. I formerly served as the Under-Secretary with responsibility for disabled people, but the role has been significantly enhanced. It is an extra pleasure to be here in the enhanced role, albeit temporarily.

I pay tribute to the hon. Member for Garston and Halewood (Maria Eagle). We met just last week about a separate case, and we had a debate earlier this year, I think, on a similar topic. As a former Minister, she has genuine feeling and passion for supporting the most vulnerable people in her constituency, backed up by her genuine knowledge about this issue. I am happy to look at the cases that hon. Members have raised. I will take that envelope—I can see that it is ready. I also pay tribute to the hon. Members for Liverpool, West Derby (Stephen Twigg), for Wallasey (Ms Eagle), for Liverpool, Riverside (Dame Louise Ellman) and for Battersea (Marsha De Cordova). There was a common theme: it is clear that they all genuinely care about vulnerable people who rely on people like us—the decision makers—to get it right. Although I did not necessarily agree with everything they said, I understand why they made those comments.

The PIP assessment is meant to be high quality, objective, fair and accurate, and it should focus on the fundamentals of living an independent life. Today we spend somewhere in the region of £55 billion supporting people with disabilities and long-term health conditions. In real terms, that is about £10 billion higher than when we first came to office in 2010. That is about 2.5% of GDP and 6% of all Government spending. It is an incredibly important area of Government expenditure. There are just over 2 million claimants on PIP, and many more are coming into the system or are due to do so.

Currently, 31% of PIP claimants access the highest rate of support. That contrasts with just 15% under DLA. I do not wish to diminish any of the points that hon. Members made—I will cover many issues about which

we still need to do more—but we must remember that the system has come a long way from the old legacy benefit. One thing that is consistent among all stakeholders and charities that I speak to in my current role, and that I spoke to formerly when I was the Minister with responsibility for disabled people, is that nobody advocates going back to the old DLA system.

Under PIP, 45% of people with autism spectrum disorder will have the highest rate of support. For motor neurone disease, the figure is 85%. For multiple sclerosis, it is 53%, and for Parkinson’s, it is 55%. Many hon. Members rightly spoke about mental health. Under PIP, 31% will get the highest rate of support. Under DLA, only 6% did, so under PIP five times as many claimants with a mental health condition will access the higher rate. That does not mean that we are getting it right all the time, but there has clearly been a significant and much-needed improvement. In cash terms, the average claimant is getting £15.04 a week more on PIP, compared with DLA.

Ms Angela Eagle: Cash terms!

Justin Tomlinson: Yes, it is an average, and we are highlighting cases. I will come on to that.

The old DLA system relied solely on self-assessment. For many claimants, the very complex DLA forms were a barrier too far, and people who were in genuine need of support were missing out. Although the lifetime awards were seemingly attractive, they missed the point that many people enter the benefit on a lower rate of support, because conditions can get progressively worse. People on a lifetime award were often told, “If things deteriorate, please contact us for reassessment.” People often did not, either because they did not want to risk losing their benefit or because they did not appreciate that getting a reassessment could work to their advantage financially. Bear in mind that one in three claimants’ conditions changed so significantly within a year that they could be due a change in those circumstances, and the majority would be higher.

Ms Angela Eagle: The Minister is making a case for the benefit, but nobody is arguing that it is fatally flawed. We are asking for the assessments to be more accurate, because they are causing problems. He is making a case about conditions that deteriorate, but I have brought to his notice cases of people with deteriorating conditions whose awards have been lowered.

Sir Edward Leigh (in the Chair): Order. May I just make one point? This debate is about the administration of personal independence payments on Merseyside, so we want from the Minister talk about administration and Merseyside.

Justin Tomlinson: It is important to set out the overview of where we are. That is why it was so important to highlight those cases in Liverpool and Merseyside, which shape how we do the administration. All our work is done in conjunction with stakeholders that have frontline experience. Hon. Members highlighted the excellent charities and support groups in Liverpool and Merseyside, which are feeding in. They are right to challenge, shape and help us implement the changes. I have seen many cases in which their frontline experience has brought to our attention common sense that should be applied.

That has been done, but that work is not complete. I do not know all the details of the examples that hon. Members highlighted—sometimes there are two sides to a story—but presumably their offices have looked into the cases extensively. There are clearly issues that need to be looked at. Hon. Members have my commitment that we will look at those cases very carefully.

Marsha De Cordova: The Minister says that he will look at those cases, of which there are many, but does he recognise that there is a significant problem? We have had a snapshot from just one part of the country—Merseyside—but we know that there is a wider issue with the administration of PIP. Does he recognise that?

Justin Tomlinson: We always recognise that there is a need for improvement, and we continue to review all the processes—not just PIP, but all parts of Government activity. It is right to do that, and I am sure any party in government would make the same commitment.

Some 92% of claimants complete the forms, but that still leaves 8% who have challenges with them. We have already tried to make improvements by changing the language, tone and style, and shortening the paragraphs. We commissioned further independent research to support further changes. For those 8%, ahead of further changes, we can grant an additional two-week extension. We try to identify vulnerable claimants whom we may have to help with the initial application. With the support of charities and stakeholders, we have produced videos to explain the process. We are trying to make it clearer and remove claimants' understandable anxiety. For claimants who have severe mental or behavioural conditions, learning disabilities, development disorder or cognitive problems and who cannot engage with the claims process, we will try to offer what support we can, beyond the excellent work of local organisations, which has been highlighted.

Many of the concerns that hon. Members raised were about the assessment process. We encourage help from carers, family friends, social workers or local support workers. I am really disappointed to hear the two examples from Liverpool and Merseyside of people who were trying to provide that support, which would have resulted in a better quality assessment. That should not be happening, and we should look into it. That is an incredibly important part of the process—not just because people are anxious or because demonstrating all their individual challenges is a complex process, but because for some people, particularly those with long-term health conditions, their issues have become a given. They no longer see those issues as a challenge and do not raise them, so they do not get the support that they should be getting. It sometimes takes having someone with them to say, "Actually, that isn't right. We need to do something."

Maria Eagle: I thank the Minister for giving way—it is a bit hard with twins. He said he was disappointed to hear the examples that my hon. Friend the Member for Wallasey (Ms Eagle) and I gave of that going wrong, but can he explain what he is going to do to stop it happening? It is a fundamental problem with administration.

Justin Tomlinson: I will come to that. Fear not; I have woven in as many of the answers as I could.

The average length of time for assessments is now 15 weeks, and it has actually fallen. Initially, in July 2014, when it was at its worst, it stood at 42 weeks, so it has

fallen by two thirds to 15 weeks. We got it down to about 13 weeks, but feedback from stakeholders and charities suggested that it was better for assessments to take a bit longer, to help people—particularly the most vulnerable claimants—to gather evidence.

The assessors must be health professionals—occupational therapists, nurses, physiotherapists, paramedics or doctors—who have had at least two years' experience since they became fully registered. Although there has been understandable criticism of some important cases, the vast majority of the staff on our frontline are well-trained and exceptionally hardworking, and they have claimants' interests at heart. I think that we all recognise that. In the skills that assessors must have there is an emphasis on assessing people with conditions affecting mental health, intellectual or cognitive functions. There is comprehensive training on how health conditions and impairments affect claimants' day-to-day lives.

Ms Angela Eagle *rose*—

Justin Tomlinson: Hang on; I will address the previous intervention. What are we doing to ensure that cases such as those that hon. Members have mentioned do not happen? First, there is the independent audit for quality assurance, which is separate from the Department. It is important that we look at that. Our own DWP clinicians will also observe cases, and we get a considerable amount of helpful feedback from stakeholders.

Such examples are part of the reason behind the call for video recording. We agreed to pilot that in the autumn of last year, and it has progressed encouragingly. If there is no backlash from stakeholders, we will look at making that a given by the end of the summer. Video recording would make a huge difference, particularly in cases where something clearly is not going right. We would be able to look back at recordings, which would hasten our addressing of problems, and recordings could be used for appeals.

Satisfaction in 2015-16 was at 76%, and it is now at 82%. It still has some way to go, but the direction of travel is improving.

Ms Angela Eagle: I raised a case of someone who was 95% deaf. Her father was not allowed to write the questions out so that she could see them. The interview was terminated early, and the assessor was of the opinion that my constituent could hear but was pretending that she could not. How on earth is that allowed to happen if the system is as good as the Minister claims?

Justin Tomlinson: It is difficult to comment without having seen the details. I am not saying that what the hon. Lady says is not true, but if that case is exactly as she describes, that should not be happening and needs to be looked at, which is why I have committed to doing so. In general—as in the case about which I met the hon. Member for Garston and Halewood last week—common sense is not being applied. We must make sure that the rules and guidance that are in place are consistent across the board.

A number of hon. Members highlighted that in Liverpool and Merseyside, home visits are not offered. Between 15% and 20% of claimants in Liverpool and Merseyside have actually been offered home visits, as they should be. If, for a variety of medical reasons, travelling to the

[Justin Tomlinson]

assessment is a barrier to accessing the benefit, that should be taken into account. Certainly, when I was the Minister with responsibility for disabled people, we improved the communication by making it more proactive to encourage that. We want the assessment process to work for the claimant.

I also welcome our introduction of the video relay service for those who are deaf and use British Sign Language. That is important not just for PIP, but across all frontline services.

Maria Eagle: I thank the Minister for giving way when he has only a little bit of time left. The delay to tribunal hearings is a severe problem. Can he address that before he concludes his remarks?

Justin Tomlinson: That is the key thing that I will address, but I will cover one last matter first.

Some 600,000 claimants currently access the Motability scheme. I echo the comments about what a wonderful scheme it is. I think it is the second-largest purchaser of motor vehicles after the Chinese army, so it has significant buying power and is very important. I visited a car salesroom that dealt with Motability and that said it was the dream customer. Some 144,000 people who were formerly on DLA and did not access the higher rate of mobility now do, following re-assessment, and they can therefore access the scheme. That goes back to the point about the 31% against the 15%.

Those who were on DLA on a higher rate, and who could therefore lose their car, will get to keep the car through the £175 million transitional fund that was set up. They keep the car for eight weeks, and then they can either take £2,000 or keep the car for up to six further months, but with a lower payment at the end if their appeal is unsuccessful. That provision was brought in because of a recognition that the appeal process, which I will come to in a moment, often took longer than the time for which the claimant could keep the car. That meant that a car could be taken away, only to be given back two weeks later. When the difference is very close, Motability Operations can exercise some discretion. Fundamentally, the challenge is the length of time of appeals, and that is probably the most tangible concern that has been raised by all who have spoken. I emphasise that the absolute priority is getting it right first time. If we could get every decision right first time, we would not have to worry about mandatory reconsiderations and the appeal process. We all agree on that.

The MR process was introduced to try to intercept cases in which mistakes are made and stop them having to go through the appeals process, which is a real challenge and reduces capacity, and thus bring down the time for other cases. Although I accept that very few decisions appear to change, about 22% of cases are actually picked up by MR. It is absolutely right to focus on that, however, and I think we all recognise that more decisions could be changed. Often, a lot of the MR process is just checking the current processes. The nub of the matter is that the appeals process often considers late, additional evidence. The common-sense point is that we

should be doing a lot more, and we are testing that concept by asking whether there are any obvious gaps that we can pick up. Has there not been a GP note? Has supporting evidence that we suspect will be presented not been submitted?

Maria Eagle: The case that I mentioned, which has now been fixed, involved a woman who should really just have had another appointment at home. That was not picked up on a mandatory reconsideration. There is surely a point at which some common sense should be injected.

Justin Tomlinson: Absolutely. That is what we are testing, so that we can assist claimants by strengthening areas where there are obvious gaps. It would be quicker for the claimant, and we would benefit, because those gaps reduce capacity in the process. We are working with Her Majesty's Courts and Tribunals Service to try to address the capacity issue, in terms of both the new digital service and recruiting additional judges and tribunal panel members. That cannot come quickly enough.

It is true that the majority of successful appeals are successful thanks to late evidence. We should see that as an opportunity to look at how we can do more to get such evidence in the first place. We are committed to learning those lessons to improve the process for everyone.

It has been a pleasure to respond to this debate. The group of hon. Members who have spoken are passionate about this matter, and they are real champions for their constituents. I have listened to all the points that have been raised, and I will look at the individual pieces of casework. We have a collective duty to keep applying common sense to improve the situation, and we are heading in the right direction. That is welcomed by stakeholder groups, but there is still more to do, and I am committed to doing what I can to support that work.

3.58 pm

Maria Eagle: I am grateful to the Minister for his constructive approach to the points that have been raised, and I am glad that he and the Department seek to improve the administration of the benefit. From our experience on Merseyside, there is still some way to go. Some simple things can be done, such as getting the assessments right and doing more to ensure that those who conduct them are properly trained and conduct them correctly.

For goodness' sake, let us cut the amount of time that it takes to get through the process and restore some basic common sense, so that our constituents, many of whom are the most vulnerable people in our communities, are not put through the mill to obtain a benefit that should be theirs by right and is intended to make their lives easier. Instead, because of the way that the benefit is administered and the mistakes that are made, it ends up making their lives much harder.

Question put and agreed to.

Resolved,

That this House has considered the administration of personal independence payments on Merseyside.

Housing Need: Shropshire, and Telford and Wrekin

[ALBERT OWEN *in the Chair*]

4 pm

Mark Pritchard (The Wrekin) (Con): I beg to move,

That this House has considered housing needs in Shropshire, Telford and Wrekin.

I thank Mr Speaker for allowing me this important debate. I also thank the Minister for attending—the Minister of State, no less, rather than the Parliamentary Under-Secretary of State, which outlines the importance of this housing issue in Shropshire and the borough of Telford and Wrekin.

For context, the debate highlights the development plans of two local planning authorities: Shropshire Council, and Telford and Wrekin Council. I will start with Telford and Wrekin, a council that states in the foreword to its local plan for 2011 to 2031 that

“it seeks to preserve the borough’s heritage and protect the many green spaces that our residents value”—

fine words, and words that I agree with and that many of the residents and my constituents would agree with. In reality, however, it seems that nothing could be further from the truth, sadly.

That council has proven that it does not regard the borough’s ecological heritage, that it has total disregard for the environment and that it is complicit in what I call environmental vandalism, on a scale unprecedented in the borough’s relatively short history. I am sorry to say that, but it happens to be the case. Let me be clear with the Minister present that my constituents are not saying that they object to all housing—they are not nimbys—which would be an unreasonable position and not one that I would support. They are saying that the number of new homes proposed—indeed, already built, but that is past now—needs to be proportionate and sustainable, and such homes need to be built in the right places and not the wrong ones.

A current example is the area of Shawburch. It is not appropriate to build a major industrial unit on farmland, and farmland approximate to an ancient iron-age settlement, one of the earliest recorded in the borough. It is not appropriate to put such a facility only metres away from quiet residential homes. There are question marks about the lack of consultation, of which I hope the Minister will take note.

I have been told that only 15 homes were consulted ahead of that major development application. That is fundamentally wrong and not genuine public consultation. In my view, that is trying to pull a fast one on the local residents of Shawburch. That has been repeated time and again by the borough council. It is completely unacceptable and I hope that the Minister, too, will make that clear.

Such a facility will have a huge and detrimental environmental impact, as well as a cumulative effect on the local road infrastructure, which is already very busy at peak times. Moreover, the timing of the marketing of the proposal was driven by the borough council, which I will touch on later, even though the land belongs to Homes England.

Through this debate, I will call on the Telford and Wrekin Council to support the Conservative group, who are committed to removing that particular piece of land from the development plan altogether, which would be good news for local residents. I pay tribute to Councillor Anthony Lowe, who has worked very hard to ensure that the voice of local residents in Shawburch is heard. It is good news that we have people such as him and Gemma Everson, a local resident, working hard on behalf of local people.

I hope the Minister agrees that the council needs to bring forward and prioritise brownfield sites for development in the borough. There are many such sites, and so there is no excuse for building on farmland. However, the Shawburch example is not a one-off; the same applies in Apley and the beautiful market town of Newport in Shropshire. As an aside, that is where the Leader of the Opposition attended school—a fee-paying school, but let us not go there. He is there regularly, and we welcome him.

The green-belt land around Newport, Apley and Shawburch, and in other wards, has been under huge pressure, but an abundance of brownfield options are available as an alternative. I pay tribute to Councillors Tim Nelson and Eric Carter in Newport, who are also trying to ensure that the voices of local residents are heard.

As I said, housing and affordable housing are needed, but the council must avoid turning a semi-rural borough—a relatively new town, of course, but getting rid of the few open green spaces that remain—into one giant housing estate. We need to protect green spaces and the green belt. Also, fairer distribution of the new homes bonus is needed—something on which the Minister might want to comment. Communities that have to accept new housing should have the material and financial benefit from having that new housing put in but, unfortunately, that is often not the case.

Section 106 agreements, too, need far greater transparency, scrutiny and independent oversight of how funds are spent in local communities. This is one for the Government, a Conservative Government: there is much room for improvement in how such agreements are managed by local authorities and distributed to local communities.

Another ongoing problem is that of land banking. I hope the Government will soon come forward with new initiatives to stop new home builders sitting on the planning consents without developing the sites in a timely manner. The Minister, who has a local government background, will agree that land banking causes uncertainty for local authorities and skews the local development plan process and the overall gross housing figures.

I hope the Minister will tell the Chamber today that Homes England, which owns a significant amount of land in the borough of Telford and Wrekin, will not be dictated to by the borough council and, unlike the council, will ensure, first, the prioritisation of brownfield sites and, secondly, full, orderly and genuine public consultation. There has to be public confidence in the housing system and in the strategy that councils put before their publics, and that is done through genuine consultation, which I fear is not always the case with Telford and Wrekin Council.

It is also not appropriate for Homes England to allow the borough council or other councils—this has to be on a case-by-case basis—to market Homes England sites.

[Mark Pritchard]

It is for Homes England to market those sites, as is the timing of marketing them, rather than particular local planning authorities that may or may not have a conflict of interest. Sometimes tin-eared councils do not listen to the public and are not genuine about feedback from local communities.

The Government's national planning policy framework of July 2018 prioritised developing brownfield land. I hope the Minister might think about what sanctions there are for those councils that ignore national planning policies. If they are ignoring them, there appears to be very little sanction. I hope that might change. Before I move on, I would like to pay tribute to Shawburch Action Group for shining a torchlight on Telford and Wrekin Council's unpreparedness to engage genuinely with communities.

Let me move on to Shropshire Council and the Shropshire local planning authority. The council wants to concrete over huge amounts of green belt in east Shropshire, yet it has the 12th worst housing density rate in the country. We need more densely populated residential development in the right places. It is not good that it is approximately 18 units per hectare—that is very low and it needs to increase.

The Minister may not know that the council wants to build up to 3,000 houses on prime green-belt land near the historic village of Tong, which is one of the most beautiful in the diocese of Lichfield and, I would argue—surely with my right hon. Friend the Member for Ludlow (Mr Dunne)—has the most beautiful church in Shropshire. That is part of its so-called strategic sites initiative, effectively equating to a brand-new settlement. As the Minister will know better than me, strategic sites is a parallel system alongside the local development plan. That speculative, aspirational but nevertheless concerning document is a genuine attempt to bring that amount of housing to an inappropriate location.

It is significant that the plans have no local support at Shifnal Town Council or Tong parish council. The Minister has said in this place that developments of that size, whether they be called garden villages or new settlements, must have public support, meaning through their locally elected representatives and at town and parish council level, whether they are statutory consultees or not.

In addition to the gross imposition on the pristine green belt and farmland, Shropshire Council, adding insult to injury, wants to put 50 hectares of employment land on the green belt and farmland, even though plenty of other brownfield sites are available. Apparently, the housing and employment land allocation in the strategic sites initiative is needed because, unbelievably, the west midlands does not have enough employment land of its own—so much so that it has to come over the border into Shropshire in an attempt to gobble up all our green belt. That is not satisfactory at all—frankly, it is unbelievable and rather fanciful.

Mr Philip Dunne (Ludlow) (Con): My hon. Friend is making a powerful speech. As he has identified, our constituencies are adjacent. On development on the green belt in the Shropshire Council area, there are proposals under the Shropshire Council plan for significant development on green belt immediately to the east of Bridgnorth, which is on the western extremity of the green belt coming out from the Birmingham metropolitan area.

Does my hon. Friend agree that, in order to sanction development on green belt, the local authority needs to be clear about the exceptional circumstances in which, under the planning guidance, green-belt development is allowed? Will he join me in pressing the Minister to provide some clue about how a council can demonstrate exceptional circumstances? What are the criteria by which that is judged? Without that, presumably, any such development would not proceed.

Mark Pritchard: I am always grateful to my right hon. Friend for his interventions—he has huge experience, having been a Member of Parliament representing Ludlow and that beautiful other part of Shropshire for 14 years. Bridgnorth, for which he is the Member of Parliament, has taken quite a lot of housing in recent years. Again, I think Bridgnorth residents have been very good: they have not been nimbys; they have just said that the housing needs to be sustainable and proportionate. The exceptional circumstances for the green belt are very narrow—they have to be exceptional. I think that test is right, but whether Shropshire Council has met it is a matter for others, such as my right hon. Friend and the Minister. In my constituency, my view is that the council has not met that test to date. Whether in Bridgnorth, Shifnal, Albrighton, Tong, Shawburch or Apley, we should avoid at all times building on farmland and greenfield sites.

The Minister of State heard me mention the west midlands and the so-called lack of employment land, which I do not accept—it is inaccurate—but even if that were the case, there are plenty of vacancies for both heavy and light industrial employment uses in Telford itself, on the industrial parks of Stafford Park, Halesfield or even down the road in Wolverhampton. I do not accept that Tong, Shifnal or Albrighton should become the dumping ground for west midlands housing and employment, with employment being the gateway for the housing and the revenue stream.

There are questions to be asked about the relationship between the west midlands combined authority and Shropshire Council. It is in the public interest and my constituents have a right to know the financial and commercial relationship between those two authorities, and the commercial and financial relationship between the borough of Telford and Wrekin and Shropshire Council. I hope it does not take freedom of information requests to elicit that material from those authorities. The public have a right to know why employment land, with residential housing on the back of it, is coming to green belt when it is pretty clear to anybody that there is plenty of employment land in the west midlands. That raises serious issues.

I would like to touch on Shifnal, if I may, which is a beautiful market town. For years, Shropshire Council has agreed to an integrated transport scheme, but it has never come forward. We have to see benefits in local communities. Shifnal has taken a lot of housing in recent years but has seen none of the benefits of the new homes bonus. It has seen no major infrastructure benefits. We still have issues with drainage that have not been dealt with by Shropshire Council, yet it expects the town to take more.

The Minister will know that if the housing is unsustainable, there will be issues with sustainability socially, with physical infrastructure, schools, GP services, roads,

drainage as I have touched on, and flooding and displacement of water tables. Shropshire needs to bring forward its plans for the power station in Buildwas and its plans for a major site in the barracks at Tern Hill, and encourage the Ministry of Defence to bring that site forward more quickly than currently planned. We need to ensure that RAF Cosford, outside the wire, develops as much MOD land as possible brownfield land in order to safeguard the green belt.

Finally, I refer to the Government's national planning policy framework document 2018, on the purpose of the green belt. It serves five purposes:

"to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns and to assist in urban regeneration by encouraging the recycling of derelict and other urban land."

As the proposals currently stand, around 2,500 homes are planned for Shifnal, 3,000 planned for Tong and over 600 planned for Albrighton. If these plans go ahead, the current distance of 3.7 km between Shifnal and Tong will be reduced to about 1.2 km to 1.4 km, which goes against the very spirit and letter of what the green belt is supposed to be about.

In conclusion, my constituents are not saying no to housing. They are saying yes to housing, but to sustainable—not unsustainable—housing. I will allow the Minister to respond.

4.20 pm

The Minister for Housing (Kit Malthouse): It is a great pleasure to appear before you for the first time, Mr Owen. I congratulate my hon. Friend the Member for The Wrekin (Mark Pritchard) on securing the debate. Having felt the breeze on my face and heard the skylarks atop the Wrekin, and sung in Ludlow church as a boy chorister, I can appreciate why my hon. Friend and his county colleague, my right hon. Friend the Member for Ludlow (Mr Dunne), are quite so assiduous in seeking to curate that beautiful part of the country as carefully as possible.

As Members will know, the Secretary of State has a quasi-judicial role in the planning system, so I am sure they understand that it would be inappropriate for me to comment on the detail of individual decisions or plans. However, I can talk more broadly about the issues raised by my hon. Friend. Like him, the Government fully recognise the need to plan for and build more homes. We are committed to enabling the housing market to deliver at least 300,000 new homes a year by the mid-2020s. We need to make sure that homes are supplied that meet the diverse needs of our communities, such as homes for first-time buyers, homes suitable and accessible for older people, high-quality rental properties and well-designed social housing.

Each and every part of the country has its role to play in ensuring that these homes are delivered. The vital first step in the process is to bring forward local plans that give communities certainty about where development will take place. The planning system should be genuinely plan-led, with up-to-date plans providing a framework for addressing environmental, social and economic priorities for every area, as my hon. Friend mentioned. Local plans should be prepared in consultation with communities. I hear exactly what my hon. Friend says about consultation

and I urge all local authorities to ensure the public are fully involved in the planning process at every level. Local authorities play a key role in delivering the development and infrastructure that is needed in the right places, and community participation is a vital part of that.

The best plans are those that have been developed through effective engagement with communities throughout the process. Having an up-to-date plan in place is essential to planning for housing, providing clarity to communities and developers about where homes and supporting development should be built—and where it should not—so that development is planned for, rather than the result of speculative planning applications. The two local authority areas over which my hon. Friend's constituency spans should have regard to that. I am aware that Telford and Wrekin Council adopted its local plan last year, for which it should be congratulated. I understand that Shropshire Council is undertaking a partial review of its site allocations and management of development plan at present—I emphasise how important that is for the communities those councils serve.

Through the revised national planning policy framework, we have made significant reforms to make it easier and quicker to get a plan in place. We have introduced flexibility in how plan-making happens, with a new, more flexible plan-making framework and an expectation that plans are kept up to date and reviewed at least once every five years. We have also introduced a standardised approach to assessing housing need locally. When it was published last year, the revised NPPF introduced a standard method for assessing local housing need. After extensive consultation, it was introduced to speed up and reduce the cost of the plan-making process and to make the process more transparent and accessible. It was introduced to help ensure that we meet our commitment to deliver more homes, which have been better designed, faster.

In practice, all councils should make a realistic assessment of the number of homes their communities need, and they should use the standard method as the starting point, not the end point, in the process. The starting point is used to identify the minimum number of homes needed every year. What the standard method does not do, however, is provide a maximum number of homes needed, nor does it provide a target that must be planned for. It would be wrong to think that this is just a numbers game; we need to make sure that communities are fully on board through local plans. We need to make sure that constraints, such as green belt, are considered and that we find the right places for homes, within those constraints. We also need to ensure that the right infrastructure is in place and that we underpin all development with good design principles.

Development should not be progressed at any cost and local circumstances should be taken into account. Local authorities are best placed to do that and should plan how to meet the housing needs of their communities, considering land availability and relevant constraints, including green belt and areas of outstanding natural beauty, and whether need is more appropriately met in neighbouring areas.

Mark Pritchard: Does the Minister agree that the relationship first between the West Midlands combined authority and Shropshire Council, and secondly between Shropshire Council and Telford and Wrekin Council,

[*Mark Pritchard*]

whether it be commercial and/or financial, should be transparent? It is in the public interest that documentation relating to those relationships should be published.

Kit Malthouse: I agree with my hon. Friend. As he will know, under the plan-making process, all local authorities have a duty to co-operate with their neighbours in seeking to allocate housing need most appropriately in their region or area. Where those plans are put in place and there is co-operation about the allocation of housing, of course it should be completely transparent for local communities to see how their democratically elected representatives are disposing of the required housing need in their area.

I want to talk about environmental protection. The NPPF carries forward into planning the basic principle of the 25-year environment plan that we must leave our environment in a better condition than when we inherited it, and plan and design developments accordingly. The area which both my hon. Friend the Member for The Wrekin and my right hon. Friend the Member for Ludlow represent is particularly sensitive in environmental terms, and should be protected as much as possible.

As my hon. Friend mentioned, the green belt is a key feature of our natural heritage and fundamentally aims to prevent urban sprawl by keeping land permanently open. It is a national policy, but applied locally with green-belt land defined and protected by local planning authorities. By providing strong protection for the openness of green-belt land the NPPF prevents inappropriate development. He is right that local authorities have a duty to look at brownfield land first before they consider green-belt sites.

Mark Pritchard: Does the Minister share my surprise that my constituents were informed in the last few weeks by Shropshire Council that the west midlands appears to have run out of employment land?

Kit Malthouse: I cannot comment on specific dispositions towards plans, but it sounds surprising to me that the west midlands, which is such a large area, might be short of employment land. Nevertheless, dispersed employment, even in my hon. Friend's constituency, should be welcomed. As he says, it is for local authorities to decide exactly which area is right to use for their employment and housing land. He is right that there should be a close relationship between Homes England and local authorities. That relationship should be transparent, with plans and decisions on display, subject to commercial confidentiality, giving local communities confidence that what is being done in their name and in their area has both involved them in its production and can be justified.

On transparency, I want to say a word about section 106 agreements, which my hon. Friend raised. To improve the section 106 process, we have recently mandated local authorities to publish viability assessments of particular developments. Local people can now see what the section 106 gain for their area will be, and can compare it against their neighbours, because we see different patterns of performance on section 106 agreements. All of that, allied with other changes we have made in the planning process, such as producing neighbourhood plans and pushing neighbourhood plans forward, is designed to make local people, including my hon. Friend's constituents, feel that they are more the masters of the planning system and less its victims.

If we are going to raise acceptability for vital housing so that young people are able to live in beautiful areas of the country such as the one my hon. Friend represents, we need to ensure local people are in charge of where housing goes, what it looks like, how it is disposed and what kind of housing it is. Local people need to be an integral part of the process of producing new homes, having accepted that a significant number of homes need to be built for the next generation, as a moral obligation to be passed from one generation to the next. I will work closely with my hon. Friend and his county colleagues to make that happen sensitively in his constituency, as I will across the rest of the country.

Question put and agreed to.

Police Ombudsman for Northern Ireland: Legacy Cases

4.30 pm

Albert Owen (in the Chair): Before we start the debate, I will issue a reminder to hon. Members that under the terms of the House resolution on the matter of sub judice, they should not refer to specific cases that are currently subject to legal proceedings. Hon. Members may, of course, speak on general issues. The Clerk will be advising and prompting me and I will rule accordingly.

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): I beg to move,

That this House has considered the role of the Police Ombudsman for Northern Ireland in legacy cases.

I welcome the opportunity for this debate this afternoon. I thank the Minister, the shadow Secretary of State and other colleagues for their presence and participation today.

I will say at the outset that this is a matter that rightly requires the attention of this Parliament, not a parochial issue for Northern Ireland MPs alone. Although the appointment of the Police Ombudsman for Northern Ireland is a matter for the Secretary of State for Northern Ireland and the finance is overseen by the Department of Justice, a devolved Department in Northern Ireland, legacy matters form a significant part of the work of the police ombudsman's office, a significant part of which relates to national security, which of course is not a devolved issue. Therefore, I believe it is entirely appropriate that we consider these matters.

Hon. Members will be aware that there is currently an ongoing judicial review of one particular case investigated by the police ombudsman, which relates to a report on killings in 1994 in Loughinisland. I will not go into the detail of the judicial review, but I will refer to the case in general terms and give my view, as a public representative, on where I think the police ombudsman's report was deficient in the context of the debate. This is not about the legal issues that are the subject of the judicial review, but if you feel I am straying at any stage, Mr Owen, you will of course bring me back into line.

It is worth recalling that the primary role of the police ombudsman in Northern Ireland is to investigate complaints by the public against police officers. That includes complaints linked to cases that are part of the legacy of our troubled past. Unlike most, if not all, types of—

Albert Owen (in the Chair): Order. If I may just help the right hon. Member, this is a live case and there is a sense that this might prejudice it in some way, so I would be very careful in how he proceeds on this one. That is the advice I have been given and I ask him to take that on board now.

Sir Jeffrey M. Donaldson: Of course, Mr Owen, but since the ombudsman's report is a matter of public record, it is entirely appropriate that public representatives comment on that report and its findings, and that is what I intend to do. I will of course be open to advice on this subject.

Albert Owen (in the Chair): Just for clarification, it is important that we do not stray, and if hon. Members go further than discussing principles and policies, I will have to ask them to resume their seat.

Sir Jeffrey M. Donaldson: Thank you, Mr Owen.

As I was saying, unlike most, if not all, other types of ombudsman in the UK, the Police Ombudsman for Northern Ireland has significant powers that include powers of arrest, detention, interview and conducting searches on property. Indeed, the powers are similar to those of the police. Those functions must be carried out under both the Police and Criminal Evidence Act 1984 and the Regulation of Investigatory Powers Act 2000, and the police ombudsman must comply with the requirements of that legislation. Nevertheless, I think many people would be of the view that using "ombudsman" to describe the work of the Police Ombudsman for Northern Ireland might be a misnomer, given the wide, sweeping police powers that the Police Ombudsman for Northern Ireland has—unlike, I believe, any other ombudsman.

My comments today will focus on the making of section 62 public statements on findings arising from reports by the Police Ombudsman for Northern Ireland on legacy cases involving complaints that have been subjected to an investigation by the police ombudsman. Although I note that the police ombudsman has the right in principle to make such statements, I have significant concerns about the content of some of those statements and that the ombudsman may be exceeding their remit in that regard.

Bob Stewart (Beckenham) (Con): I had no idea that the Police Ombudsman for Northern Ireland had such great powers. May I ask my right hon. Friend whether those powers include actually saying to the Police Service of Northern Ireland, "I require these officers, of this rank, to come and give me assistance."? Is that what happens?

Sir Jeffrey M. Donaldson: In relation to current or contemporary investigations regarding complaints against police officers that are post the troubles, yes, the police ombudsman may require serving police officers to be interviewed and has the powers of arrest and detention of serving police officers. My focus today, nevertheless, is on—

4.36 pm

Sitting suspended for a Division in the House.

4.48 pm

On resuming—

Sir Jeffrey M. Donaldson: Before the Division, I was about to speak about a couple of cases that have given rise to concerns on my part and the part of others about the manner in which the police ombudsman's office conducts its investigations.

I was going to talk about Loughinisland in a little detail, from the perspective of a public representative, but I will not now go into the detail, because of your advice, Mr Owen, that we may stray into areas covered by the judicial review. I shall merely say that, to date, the findings of court proceedings have not eased my concern about the manner of the report, the findings that arise from the report and, in particular, how evidence was

[Sir Jeffrey M. Donaldson]

gathered and those conclusions were drawn. I will not go into any further detail about the Loughinisland case, save to say, of course, that we must not lose sight of the fact that in each of these cases there are human tragedies.

In relation to Loughinisland, the murder of six Catholics by the Ulster Volunteer Force in 1994, in the Heights Bar, while they were watching a World cup game, is to be condemned without reservation. The issue for me is not that justice should be done for those six men—because it should—and that the perpetrators should be brought to justice; the issue for me is the police ombudsman's findings in relation to the case.

I shall focus, perhaps a little more than I had expected to, on another case. It involved the killing of two people in the Creggan estate in Londonderry on 31 August 1988. It is sometimes referred to as the “Good Neighbour” bombing. It is a very tragic story, which in a way epitomises the tragedy of the Northern Ireland troubles. The resident of a flat at 38 Kildrum Gardens on the Creggan estate had been kidnapped by the Provisional IRA. They had planted in the property a booby-trap bomb that was permanently affixed and was designed to be triggered when someone entered the property—at any time. In that sense, it was an indiscriminate device: it would kill whoever walked into the property.

The Provisional IRA held the resident for a number of days, and the police in Northern Ireland became aware, through intelligence, that there was going to be an attempt to kill police officers. Although they were not given a precise location, the Creggan estate was identified as the general area. The police immediately introduced an exclusion zone for members of the security forces, because the intelligence that they had suggested that the device was aimed at the security forces, but they did not have any more detail than that.

As the days went by, other elements occurred that were linked to this incident. The IRA, becoming increasingly desperate because the security forces had not entered the area, never mind the property, tried a number of ruses to attract the police into the area so that they might trigger the device. That did not happen, and sadly, on the morning of 31 August—some six days after the kidnapping of the householder, I think—three of his neighbours went to investigate, because they had not seen the resident for a number of days. As good neighbours, they did the right thing and went to check on their neighbour. Sadly, on entering the property through a window, Sean Dalton, one of the neighbours, was killed instantly, along with Sheila Lewis. The other neighbour, Thomas Curran, was seriously injured.

Of course the IRA apologised for the killings, admitting that they had been a mistake, but to his credit, Dr Edward Daly, the then Bishop of Derry, presiding at the funeral mass of the two victims, said that the explosion did not go tragically wrong; it did what it was designed to do—kill people who went to the flat out of concern for the missing occupant.

Six years later, the relatives of Sean Dalton, one of the deceased, made a complaint to the police ombudsman's office. They claimed that the police in Londonderry had been negligent in allowing civilians to approach the flat, and alleged that the Royal Ulster Constabulary was aware that the flat had been booby-trapped and therefore

had failed in its duty, under article 2 of the European convention on human rights, to uphold the right to life of Mr Dalton.

The police ombudsman took eight years to investigate the case and, at the end of the investigation, concluded that, on the balance of probabilities, the police had been negligent and had failed to uphold Mr Dalton's right to life. However, when we examine the police ombudsman's report, we see that that conclusion is not based on hard evidence or facts; it is based on the balance of probabilities.

Mr Gregory Campbell (East Londonderry) (DUP): I congratulate my right hon. Friend on securing this very timely debate. Does he agree that in relation to this case, like so many others, we and the police ombudsman's office have to ensure that, however intensive and comprehensive its investigations are, it must never allow the emphasis to depart from those who carried out the atrocity by allowing an investigation to stray into areas where more criticism is made of those whose job it is to try to deal with the aftermath than the people who perpetrated the act in the first place?

Sir Jeffrey M. Donaldson: My hon. Friend is absolutely correct in his assertion. Of course the appalling deaths of Sean Dalton and Sheila Lewis are to be condemned by us all. As has so often been the case in Northern Ireland, the actions of terrorists resulted in the tragic death—murder—of innocent people. The IRA cannot escape the disapprobation, the condemnation, of all of us for that heinous crime.

Bob Stewart: May I make one comment? I bet the police had no idea that the gentleman was missing. And may I ask one question? I know the area under discussion. How can the police, who always do what they can to save lives, be blamed in any way for what happened? As the hon. Member for East Londonderry (Mr Campbell) said, it is definitely something to be laid at the door of the Provisional IRA and the people who actually did it. Have they been brought to trial?

Sir Jeffrey M. Donaldson: The hon. Gentleman is absolutely right. Any reasonable person who read the police ombudsman's report would conclude that the police did not know the precise location where the explosive device had been left by the Provisional IRA, did not know all the circumstances surrounding the incident—the kidnapping and so on—and had only broad general intelligence about an imminent attack on the security forces. However, the ombudsman concluded that the police failed to uphold Mr Dalton's right to life. His death is tragic, and our hearts go out to his family; I understand their anger and their concern, but in the end it is the Provisional IRA who are to blame for that death, not the Royal Ulster Constabulary. I do not believe that the RUC had information available to it that could have prevented Mr Dalton's death. There is no evidence in the police ombudsman's report to support any other conclusion, yet he is able to say that, on the balance of probabilities, the police failed in their duty to uphold Mr Dalton's right to life. And he says that against a background where he has the power to arrest, detain, interview and search.

Paul Girvan (South Antrim) (DUP): This is an opportunity that is being used by those who want to rewrite history and try to imply that there is collusion in

incidents that have happened. There might well be in a small number, but to try to paint it on every incident that ever happened in which someone was killed is to try to rewrite history. It is an attempt by republicanism to influence a Government-run body to bring forward those sorts of messages.

Sir Jeffrey M. Donaldson: My hon. Friend makes a broad point that is of concern to many of us regarding how the legacy process is addressing the totality of what happened in Northern Ireland during those tragic 30 years and more. The Osman test, which is often used in such cases, is very clear about what matters need to be considered when coming to conclusions about article 2—about the failure of the state to uphold the right to life. I do not believe that a conclusion reached on the balance of probabilities meets the threshold set out in the Osman test, and consequently I believe that the decision of the ombudsman is wrong.

Emma Little Pengelly (Belfast South) (DUP): I know that my right hon. Friend has met with many of the families—as I have—including those who have been going through and are on the list to go through investigations by the ombudsman and the coroner's court.

Due to the stalling of the Historical Enquiries Team process—the investigations into criminal offences by the police—and because many families are not happy with the result of that HET process, and because there is no funding for those criminal investigations, many genuine families who recognise that the perpetrator was the terrorist organisation do not have any options for an investigation or further investigation other than what is available, which tends to be either an ombudsman's investigation or an inquest through the coroner's court.

That means that we are ending up in a situation with a disproportionate push between those two aspects, where allegations of collusion are the grounds to try to get that re-investigation. That is not doing anybody any justice, not least by letting those who actually perpetrated the crimes get away with their criminal acts.

Sir Jeffrey M. Donaldson: I will add nothing to what my hon. Friend has said, because she said it very eloquently and summarises the concern for us. I know the Minister will talk about the proposals to bring a more balanced, fair and proportionate system for dealing with the legacy of our troubled past. I am dealing with one aspect of that today.

To be clear, my concern is that, even though the police ombudsman has the power to arrest, detain, interview and search properties, in this report on the “Good Neighbour” bombing not a single police officer has been recommended for discipline or criminal prosecution, and no claim of wrongdoing has been brought against any police officers, yet the conclusion remains that the police failed in their duty to protect the life of Mr Dalton. I think that is unfair, unreasonable and irrational, and it is an example of the ombudsman exceeding his remit and powers, despite the fact that he has many powers available to him, to go after the evidence and bring forward that evidence. The evidence is not there to support the conclusion. Therefore, with all the powers available to him, to conclude, on the balance of probabilities, in his opinion—not on an opinion based on evidence—that the police breached their article 2 obligations, shows that there is something seriously wrong when this is the outcome in such a case.

This case is not alone—I could give other examples. The main example I wanted to bring today, apart from this case, was Loughinisland. In light of your concern, Mr Owen, I will not pursue the matter further, but I encourage hon. Members to read some of the commentary and findings in court in relation to the report by the police ombudsman on the Loughinisland case. I think they will find that those conclusions support the contentions I am making today about the ombudsman and how he approaches investigations of this nature.

I am also concerned about the manner in which the police ombudsman's office treats those who have served our country in the police—retired police officers who stood on the frontline in Northern Ireland. The Royal Ulster Constabulary lost over 300 officers and countless hundreds more were seriously injured in the conduct of their duty. They held the line and protected the entire community in Northern Ireland, yet at times one is left wondering whether there is an understanding of the contribution that the police in Northern Ireland made towards bringing peace. We would not have the peace that we enjoy today in Northern Ireland if it had not been for the courage and bravery of the Royal Ulster Constabulary. Her Majesty the Queen recognised that with the award of the George Cross to that fine police service. In her citation, she spoke of the courage and outstanding bravery of the RUC.

When it comes to the ombudsman and how it deals with those retired police officers, the Salmon principles are very important. The Salmon principles were introduced some years ago, after the inquiry into the Profumo affair. They were designed to protect participants in such public tribunals of inquiry. The police ombudsman for Northern Ireland ought to be complying with the Salmon principles.

There are six Salmon principles—they were devised by Lord Justice Salmon—of fair procedure under the Tribunals of Inquiry (Evidence) Act 1921. Those principles require that any person who is the subject of an inquiry

“must be satisfied that there are circumstances which affect them and which the tribunal proposes to investigate.”

I guess that the ombudsman would argue that it complies, but I am concerned the ombudsman is not complying fully with other elements. For example, a retired officer who is the subject of an investigation should be given an adequate opportunity to prepare their case, and of being assessed by legal advisers, and their legal expenses should normally be met out of public funds. They should be informed of any allegations made against them and the substance of the evidence in support of those allegations. They should be able to call material witnesses. They should have the opportunity of testing by cross-examination conducted by their own solicitor any evidence which may affect them.

Retired police officers who are the subject of investigations by the police ombudsman's office are not afforded the opportunity of doing that. Indeed, often they are not even interviewed by the police ombudsman, yet they read a report concerning an investigation in which they were involved when they served, which criticises their conduct, and they have not even been afforded the opportunity to present their side of the story and put their point of view across to the ombudsman. That is simply unfair, and it is not compliant with the Salmon principles. It needs to be given closer examination.

[Sir Jeffrey M. Donaldson]

Another major deficit in relation to the police ombudsman and how it operates is that there is no independent complaints procedure, whereby someone who is the subject of an investigation by the ombudsman may make a complaint about the manner of that investigation. Again, it is highly unfair that there is no recourse to complaint. People must either complain to the ombudsman himself or, I guess, raise the matter with the Secretary of State, but that does not constitute a proper independent process for dealing with a complaint. I believe that that is in breach of article 13 of the European convention on human rights, which the ombudsman seems to be quite keen on.

I do not believe that what the ombudsman, as currently constituted, offers is compliant with article 13, which requires an independent complaints mechanism for those who are the subject of investigations by the ombudsman's office. The Northern Ireland Retired Police Officers Association has pressed the Secretary of State and others to make provision for such an independent complaints procedure, and it has not been done. That is most unfair—there is no recourse for people who feel they have been treated unjustly by the police ombudsman, which is a public body.

The schedule of bodies that are required to be subject to independent scrutiny and investigation of complaints made against them excludes the ombudsman, despite the fact that the offices of other ombudsmen are subject to independent complaints processes. That is another area where there is a deficiency in the manner in which the police ombudsman's office operates. There ought to be an independent complaints procedure, so that those who are subjected to investigations by the ombudsman have the right to make a complaint if they feel they have been treated unfairly, and so that that complaint is properly examined and investigated.

For some time, my hon. Friends and I have been raising concerns about the operation of the police ombudsman's office and about its reports' findings, which are often the subject of banner headlines. Behind those headlines, however, there is little or no evidence to support the conclusions that have been reached. That is simply untenable, because, as some of my hon. Friends have said, it lends itself to the efforts of others who are seeking to denigrate the forces of the state, to paint them as the bad guys in the troubles, and to somehow justify the actions of those whose actions are completely unjustifiable.

We welcome the Government's proposals to remove the role of investigating legacy complaint cases from the Police Ombudsman for Northern Ireland and to transfer that role to a new independent investigative body. In supporting that, I say to the Minister that, when the legislation is being drawn up, and when the terms of reference and the remit for the new investigative body are being set, we need to address those concerns. We need to ensure that the manner in which the police ombudsman's office has acted in dealing with legacy cases is not repeated in the future; that there is fairness; that there is a balanced and proportionate approach; that people are afforded the opportunity, if they feel aggrieved, to pursue a complaint against the ombudsman, or in this case, the new investigative body, to an independent body; and that the investigative body complies with the requirements of the Salmon principles in relation to the rights of those who are the subject of an inquiry.

I say to the Minister that it is important to right those wrongs. It is important that police officers, or retired police officers, who are the subject of investigations, are treated fairly and properly, and that the investigative body is restricted in its remit to what ought to have been the remit of the police ombudsman's office, which is to send its findings to the Chief Constable if there is evidence of disciplinary malpractice, or to the Director of Public Prosecutions if there is evidence of criminal wrongdoing. That is what the police ombudsman is required to do.

The police ombudsman should not make statements that imply guilt and wrongdoing when the evidence is not there to support them, and when he is not bringing any charges against any police officers in those cases on matters of discipline or of criminal wrongdoing. That is unfair. The system is unjust and needs to change. I hope that in the new independent investigative body that will be established, those steps and wrongdoings will not be revisited on retired police officers. It is simply wrong.

5.14 pm

Bob Stewart (Beckenham) (Con): I was tempted not to speak, but I will be short. I want to say two things.

I served with the Royal Ulster Constabulary. I watched how it worked for three and a half years. I know 38 Kildrum Gardens in the Creggan. I was the intelligence officer in Londonderry in 1978. I watched Royal Ulster Constabulary officers go forward, while we gave them cover, to knock on doors and investigate suspicious activity. I find it absolutely appalling if there is any suspicion that the Police Ombudsman for Northern Ireland is not fair in dealing with those incredibly gallant men and women. The whole service thoroughly deserved the George Cross, but most of them actually deserved additional decorations. I am absolutely dismayed by what I have heard. I did not realise it was as bad as that. I will take an increased interest in the matter from now on as part of the Select Committee on Northern Ireland Affairs.

I am personally indebted to the way the Royal Ulster Constabulary and its officers protected my soldiers and acted when we were out there with them. It was not them and us, and "them" were not Catholics, Protestants, Jews or Buddhists. The Royal Ulster Constabulary did not give a damn who it was going to help—all it wanted to do was help. It is absolutely tragic if there is suspicion that the ombudsman is not giving credit to those extremely gallant men and women.

Jim Shannon rose—

Albert Owen (in the Chair): Order. Before I call the hon. Gentleman, I inform hon. Members that I will call the Opposition Front-Bench spokesperson at 5.26 pm. The Minister will then have 10 minutes and the right hon. Gentleman who sponsored the debate will have two minutes to wind up.

5.16 pm

Jim Shannon (Strangford) (DUP): I treasure the thought of being able to speak until five to six—I know you did not say that, Mr Owen—but I am not going to do that today. I will be careful with my comments in the light of that advice.

I thank my right hon. Friend the Member for Lagan Valley (Sir Jeffrey M. Donaldson) for presenting a good case, as he always does, and the hon. Member for Beckenham (Bob Stewart) for putting the case as well. I also thank the Speaker's Office for giving us the opportunity to highlight the issues in Westminster Hall. My right hon. Friend the Member for Lagan Valley and I are not just colleagues but good friends, and I also have an interest in the issues that he talks about. We always listen to his comments, which are well put.

My comments come from a personal perspective. In recognition of my role as an elected representative of the people of Strangford, I fully support what my right hon. Friend has put forward. As well as being the most beautiful constituency in the world—I have to say that, but I say it honestly—Strangford is home to a large number of veterans of the armed forces, the Royal Ulster Constabulary and now the Police Service of Northern Ireland, as well as prison officers and other service personnel.

My constituency has a tradition of service and I am always pleased to represent it. It is a wonderful place to retire, and historically, it has been viewed as a safe place in terms of the troubles for serving and retired personnel to live. For that reason, I am confident that I speak on my constituents' behalf when I say that the role that has been played by the police ombudsman when it comes to legacy issues is simply not acceptable, and that the direction of his office must be quickly and completely changed. My right hon. Friend outlined that in an exceptional way.

Just over 17 months ago, I joined my hon. Friends and other right-thinking people in calling for the reconsideration of Dr Maguire's position as the Police Ombudsman for Northern Ireland. That is on record. I also join my right hon. Friend the Member for Lagan Valley in condemning the despicable murders that took place at Loughinisland. Those responsible, whoever and wherever, need to be held accountable for their actions.

David Simpson (Upper Bann) (DUP): My hon. Friend knows that some of us in this House had loved ones and families who served in the Royal Ulster Constabulary and were butchered by the provos. Those families have never had justice. The people who committed the murders have never been brought to justice. It is disgraceful and totally wrong that the ombudsman is treating certain cases in a certain way—he should be impartial. Everybody is equal under the law. It is hurtful for those of us who have lost family members who served, and it is hurtful for those families who have to relive it.

Jim Shannon: Along with my hon. Friend and others, I would be concerned if any landmark reports that are available to the general public, or in the public domain, should in any way throw any slight on the determination of police. I believe that would exceed the ombudsman's statutory powers.

Emma Little Pengelly: Very often whenever these issues are reported, there is some suggestion that in some way those who have done wrong should get away with it because they are in a particular category. May I put on the record—I am sure that my hon. Friend agrees with this—and echo the words of my right hon. Friend the Member for Lagan Valley (Sir Jeffrey M. Donaldson)

that any murder was wrong, and that any criminal act, by terrorists or others, or wrongful murder, must be condemned and fully investigated? We absolutely agree with our right hon. Friend on that.

However, there must also be fairness within that system and the concerns that are being articulated are very much about the lack of consistency, and the apparent absence of guidelines in terms of the adjudication and reporting of these cases. That is leading to inequality and to concern for many.

Jim Shannon: With my hon. Friend's legal mind, she obviously succinctly focuses on the issues that we need to be aware of.

I believe that police officers involved in any case, wherever that may be, and who have not been afforded the protection of due process, should not be subjected to destructive and withering condemnations by any person who has a position of power. I believe that the ombudsman's office has lost credibility and respectability, not simply among those who designate themselves as Unionists but among all who are right-thinking.

When I was sitting here and listening to my right hon. Friend the Member for Lagan Valley, I thought the release of a report that gave no right of reply, and that was ambiguous and condemning of officers at any time, was an indication of the intent of the ombudsman, as we sit by and see more and more focus on alleged state collusion. The allegations are made willy-nilly and without proof or evidence.

I can think of many atrocities during my lifetime. My right hon. Friend referred to atrocities, but not specifically. I can remember them from when I was a young man to the age that I am now. I think of Bloody Friday, when the IRA murdered innocent men, women and children across the whole of Belfast. In the Abercorn restaurant, where I used to eat as a young man, people were murdered while they were there having a meal—children and women butchered and destroyed.

There was the La Mon Hotel in my constituency, where again those who were in high positions of IRA leadership and who are now in positions of political leadership seem to have got away with what they have done. There are also the murders at Kingsmill. We all know the story about Kingsmill and the massacre there, and we know that there have been clear allegations of collusion by some members of the Garda Síochána in relation to that massacre—that is well-known. When we look to an ombudsman to investigate issues, those are the sorts of issues that they should investigate.

There was the Darkley massacre of men and women who were worshipping their God in their church. In my own family, there was the murder of my cousin, Kenneth Smyth, outside of Clady. Lexie Cummings was murdered outside Strabane. Four Ulster Defence Regiment men, three of whom I knew personally, were murdered in Ballydugan: John Birch; Steven Smart; Michael Adams; and Lance Corporal John Bradley. They were four young men who were murdered in the prime of their life.

Albert Owen (in the Chair): Order. Can I just say to the hon. Gentleman that he has two minutes to conclude his remarks?

Jim Shannon: I am coming to the end of them.

[Jim Shannon]

The last case that I will refer to is the murder of Louis Robinson, a detective constable who was kidnapped in South Armagh and murdered.

All of these things tell me that the ombudsman's time could be better spent. I see constituents referring deserving issues to the police ombudsman regularly. All experience a refusal due to a lack of resources to investigate every complaint. Perhaps if the ombudsman was more determined to leave legacy issues to the designated body and if it investigated what was needed today, my constituents, who I represent, might find resolution and justice.

The time has passed for the Secretary of State, or for the Minister of State, who will respond to this debate, to intervene and appoint someone who has knowledge of Northern Ireland and of what the ombudsman's role is—someone who at least has the grace to admit what that role is—and someone who will forgo what has been described as personal ambition of retribution. Instead of retraumatising officers who have seen what we cannot imagine, who have paid their dues to this country and who do not deserve to be accused of collusion at any stage to satisfy a republican rewrite of history, that individual should do his job as it is understood by all right-thinking people.

5.25 pm

Tony Lloyd (Rochdale) (Lab): This has been most certainly an interesting debate, although possibly not the one that either the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) or I thought it might turn out to be.

Let me say this: the role of the ombudsman is vital. The problem is that it has been constructed in the wrong way. The ombudsman has responsibility for the investigation of contemporary irregularities by the police service, mirroring what I had some responsibility for as the police and crime commissioner in Greater Manchester, although more generally they were dealt with by the then Independent Police Complaints Commission, which is now under a different guise. There is no doubt that there needs to be that contemporary role, but the problem has come because that role has been mixed with the role of historic investigators. Quite honestly, neither the ombudsman nor the victims nor the Police Service of Northern Ireland nor politicians think that is a satisfactory process.

I will begin by asking the Minister whether he can throw any light on an issue. One of the things that I welcome is the recent announcement from the Department of Justice in Northern Ireland of a further £55 million for coronial investigations. However, that will put pressure on both the PSNI and whoever is the investigating authority, whether that is the ombudsman or another body; I will come on to that later. Can the Minister tell us whether there will be extra resources for those other investigatory bodies and of course for the prosecuting bodies, including the Crown Prosecution Service, because it is important that we see resourcing for them within the package?

I echo the words of the right hon. Member for Lagan Valley, who said that we are talking about human tragedies, and about victims. Right hon. and hon. Members have mentioned a number of particular atrocities. Let me make it clear that victims, whether they are victims

of republican terror, of loyalist terror or of state actors, are entitled to have resolution of their cases, as their loved ones are loved ones, their mothers and their children are the same, whatever the background of the perpetrator. We must establish that because there cannot be some sense in which there is differential justice, but at the moment we have differential justice, particularly when we have different agencies involved at different times. We have ad-hockery.

In the case of Pat Finucane, it was only because of the intervention of the then Prime Minister, David Cameron, that there was an inquiry. For 30 years, the family had been fighting for a process of justice. They have had a partial victory recently at the Supreme Court, but there now needs to be a continuation with proper investigation of the murder of Pat Finucane.

That brings me on to another case—that of Edgar Graham, the Ulster Unionist Member of the Legislative Assembly at Stormont. He was a young man who was murdered in the most public of ways on the campus of Queen's University of Belfast, when he stood next to one of his Ulster Unionist colleagues. That brutal murder has not been brought to any satisfactory conclusion. In fact, when the then Historical Enquiries Team process took it up, all that the family got was a letter saying why there would be no report into that particular atrocity.

Let us make it clear that we now have to move to a situation where there is proper and uniform treatment, whatever the authorship of a crime, and I say this advisedly: whether it be republican or loyalist paramilitaries or state actors —

Albert Owen (in the Chair): You have one minute.

Tony Lloyd: Thank you. Two minutes, Mr Owen?

Albert Owen (in the Chair): One.

Tony Lloyd: Of course my point brings us to the very important role of the Historical Investigations Unit. I have to say to the Minister that it is now five years since the Stormont House agreement concluded that that was needed. It is now more than six months since the consultation on that body finished. We need to see that body up and running, because, and I say this to the hon. Member for Upper Bann (David Simpson), if we are to see equity the ombudsman cannot investigate things other than where the police are involved. In the future, he or she will have no locus beyond that. If we are to see equity, we have to see the HIU in operation, investigating across the piece whatever the authorship, whatever the body. Minister, we need progress on that. We need to see the HIU's terms of reference, and see it established, so that it can begin that vital work, which is so long overdue.

5.30 pm

The Minister of State, Northern Ireland Office (John Penrose): It is good to be under your capable hand, Mr Owen, because it ensures that we stay just on the right side of any court case rules and do not prejudice anything. You have been carefully doing that and steering us aright.

I start, as others have, by congratulating the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) not only on securing the debate but on setting out such a properly considered and careful exposition of his concerns,

which are shared, I think, by many of the other Members from whom we have heard. Although the right hon. Gentleman had to steer a careful course around the sub judice rules, he was right to make the central point that behind every single one of the legacy cases that have been cited in the debate and mentioned elsewhere, there is invariably a human tragedy. We have heard some examples today, but it is essential to remember that there are many, many others that could be mentioned, on all sides of the community in Northern Ireland, and they all deserve justice and to be treated equally and fairly.

The right hon. Gentleman rightly pointed out the Salmon principles—I will not try to do a legal job on them, but broadly speaking they are the central points that many people would naturally reach for—of fairness, due process and equality before the law. It is essential, no matter what processes and institutions we apply, that those central principles are front and centre and are adhered to, otherwise the family and friends of the victims of the troubles will never get the justice that everyone here has called for.

Other Members contributed strongly to the debate. My hon. Friend the Member for Beckenham (Bob Stewart) has personal experience, as he rightly pointed out, of operating during the troubles in Northern Ireland. We also had cogent input from the hon. Member for Strangford (Jim Shannon). The only remark of his with which I disagree was his description of his constituency as the most beautiful in the world, when clearly that applies to my own constituency of Weston-super-Mare. Beyond that, I suspect everyone agreed with many of the points he made. It was also good to hear from the Labour spokesman, the hon. Member for Rochdale (Tony Lloyd), a high degree of cross-party unanimity and consensus.

Bob Stewart: I commend the Opposition spokesman, because I took from what he said that this job is too big for one person, and more resources are required to do it properly.

John Penrose: That brings me neatly on to a point that I think everyone agrees on: it is essential that we all mark our support for the principle behind the office of the police ombudsman. If there is to be confidence in the operation of the police on all sides of the community in Northern Ireland, it is essential to have an ombudsman with the powers necessary to investigate current concerns and cases regarding the operation of the Police Service of Northern Ireland. Without that office, it would be much more difficult to maintain confidence across communities in the working of the PSNI. I am sure that everyone here supports the operation of that office, its continued existence, and its ability, where necessary, to investigate fearlessly and even-handedly.

However, the point has been made on both sides of the debate that in Northern Ireland that role is much broader, applying also to some of the most difficult and sensitive issues surrounding legacy cases from the troubles. That is a very unusual position. It is, inevitably, unique, because the position in Northern Ireland is, for many understandable but tragic reasons, also unique. That is one of the most important reasons why people have said that the current arrangements for dealing with legacy cases from the troubles are not passing the test for many people, on all sides of the community and the

debate in Northern Ireland. The arrangements clearly need to be upgraded and improved. It is not just about the operation of the police ombudsman's breadth of current responsibilities; it is also to do with something that I think the Labour spokesman mentioned: the coronial system, some of the legacy cases going through the courts and the inquest process. There are many other examples, too, which is why we are currently working through the 17,000 responses to the public inquiry into how to take forward the proposals for upgrading and improving the legacy process.

The hon. Member for Rochdale rightly mentioned the historical investigations unit, but there are other proposals to round out a potential solution for the legacy process, including proposals for an independent commission on information retrieval, an oral history archive, and implementation and reconciliation groups. There are many different possible elements to getting this right and doing it better for all sides. However, it is essential that we listen to the 17,000 proposals because, as the right hon. Member for Lagan Valley pointed out, behind many of them is a grieving family, a victim and a case of personal tragedy.

I recently looked around the door of the team who are going through the 17,000 responses to the legacy consultation. On one side of the room, against the wall, was a very large pile of boxes of submissions that they had already gone through. They had to do so with enormous care and respect, because of the tragedies that lie behind many of the proposals. On the other side of the room, I am happy to say, was a much smaller pile of boxes of submissions that the team had not yet gone through. They are working through the submissions as fast as they reasonably and decently can, given the sensitivity and importance of the material.

Once the team are through, we will not simply be able to issue the Government's response. We will be able to say that the proposals for the historical investigations unit and the other new institutions are a starting point that we need to overlay with the results from the 17,000 proposals and ask, "What is the final answer? What will allow a settlement, a conclusion and, perhaps, peace and justice, and what will allow us to draw a line under an awful moment in Northern Ireland's history in a way that provides justice for all sides?" Only then will Northern Ireland be able, perhaps, to begin to put this awful moment of its history a little further behind it and continue the process of healing.

At that point, it will be fairly straightforward for many of us to say that the role of the Northern Ireland police ombudsman will, sensibly, become rather more normal. The responsibility for the legacy cases will rightly be passed to the new institutions and processes, and the ombudsman role will become much more akin to ones that we see elsewhere in the United Kingdom, dealing mainly with current cases.

To leave a little time for the right hon. Member for Lagan Valley to respond, I finish by saying that I am very reassured to have heard that everyone here understands, salutes and agrees with the principle that justice must be done, that fairness must be achieved—no matter who, and no matter what—and that everyone should be equal before the law. The difficulty, of course, is that these legacy cases are incredibly difficult and sensitive—perhaps more difficult than many other kinds of justice that we have to administer in the UK. I therefore hope

[John Penrose]

that when we have finished with the 17,000 submissions to the consultation, we will come up with a set of proposals for which there is cross-party and cross-community support, which will allow us to move forward at long last and make progress in this incredibly important and sensitive area.

5.40 pm

Sir Jeffrey M. Donaldson: I thank all who took part in this afternoon's debate, including the hon. Member for Beckenham (Bob Stewart). I thank him on behalf of my colleagues for his service to the people of Northern Ireland, and the enormous courage that he displayed in leading his men and women at that very difficult time. There are many in Northern Ireland today—the great majority—who truly appreciate that service and the sacrifice that accompanies it, and will not forget what was done for our country and for the people of Northern Ireland.

I thank my colleagues, including my hon. Friend the Member for the beautiful constituency of Strangford (Jim Shannon), for their contributions and interventions. My hon. Friend the Member for Belfast South (Emma Little Pengelly) summed it up well when she said that often, because of the lack of a proper process to deal with the legacy of a troubled past, people go to the police ombudsman as a means of pursuing a grievance. As I have already referred to, I wonder about the extent

to which that puts pressure on the ombudsman to come to conclusions and make findings that should not normally be part of its remit, and lead to the ombudsman exceeding that remit. I continue to be concerned about the conduct of the ombudsman's office in dealing with these investigations.

I refer to the case of R (Chief Constable of West Yorkshire Police) v. Independent Police Complaints Commission, which found that it is the job of a police ombudsman to gather evidence and report breaches of discipline to the relevant chief constable, and breaches of the criminal law to the Director of Public Prosecutions. The Court of Appeal in London confirmed that only a properly constituted court can find guilt. The difficulty I have is that, in report after report, the police ombudsman is inferring guilt, implying guilt, and in some cases openly stating that police are guilty. However, it does not bring forward evidence to substantiate those claims or go after police officers for disciplinary or criminal wrongdoing, because the evidence to support the claims is not there. I therefore think there is a problem here that needs to be addressed. We welcome the prospect of new legacy institutions replacing the work of the police ombudsman in respect of legacy cases, but we must be mindful of the need to ensure that the new arrangements take care of the concerns I have referred to.

5.43 pm

Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).

Written Statements

Tuesday 26 March 2019

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Adrian Smith Review

The Minister for Universities, Science, Research and Innovation (Chris Skidmore): I am pleased to announce that I have commissioned Professor Sir Adrian Smith, Director and Chief Executive of the Alan Turing Institute, to provide independent advice on the design of UK funding schemes for international collaboration, innovation and curiosity-driven blue-skies research.

The UK is a world-leading research nation with a globally connected research base. Collaboration with European and wider international partners is key to our strength in science and research: more than half of the UK's research output involves such collaboration. The UK is in the top four of global innovation nations and we draw in more internationally mobile research and development (R&D) than other large countries, with a total of 16% of UK R&D investment financed from abroad.

This Government are bringing forward the largest investment in R&D on record. As outlined in our modern industrial strategy, we are committed to reaching 2.4% of GDP invested in R&D by 2027, and 3% in the longer term. International partnerships and collaboration will play an important part in helping to achieve our ambitions, including in supporting the industrial strategy's grand challenges to put the UK at the forefront of the industries of the future. Professor Sir Adrian Smith's advice will help set the direction for the implementation of the Government's ambition to ensure the UK continues to be a global leader in science, research and innovation, and an attractive country for individuals to study and work. Furthermore, Sir Adrian's advice will help inform the upcoming spending review.

The terms of reference, outlining the scope, timescale and reporting of this work are below.

Terms of reference for the Commission of Professor Sir Adrian Smith

General

The Secretary of State for Business, Energy and Industrial Strategy has commissioned Professor Sir Adrian Smith to provide independent advice on the design of potential future UK funding schemes for international, innovation and curiosity-driven blue-skies research, in the context of the UK's future ambitions for international collaboration on research and innovation. This document outlines the terms of reference for this work.

The global landscape for science and innovation is changing, and access to knowledge, markets, skills and partners now takes place on a global basis. Global research and development (R&D) capacity is expanding and non-Organisation for Economic Co-operation and Development (OECD) countries account for a growing share of global R&D, both in terms of researchers and investment. Better understanding is needed on whether the UK's current funding mechanisms, resources and bilateral and multilateral partnerships will be fit for purpose when set against the projected trends in international

research and innovation, and against new technology and industry roadmaps and the forecast social, economic and environmental trends.

The UK's participation in Horizon 2020, the current European Union (EU) framework programme for research and innovation, has benefited the UK's science, research and innovation landscape. It provides opportunities for UK entities to collaborate with EU and international counterparts and funding for multiple elements including innovation, international collaborations and partnerships, and curiosity-driven 'excellence' based research. Horizon Europe is the successor to Horizon 2020 and will run from 2021 to 2027. The UK remains committed to ongoing collaboration in research and innovation with partners across Europe. To this end the UK would like the option to associate to Horizon Europe and is continuing to actively shape the development of that programme. However, we are also exploring in parallel credible and ambitious alternatives to deliver positive outcomes for science, research and innovation in the event that the UK chooses not to associate.

Purpose

Professor Sir Adrian Smith has been invited to provide independent advice on how funding future international collaboration, from curiosity-driven 'discovery' funding through to innovation, can best be designed to positively impact science, research and innovation in the UK, and to support the Government's strategic objectives, including the industrial strategy and its commitment to 2.4% of GDP invested in R&D by 2027.

In the immediate term, Professor Sir Adrian will be asked to advise on the design and delivery of elements of the potential alternatives to Horizon Europe association. This will include the Discovery Fund, which aims to provide a UK alternative to the curiosity-driven and excellence-focused elements of Horizon Europe.

On the Discovery Fund Professor Sir Adrian Smith will be asked to consider:

The design of UK alternative funds i.e. the scale, scope and any international elements of proposed funds, and how they could complement the current UK funding landscape;

The delivery of UK alternative funds i.e. how strategic direction could be determined, how proposals could be reviewed.

On international collaboration, Professor Sir Adrian Smith will be asked to consider:

How funding mechanisms, resources, and international partnerships can remain fit for purpose for our global ambition to support the international research and innovation strategy, which will be published in the coming months.

How international collaboration can best support the Government's industrial strategy and 2.4% target.

Professor Sir Adrian's advice will help inform the upcoming spending review (as announced in the spring statement) and longer-term value-for-money considerations on international collaboration for research and innovation.

Professor Sir Adrian will have the independence to engage with relevant stakeholders and seek expert advice as he sees fit.

Timescale

It is anticipated interim findings will be presented to BEIS Ministers in the summer of 2019.

Reporting

Professor Sir Adrian Smith will report to me as Minister for Universities, Science, Research and Innovation. Professor Sir Adrian will provide an update on progress on a regular (monthly) basis, to BEIS officials. A summary of his interim findings will be published by BEIS.

[HCWS1449]

Young Entrepreneurs: Independent Review

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Kelly Tolhurst): The UK consistently ranks as one of the most entrepreneurial nations in the world, but there is more we can do to break down the barriers that stop some of our best and brightest young people from all backgrounds starting their own business.

Our modern industrial strategy sets out our plan to make the UK the best place to start and grow a business. We want to ensure we are driving forward a thriving entrepreneurial culture across all corners of society. Harnessing untapped talent will be key to achieving this.

To help us realise this ambition, my Department has this month launched an independent review into how best to tackle the barriers facing aspiring young entrepreneurs, aged 18-30, in England. The review will look at issues including access to finance, access to advice, support and business networks so that we can close the gap between entrepreneurial ambition and reality.

It will also look at the support on offer to young entrepreneurs from disadvantaged and low-income backgrounds and adds to efforts by the Government to improve diversity in the business community, following the Rose review into female entrepreneurship published earlier this month.

The review will be led by Nick Stace, chief executive of the Prince's Trust. To support the review, Government and the Prince's Trust are bringing together a steering group comprised of entrepreneurs with experience and insight. Details of this group will be set out in the coming weeks.

The review will make recommendations to Ministers later this year about what can be done to ensure young entrepreneurs are properly supported as they start building the businesses of the future.

[HCWS1453]

EXITING THE EUROPEAN UNION

EU Exit: EEA and Swiss Nationals

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): Today the Department for Exiting the European Union and the Department for Work and Pensions are announcing that, if the UK leaves the EU without a deal, there will be no immediate changes to entitlements to access public funds for EEA and Swiss nationals coming to live in the UK after free movement ends and before the new immigration system is introduced in 2021.

"Public funds" is defined in immigration rules and includes a range of services and benefits that are provided by a number of Government Departments, local authorities and service providers. This announcement is pertinent to all spending and service Departments.

On 28 January 2019 the Home Secretary set out the immigration provisions for EEA and Swiss nationals coming to the UK after EU exit in the event of a no deal. The provisions will enable the Government to end freedom of movement but recognise the need for transitional arrangements.

In the event of no deal EEA and Swiss nationals arriving after free movement ends and wishing to stay longer than three months would need to apply for temporary leave to remain which, if granted, would be valid for 36 months.

Our announcement today provides details of the transitional arrangements for access to public funds for this group.

These arrangements will provide certainty to individuals arriving in the UK following the ending of free movement, will minimise disruption, and will ensure that changes are made in a sensible and sustainable way over a period of time.

It is important that, in a no-deal scenario, EEA and Swiss nationals who come to the UK after free movement ends know what their eligibility to access public funds will be. This will be on the same basis as for EEA and Swiss nationals now. They will continue to need to meet any eligibility criteria, for example demonstrating that they are exercising an EU qualifying right to reside, such as a worker or self-employed person. As now, those not exercising a qualifying right will not be able to access certain publicly funded services and benefits.

When an individual's 36 months temporary non-extendable leave expires, a person wishing to remain in the UK will need to apply and qualify for leave under the new immigration system that will be introduced from 2021 onwards. When individuals move into the new immigration system, or if they otherwise change immigration status, their access to public funds may change. The details on the entitlements that will apply in these circumstances will be subject to further consideration. This may mean that some benefits will cease and that entitlements to some services may end. However, the Government are considering their options and announcements will be made in due course.

We are today publishing a paper entitled access to public funds for EEA and Swiss nationals arriving in the UK after EU exit in a no deal scenario, and I will be depositing copies in the Libraries of both Houses.

[HCWS1451]

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Planning Applications: Call-in

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): As Secretary of State for Housing, Communities and Local Government, I have the power to "call in" planning applications, rather than them being left to local planning authorities to determine.

Parliament has entrusted local planning authorities with the responsibility for day-to-day planning decisions in their areas and they should, in general, be free to carry out their duties responsibly, with the minimum of interference and delay. For this reason, successive Governments have been very selective about calling in planning applications. While the call-in power under section 77 of the Town and Country Planning Act 1990 gives me a wide discretion, it is clear that, in practice,

call-in is the exception rather than the rule. Over the past 10 years, called-in planning applications have averaged just 21 per year from the annual average of 480,000 applications received by local councils—that is around one in every 23,000.

On 12 December 2001, the then Government announced that they would, from that date, give reasons for decisions not to call in planning applications. Following a review of the call-in process in 2010, a subsequent statement made on 26 October 2012 reconfirmed that the Secretary of State would continue to be very selective about calling in planning applications and would only consider the use of his call-in power if planning issues of more than local importance are involved. However, the statement of 12 December 2001 about giving reasons for not calling in planning applications was not formally withdrawn.

Having regard to the Court of Appeal judgment in the case of *Save Britain's Heritage v. the Secretary of State for Housing, Communities and Local Government*, I have concluded that I need to address directly whether this Government should be bound by a commitment given by a previous Government. This Government fully support the need to be transparent and open in their decision making, and acknowledge the rationale behind the 2001 statement, but a decision on whether to call in a planning application, or not to do so, is inherently about process and not the merits of the application. I am concerned that to give reasons in either eventuality risks blurring this distinction and, as there is no duty in this respect, I will call in those applications where I conclude that such a decision needs to be taken by me and I will not call in applications where I conclude that the decision is best left with the local planning authority.

Therefore, so that my position is clear, I am announcing today that the policy set out in the statement of 12 December 2001 is hereby withdrawn and that, from today, I will not give reasons for calling in or declining to call in planning applications. The call-in policy set out in the statement of 26 October 2012 remains in place.

[HCWS1452]

INTERNATIONAL DEVELOPMENT

Cyclone Idai

The Secretary of State for International Development (Penny Mordaunt): Cyclone Idai, one of the most severe cyclones ever to hit southern Africa, has devastated parts of Mozambique, Malawi and Zimbabwe, including many areas that were already affected by severe flooding. The UN estimates that over 2.6 million people have been affected across the three countries. The majority of them are in Mozambique—the country hardest hit by the disaster—where approximately 129,000 people are sheltering in accommodation centres, and where the UN estimates that 1.85 million people are in need of assistance. In Malawi, 87,000 people have been displaced. In Zimbabwe, initial UN figures estimate that 80,000 people have lost their homes entirely. On 25 March, the UN launched a \$281.7 million funding appeal for the response in Mozambique.

The UK Government have made £22 million in aid available for the response to date, which is being led by the Governments of the affected countries and the UN. Some £18 million of this is in direct support to the response in the three affected countries and up to £4 million will be used to match the public's generous contributions to the disaster emergency committee's cyclone Idai appeal.

In expectation of the extreme weather, DFID-funded partner organisations pre-positioned essential supplies such as hygiene kits and medical supplies. UK aid funding is being used to send life-saving relief supplies and equipment, including 7,550 shelter kits and 100 family tents which are now in use in Mozambique. Following an assessment of need, further supplies are being flown into Mozambique on a charter aircraft from Doncaster Sheffield airport and an RAF A400M Atlas aircraft, which arrived in Mozambique on 26 March.

UK aid is also supporting the World Food Programme (WFP) to feed 400,000 people in the immediate aftermath of the cyclone through the distribution of emergency food and food vouchers. DFID has deployed 12 humanitarian experts to Mozambique, where they are assisting with the co-ordination of the international response. In addition, specialists in food security, nutrition, and water, sanitation, and hygiene from DFID's Mozambique office are travelling to the affected area. A five-person UK medical assessment and co-ordination team also arrived in Mozambique on 25 March. The team will conduct a scoping visit to Beira and Chimoio this week to assess how the UK can assist in supporting emergency medical and health needs in affected areas. Four further logisticians, in addition to the three already on the ground, are due to arrive in Mozambique on 27 March, and DFID have contracted two airport handling operations experts to provide training to staff at Beira airport.

In Malawi, the UK's package of emergency support is funding shelter, food assistance, health, and water, sanitation and hygiene (WASH). These will be delivered through the World Food Programme, UNICEF, and the Red Cross. The funding will target the most affected areas of Phalombe, Nsanje, and Chikwawa. Some 65,000 people will be provided with emergency shelter, 150,000 people will receive food assistance for two months, 250,000 people will be provided with WASH support and 130,000 people will be helped to access health services.

In Zimbabwe, UK aid funding has been provided for health, WASH, and child protection assistance in the worst-affected areas, including Chimanimani. DFID is also supporting the immediate provision of emergency latrines and sanitation equipment. DFID is working with leading flooding experts at the Universities of Bristol and Reading, as well as the European centre for medium-range weather forecasts, to forecast how the extent and impact of the floods might change up to 10 days in advance. With more heavy rains forecast over the coming days, and bad weather and access already posing challenges for those on the ground, this allows aid workers to plan ahead and prioritise their resources.

The UK is currently the largest bilateral donor to the response. The UN has allocated \$20 million in funding from its central emergency response fund (CERF), to which the UK was the largest donor last year. In addition, the European Commission is providing €3.5 million in support, and a number of other donors have also made

contributions. I am in touch with international counterparts to encourage others to contribute and ensure that sufficient funding is made available. Last week, I spoke with both Sir Mark Lowcock, the UN's emergency relief co-ordinator, and Dr Tedros Adhanom Gebreyesus of the World Health Organisation and called on them to ensure that the UN mobilises quickly and effectively. Along with the Minister of State for Africa, I will be speaking with other senior figures and ministers from other donor countries in the coming days to encourage them to contribute to the international response.

Her Majesty the Queen, the Prince of Wales, and I have written to the Heads of State and Foreign Ministers of the affected countries to express condolences and to offer our support and expertise in disaster response.

The UK's response to the cyclone is a whole-of-government effort both in the affected countries and in the UK. My Department has the overall lead on the response, with support from the Foreign and Commonwealth Office, the Cabinet Office, the Ministry of Defence, the Department for Health and Social Care, and Public Health England. The Foreign and Commonwealth Office has provided consular assistance to the small number of British nationals in the affected area and has updated its travel advice to advise against all but essential travel to the affected areas in Mozambique. We continue to monitor the situation closely and stand ready to deploy further support should it be required.

[HCWS1450]

JUSTICE

Stillbirths: Coronial Investigations

The Parliamentary Under-Secretary of State for Justice (Edward Argar): I am pleased to announce the publication of a consultation on introducing the coronial investigation of stillbirths in England and Wales (CP 16), which has been laid before the House today.

Under current legislation coroners cannot investigate a death when it is known that the baby was not born alive. If there is doubt whether a baby was born alive, a coroner can investigate—which could include holding an inquest—but must halt that investigation if they determine that the baby was stillborn. Our consultation considers the case for coroners investigating stillbirths and sets out proposals for how these investigations could be undertaken. The proposals seek to deliver three objectives:

- to bring greater independence to the way stillbirths are investigated;
- to ensure transparency and enhance the involvement of bereaved parents in stillbirth investigation processes, including in the development of recommendations aimed at improving maternity care;
- and to effectively disseminate learning from investigations across the health system to help prevent future avoidable stillbirths.

The consultation delivers the Government commitment to consider enabling coroners to investigate stillbirths, made in November 2017, when the then Secretary of State for Health launched a suite of maternity safety strategy initiatives and committed to halve stillbirth rates by 2025.

It is thus a joint undertaking between the Ministry of Justice and the Department of Health and Social Care. I and the Under-Secretary of State for Health and Social Care (Jackie Doyle-Price) are grateful to the many people and organisations that have worked with officials in both Departments as we have developed our proposals.

Since the November 2017 announcement, meetings have been held with a wide range of interested parties including bereaved parents and supporting charities, the chief coroner and a number of senior coroners, NHS representatives, healthcare safety investigation branch officials, officials in the Welsh Government, academics and the Royal Colleges of Pathologists, Midwives, and Obstetricians and Gynaecologists. Their insight and expertise have been invaluable in helping us develop our thinking.

The consultation seeks views on the merits of coroners inquiring into the causes of stillbirths and contains proposals as to when and how those investigations should take place, reflecting existing processes and arrangements for coronial investigations into child and adult deaths.

We propose that all stillbirths that occur at or after the 37 week of gestation should be in scope of an inquest and our proposals cover such matters as access to documents and medical examination of the stillborn baby.

A coronial investigation would provide greater transparency in stillbirth cases. Under our proposals evidence would be available to all interested persons, including the bereaved parents, who may not otherwise have the opportunity to hear or read everything that is presented when a stillbirth is reviewed. The coroner would bring judicial independence which would help build confidence in the conclusions of the investigation.

We propose that coroners should identify where lessons can be learnt from individual stillbirths in ways that will deliver system-wide improvements to the delivery of maternity services and the general care and safety of expectant mothers.

Whilst we have been developing our proposals, the private Members' Bill promoted by the hon. Member for East Worthing and Shoreham (Tim Loughton), the Civil Partnerships, Marriages and Deaths (Registration Etc.) Bill, has been progressing through Parliament. The Bill, which is supported by the Government, seeks among other things to place a duty on the Secretary of State to prepare and publish a report on whether, and if so how, the law ought to be changed to enable or require coroners to investigate stillbirths. The consultation document takes account of the views expressed by members of both Houses during the debates on the Bill.

The consultation document and an impact assessment have been placed in the Library of the House and are available online at: <https://consult.justice.gov.uk/digital-communications/coronial-investigations-of-stillbirths/>. Copies of the consultation document and the impact assessment are being sent to the stakeholders listed at annex A of the consultation document.

We look forward to hearing from anyone with experience of, or an interest in, this important and sensitive area.

The consultation closes on 18 June and the Government will publish their response later this year.

[HCWS1448]

ORAL ANSWERS

Tuesday 26 March 2019

	<i>Col. No.</i>		<i>Col. No.</i>
HEALTH AND SOCIAL CARE	157	HEALTH AND SOCIAL CARE—continued	
Access to GPs	170	NHS Nursing Associates.....	166
Antimicrobial Resistance: Vaccines.....	166	NHS Workforce	159
Cervical Cancer.....	169	Orkambi	164
Children's Health and Wellbeing	157	Prescription Charges: Asthma.....	163
Health Inequalities: Life Expectancy	161	Relationships and Sex Education	173
Lyme Disease	167	STPs: Five-year Workforce Plans	171
Medicinal Cannabis Products	163	Tackling Violence: Public Health Approach.....	172
NHS Access Standards	168	Topical Questions	173

WRITTEN STATEMENTS

Tuesday 26 March 2019

	<i>Col. No.</i>		<i>Col. No.</i>
BUSINESS, ENERGY AND INDUSTRIAL		HOUSING, COMMUNITIES AND LOCAL	
STRATEGY	7WS	GOVERNMENT	10WS
Adrian Smith Review	7WS	Planning Applications: Call-in	10WS
Young Entrepreneurs: Independent Review	9WS		
		INTERNATIONAL DEVELOPMENT	11WS
		Cyclone Idai.....	11WS
EXITING THE EUROPEAN UNION	9WS	JUSTICE	13WS
EU Exit: EEA and Swiss Nationals	9WS	Stillbirths: Coronial Investigations.....	13WS

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CONTENTS

Tuesday 26 March 2019

Oral Answers to Questions [Col. 157] [see index inside back page]

Secretary of State for Health and Social Care

Speaker's Statement [Col. 181]

Yemen [Col. 185]

Answer to urgent question—(Mark Field)

Business of the House [Col. 197]

Statement—(Andrea Leadsom)

Decarbonisation and Economic Strategy [Col. 205]

Bill presented, and read the First time

Compensation Orders (Child Sexual Abuse) [Col. 206]

*Motion for leave to bring in Bill—(Andrew Griffiths)—agreed to
Bill presented, and read the First time*

Healthcare (International Arrangements) Bill (Changed to Healthcare (European Economic Area and Switzerland Arrangements) Bill) [Col. 209]

Lords amendments considered

Offensive Weapons Bill [Col. 227]

Lords amendments considered

Royal Assent to Acts passed [Col. 256]

Section 5 of the European Communities (Amendment) Act 1993 [Col. 257]

*Motion to take note of EC document—(Elizabeth Truss)
Amendment—(Alison Thewliss)—on a Division, negatived
Motion, on a Division, agreed to*

Exiting the European Union (Aquaculture) [Col. 283]

Motion—(Mike Freer)—on a Division, agreed to

Exiting the European Union (Customs) [Col. 289]

Motion—(Mike Freer)—on a Division, agreed to

Bereavement Counselling [Col. 294]

Debate on motion for Adjournment

Westminster Hall

Forced Live Organ Extraction [Col. 45WH]

Royal Commission on Police Funding [Col. 67WH]

Personal Independence Payments: Merseyside [Col. 75WH]

Housing Need: Shropshire, and Telford and Wrekin [Col. 97WH]

Police Ombudsman for Northern Ireland: Legacy Cases [Col. 105WH]

General Debates

Written Statements [Col. 7WS]

Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]
