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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES
(HANSARD)**

Thursday 28 March 2019

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The House met at half-past Nine o'clock

PRAYERS

[MR SPEAKER in the Chair]

Oral Answers to Questions

ENVIRONMENT, FOOD AND RURAL AFFAIRS

The Secretary of State was asked—

Leaving the EU: Fisheries Policy

1. **Peter Aldous** (Waveney) (Con): What plans he has for fisheries policy after the UK leaves the EU. [910072]

The Secretary of State for Environment, Food and Rural Affairs (Michael Gove): The Government's vision for future fisheries policy as we leave the European Union was set out in our July 2018 fisheries White Paper. A sea of opportunity exists for all of the United Kingdom's coastal communities, provided we ensure that we vote to leave the European Union in an orderly fashion.

Peter Aldous: I am grateful to the Secretary of State for setting the scene, but will the Government support the amendment to the Fisheries Bill tabled by me and colleagues that will promote the fairer distribution of fishing quota, more environmentally sustainable fishing methods and a much better and greater opportunity to revitalise coastal communities such as Lowestoft?

Michael Gove: My hon. Friend is an impressive advocate for fishing communities, not least his own in Lowestoft. He is absolutely right: as we leave the European Union, we must reallocate additional quota in order to ensure that under-12 metre vessels get a fairer share of fishing opportunities, not least because the way in which they fish is of course environmentally sustainable, and also contributes to the growth and prosperity of communities that have been neglected for far too long.

Cat Smith (Lancaster and Fleetwood) (Lab): Over the years, the face of the fishing industry has changed, as is reflected in the town of Fleetwood. We export 70% of what we land, and we import the vast majority of what we consume as a country. With a view to preventing fish rotting at the borders, what is the Secretary of State's assessment of how tariffs or trade uncertainty could impact the industry after we leave the common fisheries policy?

Michael Gove: The agreement that the Prime Minister has negotiated with the European Union allows us to have tariff and quota-free access to the European Union.

We can have the best of both worlds—not only, once more, full control over our exclusive economic zone with additional fishing opportunities, but the opportunity to ensure that that excellent produce finds a market in Europe and beyond.

Mr Philip Hollobone (Kettering) (Con): Under the withdrawal agreement, what is to stop the European Union saying, “Unless you allow us to carry on plundering all your fish as now, we'll put you into the backstop”?

Michael Gove: I have enormous respect for my hon. Friend, but I think he misunderstands the nature of the backstop. If the backstop were ever to come into operation—of course we hope it would not—no fishing vessels from any European nation could fish in our waters without our permission, and at the same time we would have full access to their markets. I repeat: the backstop is not a desirable outcome, but were we in it, we would be master of our own seas, and also able to export our fish to foreign markets.

Jim Shannon (Strangford) (DUP): I represent the constituency of Strangford and the fishing village of Portavogie. Will the Secretary of State outline to me what progress has been reported to him regarding the voisinage agreement, issued by his Republic of Ireland counterparts? In the past few months, they seized two Northern Ireland boats—British boats—and their crew.

Michael Gove: The fishermen of Strangford and the Ards peninsula are people close to my heart. It is absolutely right that since the recent actions we have been in touch with the Irish Government specifically in order to ensure that we can have a fair allocation of fishing opportunities across the island of Ireland and its waters. The Republic of Ireland Government know how seriously we take this issue, and how urgent it is to reform.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I was amazed and disappointed this week that the Government whipped their MPs to vote for a huge loophole in post-Brexit fishing rules that would allow a cruel and inhumane method of fishing to continue. The 5% loophole that allows electro pulse beam trawling is cruel and destructive. It destroys our seabeds and kills juvenile fish, and it is so intensely destructive that it breaks the vertebrae of cod. Will the Secretary of State now work with the Opposition to bring forward a brief statutory instrument to close this loophole that allows UK boats to use this cruel and inhumane fishing method?

Michael Gove: We always want to work with the Opposition to ensure that the highest standards of environmental and marine welfare are maintained, but I should say that it is one of the opportunities that leaving the European Union gives us to ensure that Dutch vessels that have been using pulse fishing in our waters end that cruel practice.

Leaving the EU: Farming Policy

2. **Chris Davies** (Brecon and Radnorshire) (Con): What plans he has for farming policy after the UK leaves the EU. [910073]

The Minister for Agriculture, Fisheries and Food (Mr Robert Goodwill): The Agriculture Bill will underpin an ambitious new system based on paying public money for public goods. This will support a profitable farming sector that produces world-class food while protecting and enhancing our precious countryside.

Chris Davies: Will my right hon. Friend reassure the farmers of Brecon and Radnorshire, and indeed the farmers of the United Kingdom, that whether there is a deal or no deal, their future will be of paramount importance once we leave the EU?

Mr Goodwill: I can reassure my hon. Friend that farmers will be of paramount importance no matter which scenario we end up with. With regard to upland farmers, I can reassure him that my Department is in close contact with the sheep sector in preparing for these scenarios. Indeed, at yesterday's EFRA Select Committee I specifically referenced the effect of EU most-favoured nation tariffs on sheep exports in a no-deal scenario.

Nick Smith (Blaenau Gwent) (Lab): The Government talk about a trading relationship that is "as close as possible" with the EU, but they have repeatedly rejected the best way of securing it, which is a permanent customs union and strong alignment with the single market. Given that 90% of Welsh lamb exports go to the EU, will the Minister listen to Welsh hill farmers and press for the closer economic relationship that they need?

Mr Goodwill: Along with all the other options, the House rejected that option last night. It is a fact, of course, that 30% of the lamb produced in the UK is exported to the EU. Indeed, a large proportion of Welsh lamb, with its smaller carcasses, meets that market. We are well aware of the problems that would occur. Of course, the best way to avoid that situation is to vote for the deal.

Dame Caroline Spelman (Meriden) (Con): I chair the all-party parliamentary group for the horse, and we heard yesterday that 87 horses were killed on our roads last year. Will it be possible under future farming policy to extend bridle-paths? Will the Minister consider extending the period for the registration of existing paths so that none are lost and so that our overstretched volunteers and authorities have time to confirm them?

Mr Goodwill: Yes, I am aware that a number of stakeholders are not aware of that deadline. I would be happy to meet my right hon. Friend to discuss that. One of the public goods that we could deliver through the Agriculture Bill is better public access, which could include bridleways to join up existing paths so that not as many horses have to use the roads.

David Simpson (Upper Bann) (DUP): Looking at farming policy, the Government announced recently that they would allow farming produce into Northern Ireland from the Republic of Ireland tariff free. What is the Minister's opinion on the European Union reciprocating that?

Mr Goodwill: By not only announcing our tariff regime for other borders but making it clear that we do not wish to have a hard border across the island of Ireland, we hope that the Republic of Ireland will show

a similarly flexible view and that the European Union will not impose any restrictions that the Irish Government would not wish to follow.

Several hon. Members rose—

Mr Speaker: We are discussing farming and food, so there must be a case for hearing without delay Mr Richard Bacon.

Mr Richard Bacon (South Norfolk) (Con): Mr Speaker, because I can lip read, I know that you want me to ask a question about pork and pork products, and it is true that we have a very successful industry, but it is—unfortunately, from the point of view of this question—unsubsidised by the British taxpayer. However, farm payments are central to farm policy. One of the horses running in the 14.50 at Cheltenham recently was called Single Farm Payment. Unfortunately, the horse came last. Can Ministers tell us what implications there are for farm payments, or do they feel that, as usual, delays were inevitable?

Mr Goodwill: I can report to the House that performance of the basic payment scheme in 2018 was much better than in previous years, with 98.8% of payments being made. We have guaranteed that the system will apply for this year and next year. Moving forward, we will have an exciting new scheme under the Agriculture Act—as I hope it will then be—that enables us to green the economy and make basic payments to more environmental schemes.

Deidre Brock (Edinburgh North and Leith) (SNP): The Under-Secretary of State for Environment, Food and Rural Affairs, the hon. Member for Macclesfield (David Rutley), said in a recent Delegated Legislation Committee:

"The Government look forward to negotiations on the UK's future economic partnership with the EU, during which we will be able to discuss the relationship between the UK's new GI schemes and the EU schemes."—[*Official Report, Eleventh Delegated Legislation Committee*, 26 March 2019; c. 10.]

We now have confirmation that brand protections for high-quality products, including Scotch beef, Scotch lamb and Scotch whisky, have become bargaining chips in the big Brexit bodge, and that there will be no support on day one of a no-deal Brexit. What financial compensation will be offered to Scotland's food and drink producers for this UK Government policy blunder?

Mr Goodwill: I have to say that that is a load of nonsense. British consumers rely on geographical indicators to ensure that products they buy from the continent are kosher—are the right thing—and I think they would expect the same from us. I think there would be very productive negotiations, and I hope that we would reach quite rapid decisions on most of them.

Richard Benyon (Newbury) (Con): There is a crisis of species decline in this country. While we can all see the virtues of operations like rewilding and species introduction, it is in the farmed environment where we will turn it around. Will my right hon. Friend assure us that in the Agriculture Bill and in Government policy, there will be a drive towards the right incentives to protect species and reverse the decline in biodiversity?

Mr Goodwill: It is not just that that is within the Agriculture Bill; it is front and centre within it and central to the way we will continue to support the agriculture industry and deliver the public goods that taxpayers want.

Mr Alistair Carmichael (Orkney and Shetland) (LD): I very much agree with the Minister when he talks about the importance of Europe as an export market for our lamb producers and hill farmers, but last night 160 of his colleagues voted for a no-deal Brexit, including the hon. Member for South Norfolk (Mr Bacon). A no-deal Brexit would expose lamb exports to a 12.8%, plus €171.3 per 100 kg, tariff. Will that be good for sheep farmers?

Mr Goodwill: The best way of preventing a no-deal Brexit is to vote for the deal. Nothing yesterday was supported by the House. The deal is the best thing for agriculture, the future and our long-term relationship with the European Union.

Dr David Drew (Stroud) (Lab/Co-op): The problem is that the numbers participating in countryside stewardship continue to plummet. Morale at Natural England is at an all-time low, and there is the real problem that no money is going into environmental land management schemes. What will the Government do to move us towards an environmental payment scheme?

Mr Goodwill: The hon. Gentleman is absolutely right in some ways. We have not delivered the support for those environmental schemes that we should have delivered. I am pleased that the Rural Payments Agency has now taken that over from Natural England. I met its chief executive this week. If we cannot to get the money out on time, other farmers will not be incentivised to join those schemes, so my priority is to improve the situation, as we did with the basic payments scheme.

Aichi Biodiversity Targets

3. **Liz McInnes** (Heywood and Middleton) (Lab): What assessment he has made of the UK's progress on meeting the Aichi biodiversity targets. [910074]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey): The Government's progress report was published this month, and of 19 targets assessed, five are on track and 14 show progress, but at an insufficient rate. The Aichi targets are multifaceted and global in scope, and they include a mixture of processes and outcomes, which are not always specific. Their assessment requires a degree of interpretation and judgment. Nevertheless, the report identifies progress, but there is more that we need to do.

Liz McInnes: I thank the Minister for that response. As she says, we are on track to miss 14 of the 20 targets. Given that they are meant to be achieved by 2020—next year—what talks has she had with the Treasury to achieve target 20, on mobilising financial resources? Will they be reflected in the forthcoming comprehensive spending review?

Dr Coffey: As my right hon. Friend the Minister of State just pointed out, one of the changes that will be coming as a result of our leaving the European Union is

that the UK—England, certainly—will have a new way of doing environmental land management, and the public services will be paid for by taxpayers. Many of the targets are quite nebulous—[*Interruption.*] Because they are not particularly specific and are open to interpretation and judgment. We are working carefully on that and have made excellent progress on marine conservation. We are doing global work to ensure that, when the next targets are agreed, which will happen next year for 2030, the UK will lead the way in ensuring that 30% of oceans are marine conservation areas.

15. [910086] **Sir Hugo Swire** (East Devon) (Con): I recently took Neil Garrick-Maidment, the excellent CEO of the Seahorse Trust in Topsham in my constituency, of which I have just become patron, to see the Secretary of State to discuss the illegal trade in seahorses. He will remember that 150 million seahorses are traded illegally for the curio and medical trade. Following that meeting, will he commit the UK to playing a lead role in preserving seahorses around the world? What measures does he suggest we can take to police the online trade in seahorses better?

Dr Coffey: My right hon. Friend the Secretary of State very much enjoyed that meeting and visit. He and I are committed to ensuring we do more to protect the wonderful species that are part of our natural habitat, including our marine habitat. We will work hard to do exactly what my right hon. Friend the Member for East Devon (Sir Hugo Swire) is seeking to achieve.

Nick Thomas-Symonds (Torfaen) (Lab): Only about 4% of the world's oceans are protected. Although I hear what the Minister just said about the aim to increase that, what work can we do with our overseas territories to increase that far more quickly, not least to have an overall target of reducing plastic in the oceans?

Dr Coffey: The hon. Gentleman asks an important question. Once we designate the marine conservation zones, which I believe will happen in the next two months, the UK will have comfortably exceeded the 30% target that we have set ourselves for the rest of the world by 2030. One of the key things that I do at G7 Environment and in other forums is speak to other nations to see what more we can do to get more designations. The hon. Gentleman is also right about plastics. He will be aware that at the spring statement the Chancellor specifically referred to the overseas territories. Ascension Island will be moving its entire economic zone to fully protected status, and we will continue to work on the Blue Belt programme, which I think will be one of the greatest achievements of this Government.

Sue Hayman (Workington) (Lab): We have heard that the UK is on track to meet only five of the 20 Aichi biodiversity targets. This is an environmental and climate emergency. Does the Minister—and the Secretary of State—agree with the around 50 councils and thousands of young people who have declared an environment and climate emergency? Will they today commit to join Labour in declaring a national environment and climate emergency?

Dr Coffey: We are already ahead of the game, with a 25-year environment plan published last year, and the strategies and the work that are ongoing. We are making

significant improvements in improving our natural environment, and I genuinely hope that the whole House comes together and gets behind the plan to ensure that we leave the environment in a better state than we inherited it.

Sue Hayman: The question was: will the Minister commit to join me in declaring a national environment and climate emergency? The answer, to be honest, was a bit of a fudge. Labour is going to bring this forward, with or without the Government's support. Will the Government think again and commit to announcing an environment and climate emergency, and will they commit to meeting the youth strike action for climate representatives?

Dr Coffey: DEFRA will account for more than half the achievements under the Paris agreements, so I can assure the hon. Lady that work is very much under way on improving the climate and also the environment. This is about actions rather than words. I pay particular tribute to those who joined the Great British spring clean this weekend and who will do so for the next few weeks. I am very happy to work with young people, as we are with our Year of Green Action 2019. We are already working with the Step Up To Serve brigade, which we will be doing with the National Citizen Service.

Seasonal Agricultural Workers Scheme

4. **Kate Green** (Stretford and Urmston) (Lab): What recent discussions he has had with Cabinet colleagues on the seasonal agricultural workers scheme. [R]
[910075]

The Minister for Agriculture, Fisheries and Food (Mr Robert Goodwill): We regularly have detailed discussions on the seasonal workers pilot with colleagues across Government. I will continue to work closely with Home Office colleagues in particular to ensure the successful operation of the pilot.

Kate Green: Farmers say that the pilots began too late for this spring season, and the Home Office does not appear to understand the needs of the sector. On 14 February, James Porter of the National Farmers Union Scotland told the Immigration and Social Security Co-ordination (EU Withdrawal) Public Bill Committee that the pilot was too small scale and needed to increase immediately to 10,000 places. Will the Minister have discussions with his Home Office colleagues so that the labour needs of the sector can be met as a matter of urgency?

Mr Goodwill: The first workers under the scheme will be arriving in April. Indeed, I met one of my officials who had just come back from Ukraine to ensure that the scheme works well. There will be 2,500 workers coming in each year, and I will also meet with the president of the NFU this afternoon to discuss what views she may have on that.

5. [910076] **David T. C. Davies** (Monmouth) (Con): Does my right hon. Friend agree that the pilot underlines the Government's commitment to ensuring that farmers have certainty post Brexit, and that the one way to ensure that that certainty continues is to vote for the deal when it comes back before the House?

Mr Speaker: With reference to the seasonal agricultural workers scheme.

Mr Goodwill: I absolutely agree with my hon. Friend. Let me make it clear that EU workers already here will be able to stay. During the implementation period, people will be able to come to live, work and study from the EU and there will be registration scheme. Indeed, in a no-deal situation, European economic area citizens will be able to live and work here without a visa for three months, and they can continue to stay here, applying for European temporary leave to remain for 36 months after that, so we are still open for EU workers to come here in every scenario.

Pete Wishart (Perth and North Perthshire) (SNP): Two thousand five hundred—what an absolute and utter joke. The farmers and growers in my constituency are laughing at it. This is where an obsession with immigration gets us: to crops left to wither in the field. The NFU says that 90,000 workers are required for a feasible working scheme. When will the Minister get serious about meeting that target?

Mr Goodwill: I have already said that we will continue with the possibility of EU workers coming here. I know that a number of Bulgarians and Romanians continue to come here, and there are about 29,000 seasonal workers in the country. Of course, the best way to make sure that we get into a stable situation is to vote for the deal.

Stephen Crabb (Preseli Pembrokeshire) (Con): This issue is bigger than just seasonal workers on farms: throughout the rural economy, there are people working in food processing, logistics and a wide range of other sectors. We still need people from the EU to come here, so will the Minister assure the House that our immigration policy post Brexit will continue to be open and welcoming?

Mr Goodwill: I can absolutely give that assurance. There are 400,000 EU nationals working in the UK food chain, and we would be delighted for them to stay here, work and contribute to our economy. Indeed, I am told that one reason why some may not come is the weakness of sterling, but if we get the deal through, I would not be surprised if sterling hardened.

Puppy Welfare Standards

6. **Nigel Huddleston** (Mid Worcestershire) (Con): What steps he is taking to help improve welfare standards for puppies. [910077]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (David Rutley): The Government announced in December that we would ban third-party sales of puppies and kittens in England, and the necessary regulations are being prepared. The ban will address welfare concerns associated with the sale of puppies by dealers and pet shops and will build on recent improvements to the licensing of dog breeding and pet sales.

Nigel Huddleston: As puppy smuggling is punishable as an animal cruelty offence, will the Minister confirm that legislation to introduce five-year sentences for animal cruelty remains a priority for this Government and will be introduced as soon as possible?

David Rutley: I can confirm that that is absolutely the case. As soon as parliamentary time allows, the Government will introduce legislation to increase those sentences from six months to five years. Like my hon. Friend, I have zero tolerance for the abhorrent crime of puppy smuggling. I look forward to discussing the matter more fully with him in the Westminster Hall debate that he has secured for next week.

Kerry McCarthy (Bristol East) (Lab) *rose—*

Mr Speaker: Ah—Kerry McCarthy.

Kerry McCarthy: I was inspired suddenly, Mr Speaker.

I asked the Minister about this when he appeared before the Select Committee on Environment, Food and Rural Affairs yesterday: he says that he will bring back the sentencing Bill and the animal sentence Bill when we have parliamentary time, but we have spent an awful lot of parliamentary time sitting around, twiddling our thumbs and waiting for Brexit votes. He could bring forward that legislation very soon, could he not?

David Rutley: We look forward to bringing it back to the House as soon as parliamentary time allows.

Neil Parish (Tiverton and Honiton) (Con): Yes, five-year sentencing for animal cruelty must be brought in as soon as possible, but my question is about puppies being smuggled in from abroad. Under EU legislation, five puppies can be brought in legally. Very often, fraudulent veterinary certificates are issued, puppies come in very young and with no socialisation, and it is criminal gangs that profit. When we leave the European Union, can we cut the number of puppies that can come in legally from five to two?

David Rutley: I thank the Chairman of the Environment, Food and Rural Affairs Committee for raising that point, as he has done several times in the Committee. I can assure him that once we leave, we will be able to look at the number of puppies that can be brought in.

Wildlife Crime Enforcement

7. **Bill Esterson** (Sefton Central) (Lab): What recent discussions he has had with the Home Secretary on wildlife crime enforcement. [910078]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey): I have discussed certain issues with Home Office Ministers; I am thinking particularly of recent discussions about hare coursing. The hon. Gentleman will recognise that it is for chief constables to determine how offences are enforced, but I welcome the move by police and crime commissioners to increasingly make that a priority for their local constabularies.

Bill Esterson: Foxhunting is illegal in this country, yet it is allowed and even encouraged by some landowners. This is not trail hunting; it involves the pain and suffering of animals before they are killed. Will the Minister confirm that she supports the prosecution of those involved in this cruel activity, including landowners—even if they are Members of this House?

Dr Coffey: I think the hon. Gentleman was about to make an allegation against somebody. It is important that evidence be provided to the police, and it is for them to make a recommendation to the Crown Prosecution Service. If anybody is breaking the law on this sort of activity, I fully welcome prosecutions being made.

Robert Courts (Witney) (Con): What investigations is the Minister making on what drives rural and wildlife crime, so that the police can understand it and respond appropriately?

Dr Coffey: Both DEFRA and the Home Office fund the national wildlife crime unit and support its work in investigating crimes. They undertake analysis and share intelligence with police forces. There are six wildlife crime priorities—badgers, bat and raptor persecution, illegal trade in species covered by the convention on international trade in endangered species, poaching and freshwater mussels, but more can be done locally, and I am aware that hare coursing in particular concerns many Members of Parliament.

Ben Lake (Ceredigion) (PC): The Minister will be aware of the devastating impact that dog attacks on livestock can have for farmers. What discussions are the Government having with colleagues about possible amendment to the Dogs (Protection of Livestock) Act 1953 to better enable police forces to address the matter?

Dr Coffey: Strictly speaking, livestock is not wildlife, but there are protections and it will really be a case of local communities working together. A lot more could probably be done to educate people about how they control their dogs when they are out on a country walk.

Schools and Hospitals: No-idling Zones

8. **Bambos Charalambous** (Enfield, Southgate) (Lab): What discussions he has had with local authorities on no-idling zones outside schools and hospitals to tackle poor air quality. [910079]

9. **Stephen Morgan** (Portsmouth South) (Lab): What discussions he has had with local authorities on no-idling zones outside schools and hospitals to tackle poor air quality. [910080]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey): It is already an offence to leave an engine running unnecessarily when the vehicle is stationary on a public road. Local authorities can issue fixed penalty notices to drivers who leave engines running after being asked to turn them off. Westminster Council is probably the most successful at this, but I encourage local authorities to use their powers so that more people stop idling unnecessarily.

Bambos Charalambous: What discussions has the Minister had with the Chancellor about the need to establish ring-fenced funding for local authorities to implement measures to protect our children's health where they are disproportionately affected by toxic air in areas where they live, learn and play?

Dr Coffey: The Government are investing more than £3.5 billion in the strategy to improve air quality. I remind the hon. Gentleman that this matter is devolved to the Mayor of London. I know that he is seeking to be active on this, but there is more that local authorities can do today that is self-financing in order to improve air quality, including on this issue of idling.

Stephen Morgan: Given that the Secretary of State accepts that air quality is a matter of social justice and health inequality, why is he doing so little to support low-income households to switch to cleaner forms of transport?

Dr Coffey: I am not sure where the hon. Gentleman gets that impression from. We have offered grants to people who want to switch to electric vehicles. We are investing several billion pounds in different strategies to help people make that switch. We outlined other issues of air quality in our clean air strategy, which the World Health Organisation has said is something that every other country in the world should follow.

Several hon. Members *rose*—

Mr Speaker: Will the hon. Member for Walsall North (Eddie Hughes) not seek to intercede at this time? His question might not be reached, but he has a similar inquiry. Get in there, man.

12. [910083] **Eddie Hughes** (Walsall North) (Con): Thank you, Mr Speaker. I was just thinking the same thing, but I did not want to break protocol by trying.

What assessment has the Department made of air quality on the M6 from junction 9 to 10A, where it cuts through my constituency, and what work can be done to mitigate the effect of traffic on air quality?

Dr Coffey: I have met Highways England with the Minister of State, Department for Transport, my hon. Friend the Member for Hereford and South Herefordshire (Jesse Norman), on several occasions. The chief executive holds a fortnightly meeting to discuss air quality and the progress that it is required to make under our air quality plan, and I am convinced that I can organise a direct meeting for my hon. Friend with him to discuss his specific issue.

Derek Thomas (St Ives) (Con): Air quality around schools is a concern, and in my constituency and west Cornwall we are working up a plan to plant 20,000 trees with our school children by the end of 2020 to improve their air quality. Will the Minister meet me to see how we can deliver that ambition?

Dr Coffey: I welcome anyone who wants to plant trees. I think it is fair to say that the scientific evidence does not definitively say that trees help air quality, but they are good in so many other ways. It is about improving the local environment. We must continue to do more to ensure that children are not affected by poor air quality, and I welcome activities around the country to achieve that.

Rural Crime

10. **Matt Western** (Warwick and Leamington) (Lab): What recent assessment his Department has made of the economic effect of rural crime on farmers. [910081]

The Secretary of State for Environment, Food and Rural Affairs (Michael Gove): There is no formal assessment of the cost of rural crime, but NFU Mutual, the highly respected insurance organisation, has estimated the cost of rural crime at £44.5 million in 2017.

Matt Western: Two weeks ago, I was due to meet the National Farmers Union and farmers from my local community. Unfortunately, on the day, one of the farmers could not attend because the previous night 19 ewes had been slaughtered in his fields. I understand that across Warwickshire we lost 27 ewes, slaughtered in the field, with entrails left there. It is a growing problem in our communities, among our farmers, with a significant economic impact on them. Part of the problem is down to lack of law enforcement and police numbers. Will the Secretary of State advise me on what I should say to farmers in my community about how to prevent this in future?

Michael Gove: I am grateful to the hon. Gentleman for raising the issue. He once more brings to our attention a horrific series of crimes. I would hope that he and I will be able to talk to the local police and crime commissioner to ensure that they have the resources and powers required. If anything more is required, I am more than happy to talk to Home Office colleagues to ensure that the incidents he has drawn to the House's attention are not repeated.

Topical Questions

Mr Speaker: I call the former president or patron of the Rare Breeds Survival Trust, Sir Nicholas Soames.

T1. [910090] **Sir Nicholas Soames** (Mid Sussex) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Environment, Food and Rural Affairs (Michael Gove): I am very keen to see rare breeds survive, which is why I suspect the leader—ex-leader, rather—of the Liberal Democrats, the hon. Member for Westmorland and Lonsdale (Tim Farron), is bobbing.

More to the point, tomorrow is the last day on which the permanent secretary at the Department for Environment, Food and Rural Affairs will be in her post. Clare Moriarty is an outstanding public servant. She is going on to become permanent secretary at the Department for Exiting the European Union. On behalf of my ministerial team, and I think Members across the House, I ask us all to record our thanks to an outstanding public servant for everything she has done to ensure that the environment, rural affairs and food have been at the heart of Government policy making and have been carried forward with the high standards of professionalism that we expect of a civil servant.

Sir Nicholas Soames: I thank my right hon. Friend and join him in paying tribute to an obviously very distinguished civil servant. One has to wonder what she has done to earn such a poisoned chalice.

Does my right hon. Friend agree that of all the landscapes in Britain, one of the most greatly cherished are the uplands? Does he agree that, inevitably, there is a good deal of concern and anxiety at this time as the Brexit policies unfold? Will he agree to receive a delegation from the Game and Wildlife Conservation Trust and the Moorland Association to discuss with him some of the more pressing issues that are causing serious concern in an already hard-pressed community?

Michael Gove: My right hon. Friend makes a very important point. Our uplands are one of our environmental glories, and it is critical that those who live and work in the uplands and those who, for a variety of reasons, feel that their way of life and some of the economic activities that sustain communities in the uplands might be under threat, have the reassurance of knowing that this Government are on their side. I would be delighted to convene such a meeting.

T2. [910092] **Rosie Cooper** (West Lancashire) (Lab): The Government declared in response to the Somerset flooding that “money is no object”. This week, ground investigation works are starting on a £40 million flood risk management scheme for Preston and South Ribble. Will the Minister explain why a maximum bid of £1.3 million is available for the flood defence grant-in-aid fund for a project that cost £9.7 million to deliver, as outlined in the Lancashire County Council report regarding Hurleston brook, known as the Jacob report?

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey): The House will be aware that we increased the amount of money being spent on flood defences between 2015 and 2021—£2.1 billion across those six years—better to protect more than 300,000 homes. The hon. Lady will be aware that there are formulas for how we can allocate money to projects. My right hon. Friend the Member for Newbury (Richard Benyon) opened up the doors with a partnership funding approach, which is largely working. However, I am very conscious that the hon. Lady is doing diligent work on behalf of her constituents to get better flood protection.

T3. [910093] **Robert Courts** (Witney) (Con): On a recent visit to the Northmoor Meat Company in my constituency, which deals in organic, sustainably sourced beef, raised on the banks of the River Thames, I also saw the great work that it does with the Royal Society for the Protection of Birds to provide scrapes and nesting habitats for birds such as lapwing and curlew. What are Ministers doing to help farmers, the real guardians of our environment, with conservation work?

Michael Gove: My hon. Friend draws attention to just one of many ways in which farmers are making sure that our natural environment is enhanced. Our new environmental land management schemes should better reward farmers and allow other landowners, such as the RSPB, to continue their good work.

T6. [910097] **Lilian Greenwood** (Nottingham South) (Lab): Last week in Transport questions, the Minister of State, Department for Transport, the hon. Member for Hereford and South Herefordshire (Jesse Norman), told me that the Government were taking the dangers of toxic air to children’s health “very seriously”, but

that the issue was “complex and multifaceted”. Given that UNICEF tells us that 4.5 million children are growing up in areas with unsafe levels of particulate matter, does the Secretary of State agree that his colleagues in the DFT need to pull their finger out, because under existing plans, those toxic levels of air pollution will continue for the next decade?

Michael Gove: I absolutely agree that we need to take the issue of air quality more seriously. It is absolutely the No. 1 environmental threat to public health, and that is why our recent air quality strategy, which I launched with the Secretary of State for Health and Social Care, was applauded by the World Health Organisation as an example for other countries to follow.

T4. [910094] **Gillian Keegan** (Chichester) (Con): Chichester District Council has been incredibly successful in reducing litter throughout the district, thanks to its “Against Litter” campaign, in which over 170 areas have been adopted by residents, including me, who keep them clean and tidy. The council will fund the second phase of this project, which will tackle fly-tipping and increase knowledge of the realities of waste disposal, but what steps are being taken to ensure that Government bodies such as the Environment Agency support local authorities such as Chichester in these initiatives?

Michael Gove: My predecessor in this role, now Leader of the House, introduced a national litter strategy, and since then a number of organisations, including Chichester council and my hon. Friend, both of whom I must congratulate, have been energetic in making sure that we deal with this scourge. My Department will do everything possible to make sure that every single arm of Her Majesty’s Government is committed to making sure that our natural environment is cleaner and greener as a result of joint efforts.

Mr Speaker: The hon. Member for Chichester (Gillian Keegan) might invite the Secretary of State to Chichester to observe the situation at close quarters; I feel sure that he will say yes.

Ruth Cadbury (Brentford and Isleworth) (Lab): The Secretary of State will have seen that it emerged in *The Sunday Times* last week that the Department for Transport has pressurised Heathrow to hide information about the noise levels that the hundreds of thousands of people living around Heathrow will experience if and when runway 3 goes ahead. Does he share my concern, and that of my and many other Members’ constituents, that people have been kept in the dark about the noise that runway 3 will bring, which will be way above WHO recommended levels and way above what most people experience at the moment?

Michael Gove: The hon. Lady asks if I have read *The Sunday Times*; I tend not to read the Sunday newspapers—it is better for my health. She asks a very serious question, and I will raise it with John Holland-Kaye, the chief executive of Heathrow.

T5. [910096] **Damien Moore** (Southport) (Con): Will the Minister reaffirm the Government’s commitment to ending single-use plastics? Will she also pay tribute to

the almost 90 volunteers from across Southport who came out last week to help clean up our beach at Ainsdale?

Dr Thérèse Coffey: The Government are absolutely committed to that aim. We are making good progress on regulations to achieve that, on cross-Government strategies, and on working with industry to do precisely what my hon. Friend wants. I praise the volunteers who went out litter-picking to keep the beach clean; I used to play on that beach as a child, and it is great to see that it is in safe hands under the stewardship of my hon. Friend, working with the local community.

Diana Johnson (Kingston upon Hull North) (Lab): Will the Secretary of State agree to meet Humber MPs to discuss making funding for a national flood resilience centre in the Humber area a priority in the comprehensive spending review?

Michael Gove: The Minister with responsibility for the environment, my hon. Friend the Member for Suffolk Coastal (Dr Coffey), has already done so, and of course I would be happy to do so at any time.

Rehman Chishti (Gillingham and Rainham) (Con): The Government have a fantastic track record on improving standards for animals. In 2015, the compulsory microchipping of dogs was brought in. However, there is an anomaly: there is no such provision for cats. The Secretary of State knows that I have a private Member's Bill on cats that would mean cats were treated in the same way as dogs. I am grateful for my meeting with him last week. Will he assure me that the Government will do everything that they can to take the issue forward, so that cats get the same treatment as dogs?

Michael Gove: It is a good Bill, and I am a cat owner. Let's bring it on.

John Grogan (Keighley) (Lab): Most studies now indicate that we have an excess of incineration capacity to deal with residual waste. Is there not a danger that, if we build more incinerators, waste that would otherwise be recycled will be diverted to those incinerators?

Michael Gove: That is a fair point.

George Eustice (Camborne and Redruth) (Con): The UK has some of the highest standards of animal welfare in the world, but American attitudes to farm animal welfare remain very backward. Given that there is now a cross-party consensus in this House that we should enshrine recognition of animal sentience in law, should the Government not require the United States to pass equivalent legislation at federal level as a precondition to any trade deal?

Michael Gove: That is a very good point from someone who was an excellent Minister. I so enjoyed serving with my hon. Friend. As ever, he shows that his commitment to animal welfare and to the highest standards in farming remains undimmed. We are very lucky to have him in this House.

Mr Speaker: We all know the Secretary of State is extraordinarily polite. Some people might think the Secretary of State is cultivating the hon. Gentleman for a purpose in the future. I know not what or when—no idea what that might be.

Daniel Zeichner (Cambridge) (Lab): The east of England is a dry region with many houses planned for the future. Dr Robert Evans of the Global Sustainability Institute at Anglia Ruskin University tells us that many of the streams he regularly monitors are already drying up. What is the Secretary of State doing to ensure that we have enough water for future houses in the region?

Michael Gove: The hon. Gentleman is also a wonderful addition to the House of Commons. I would like to cultivate him. He is a tall poppy in this House and certainly no blushing violet. He makes a very serious point. I have been talking to Anglian Water and others recently. The Environment Agency chief executive, James Bevan, has pointed out that water scarcity is a significant environmental danger. We need to work together to deal with it.

Kirstene Hair (Angus) (Con): My farmers warmly welcomed the launch of the seasonal agricultural workers scheme today; in fact, James Porter, who was mentioned earlier, is one of my farmers and welcomes the scheme. I will be meeting them next week to see how we can further improve it. Will the Secretary of State agree to continue conversations with the Home Office to ensure that the system can be monitored, increased and made permanent?

Michael Gove: Absolutely. Were it not for the advocacy of my hon. Friend and her constituents, we would not have the seasonal agricultural workers scheme in place already, and I pay tribute to her for that work. It is her constituent who has been responsible, working with her, for bringing the scheme in. In stark contrast to the destructive and cynical sniping from the Scottish National party, Scottish Conservatives have been delivering for Scottish farmers.

Tim Farron (Westmorland and Lonsdale) (LD): Can the Secretary of State guarantee that not a penny of the £3.8 billion ring-fenced for agriculture in the proposed new scheme will be spent on schemes that are currently funded from non-CAP sources?

Michael Gove: I will do my very best.

Mr Speaker: One sentence of fewer than 20 words—Rebecca Pow.

Rebecca Pow (Taunton Deane) (Con): I was going to ask, Mr Speaker—I am going to extend it—whether you are a gardener. If you are, you will understand the value of healthy soil. Does the Secretary of State agree that soil is so important for delivering flooding control and healthy food, and for holding carbon, that we should give it top priority in the Agriculture Bill, call it a public good and pay farmers to deliver it?

Mr Speaker: The crops have had plenty of time to grow.

Michael Gove: Mr Speaker, can I thank you for granting my hon. Friend a long extension? She is absolutely right. Soil is at the heart of the fight against climate change, it is at the heart of good agriculture, and it is absolutely critical for making sure that our environment flourishes.

Patrick Grady (Glasgow North) (SNP): Does the Secretary of State still believe, as he has told me twice already, that other European countries are looking enviously at the United Kingdom's attempts to withdraw from the European Union?

Michael Gove: Other European countries are looking enviously at the United Kingdom Government and piteously at the Scottish Government, whose contortions on constitutional questions continue to lead other European statesmen to wonder why a great country with so many talented people is in the hands of such a parcel of rogues.

Julian Sturdy (York Outer) (Con): In light of Dieter Helm's recent comments, how much weight does the Secretary of State give to food security in developing future farming policy?

Michael Gove: I have enormous respect for Professor Helm, but food security is absolutely central to my Department's and this Government's mission.

Liz Twist (Blaydon) (Lab): Both farmers and consumers are concerned that future trade agreements will lower UK food standards. How will the Secretary of State ensure that future trade agreements maintain and improve our food quality standards?

Michael Gove: The hon. Lady is absolutely right to raise that, and I and my hon. Friend the Minister for Agriculture, Fisheries and Food will be talking to the NFU and other farming unions later today about how we can make sure that standards are protected.

CHURCH COMMISSIONERS

The right hon. Member for Meriden, representing the Church Commissioners, was asked—

Shooting

1. **Rachael Maskell** (York Central) (Lab/Co-op): Whether the Church of England plans to review its policy on shooting on its estate. [910098]

The Second Church Estates Commissioner (Dame Caroline Spelman): The Church Commissioners' rural estate is almost entirely let, predominantly on secure tenancies, which include shooting rights. The Church Commissioners' ability to influence shooting activities, as long as they are legal and do not breach tenancy terms, is very limited.

Rachael Maskell: Bishop Wood is being used for shooting—land leased by the Church Commissioners to the Forestry Commission. Blood sports in exchange for blood money for the Church of England. What steps have the Church Commissioners taken to ban blood sports across their estate?

Dame Caroline Spelman: I know that the hon. Lady wrote to the Church Commissioners, and they replied to her on 6 March. It is a long-established practice of the Forestry Commission, who are the tenants of the

land that she refers to, that they inform people locally when a shoot is to take place, but I can make additional inquiries on her behalf. The Church Commissioners do not have a wide-ranging policy on shooting, because in the majority of cases shooting rates are contained within farm tenancies, many of which are lifetime tenancies.

Jim Shannon (Strangford) (DUP): Mr Speaker, you will know, as I know, that those who lease land from the Churches have a responsibility as lessee to control pests on that land—grey squirrels, foxes, pigeons, crows and so on. Does the right hon. Lady agree that those tenancy agreement terms, and that pest control, have to be enforced?

Dame Caroline Spelman: Without doubt, the hon. Gentleman is right. The Church Commissioners do have a responsibility to ensure that the terms of any tenancy are conformed with. To be perfectly clear about conservation, the Church of England is strongly committed to conservation, especially in its own green spaces. I am sure we all remember the campaigns that were fought to provide a haven for the hedgehog in churchyards, for example, and the Church's commitment to work with Natural England on bat conservation. Conservation is at our heart.

Archbishops' Council's Strategic Development Fund

2. **Ian Austin** (Dudley North) (Ind): What recent assessment the Commissioners have made of the level of funding for the Archbishops' Council's strategic development fund. [910099]

The Second Church Estates Commissioner (Dame Caroline Spelman): The Church Commissioners vote annually on the availability of strategic development funding. The funding is a 10-year programme, and the £270 million of overall funding for the programme that was agreed in 2016 is to be sustained over the period.

Ian Austin: Mr Speaker, you will recall from your celebrated visit to Dudley the beautiful sight of Top church, dominating the town's skyline. I am sure you will want to join me in thanking the Church Commissioners for designating Top church a resourcing church, and for granting £2.5 million to pay for more staff, support for vulnerable people, its work in the deprived community and—together with support from the Heritage Lottery Fund—urgent repairs and much-needed restoration.

May I take the opportunity to say how grateful we are to the brilliant Bishop of Dudley, the Rt Rev. Graham Usher; our Archdeacon, the Venerable Nikki Groarke; the resourcing church leader, the Rev. James Treasure, and of course Maureen Westley, who has been the driving force behind the church for years, and the whole congregation at Top church?

Dame Caroline Spelman: Amen to that, Mr Speaker. I thank the hon. Gentleman. I will take those thanks back to the Church Commissioners. The hon. Gentleman's question gives me, as Second Church Estates Commissioner, a chance to remind the whole House of the Church Commissioners' commitment to helping communities, especially some of our poorest communities, to refurbish and regenerate their churches.

Mr Philip Hollobone (Kettering) (Con): How much of the strategic development fund is spent on building churches in new residential housing estates?

Dame Caroline Spelman: I thank my hon. Friend for that question. It is a very important point that the strategic development fund is there not only for the restoration of very fine examples of English architecture, such as Top church in Dudley, but to establish new churches, often in communities where there has been no provision for places of worship. I reassure my hon. Friend. If he has candidates in his constituency, perhaps he would like to place a request through me to the commissioners, if that is what he seeks.

Deidre Brock (Edinburgh North and Leith) (SNP): A recent article in *The Guardian* stated that Scotland's largest private forestry owner is now the Church of England. There are growing concerns in Scotland about the effects of that type of concentrated land ownership. Can the commissioner shed some light on what assessment the Church made of the impact of that investment decision on local communities?

Dame Caroline Spelman: The investment in forestry was part of the Church of England's commitment to respond to its ethical investment strategy and move away from investments in, for example, oil sands and companies that may be producing products that do not accord with our commitment to tackle climate change. Investment in forestry obviously is a positive contribution to the climate. As part of the assessment of those investments, we take into consideration the communities that live in the places where we are invested.

ELECTORAL COMMISSION COMMITTEE

The hon. Member for Houghton and Sunderland South, representing the Speaker's Committee on the Electoral Commission was asked—

Foreign Influence on Elections

3. **Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): What steps the Commission is taking to (a) identify and (b) prevent foreign influence on elections. [910100]

Bridget Phillipson (Houghton and Sunderland South): It is vital that there is no foreign interference in the UK's elections, and transparency about who is spending money to influence voters is an essential safeguard. The Electoral Commission monitors party donations and campaign spending to ensure that the laws on foreign influence have not been broken. Where there are specific allegations that the UK's political finance law has been broken, the commission can investigate, issue civil sanctions and refer cases to the police or the National Crime Agency for criminal investigation.

Mr Sheerman: I thank my hon. Friend for that answer, but from previous questions from my hon. Friend the Member for Aberavon (Stephen Kinnoch) she will be aware of Russian influence. We know that that influence is happening and has happened. Many of us worry that we are not well enough organised to identify it. When

can we get a coalition with GCHQ and security services that will reassure Members that interference, which we know is going on, can be stopped?

Bridget Phillipson: My hon. Friend raises an important issue. The Electoral Commission's regulatory remit is confined in law to UK-based parties and other campaigners. It liaises with the UK Government and security services, working to ensure that our elections are free from foreign interference and to address the issue of threats to our democracy. Those questions might be well addressed to Government Ministers.

Craig Mackinlay (South Thanet) (Con): The hon. Lady has a unique relationship with the Electoral Commission; I perversely do as well now, and I have fast-track communication with it. I have lots of complaints about the Electoral Commission, but I raise one small thing. Let us try to repair the organisation one step at a time. Can we insist that it dates all its guidance and documents in the bottom left-hand corner, as we do in any other part of Government? Whether it is Her Majesty's Revenue and Customs or Department for Environment, Food and Rural Affairs, there is always a date, but that is not always the case with Electoral Commission documents. Let us please just put that right.

Bridget Phillipson: I understand the hon. Gentleman's concerns. I am sure that the issues he has raised this morning will have been heard. I will ensure that the commission responds in full to the issues he has raised.

11. [910108] **Alison McGovern** (Wirral South) (Lab): There is clearly a specific issue when it comes to the use of spending on digital campaigning. We now know that almost half of campaigners' money is being spent on digital and social media platforms. What is the Speaker's Committee on the Electoral Commission doing to ensure that our laws are updated to reflect that current landscape and that people who have power over the electoral system are held to account, transparent and do not create an atmosphere of mistrust?

Bridget Phillipson: This is a growing area of concern. In its recent report on digital campaigning, the Electoral Commission recommended greater transparency on the sources of digital campaign materials and those paying for them and that the commission should be given greater powers to compel information from social media companies.

HOUSE OF COMMONS COMMISSION

The right hon. Member for Carshalton and Wallington, representing the House of Commons Commission, was asked—

Apprentices

4. **Robert Halfon** (Harlow) (Con): What steps the Commission is taking to increase the number of apprentices in the House of Commons. [910101]

Tom Brake (Carshalton and Wallington): To increase the number of apprentices, the House service has taken a number of steps. That includes expanding the range of apprenticeship programmes on offer from two to 14 since September 2018 and upskilling existing employees by enrolling them on apprenticeship programmes. The expansion of apprenticeship programmes will continue. Ongoing engagement and planning for apprenticeship roles across all House teams will ensure more quality apprenticeships are created.

Robert Halfon: Mr Speaker, you have led the way in ensuring that young people are employed in the House in your scheme, and in supporting apprenticeships, but as we are the House of Commons and the Houses of Parliament, can we please set an example to our nation and not just coast along in terms of employment of apprentices and make sure we meet our 2.3% public target? I urge you, Mr Speaker, and the senior Clerk to rocket-boost apprenticeships so that we have hundreds of apprentices in the Houses of Parliament.

Mr Speaker: What a splendid question!

Tom Brake: I commend the right hon. Gentleman for his work to raise the profile of apprenticeships in the House. He will know that the House intends to increase the number of apprentices from 14 to 38 by the end of May. He will also be aware that that does not hit the 2.3% target, which the House intends to do by 2021.

Alison Thewliss (Glasgow Central) (SNP): What rates are House of Commons apprentices paid? The Government's minimum rate is £3.70 per hour for under-19s and those over 19 in their first year. I would be interested to know how much apprentices in the House, who do a very important job, are paid. Would it not set an example to give them a much higher rate so that the rest of the country could do so as well?

Tom Brake: I am afraid that my briefing on the subject has no information on that, so I will write to the hon. Lady to confirm the rate. Hopefully she will be satisfied with the rate House apprentices receive.

Mr Speaker: And if the hon. Lady is not satisfied, we might have to look at it again, preferably sooner rather than later.

Chris Elmore (Ogmore) (Lab): May I press the right hon. Gentleman on the regional and national diversity of apprentices? We are a UK House of Commons and House of Parliament. It would therefore be good if apprentices from across the UK feel that they can access the schemes. We should also ensure that we are more diverse by ensuring that we have more women apprentices—they can become Clerk of the House or serve as head of security. Diversity is extremely important. We cannot just preach it; we must also practise it.

Tom Brake: I agree entirely with the hon. Gentleman. He may be aware that the House works with Amazing Apprenticeships, an organisation that goes out nationally to 3,500 schools and colleges. Among other things, it is creating a short film about what happens in the House, which I hope has a positive impact on his diversity concerns.

CHURCH COMMISSIONERS

The right hon. Member for Meriden, representing the Church Commissioners, was asked—

Church Land and Buildings: Digital Connectivity

5. Mrs Sheryll Murray (South East Cornwall) (Con): What progress has been made on implementing the joint accord between the Government and the Church of England on the use of Church land and buildings to support digital connectivity. [910102]

6. Scott Mann (North Cornwall) (Con): What recent discussions the Church of England has had with the Secretary of State for Digital, Culture, Media and Sport on using church spires to facilitate the provision of broadband in rural areas. [910103]

The Second Church Estates Commissioner (Dame Caroline Spelman): It gives me very special pleasure to respond to my hon. Friend the Member for South East Cornwall (Mrs Murray) because it allows me to extend to her my very best wishes for her wedding on Saturday. I am sure the House joins me in that.

The Church of England is working with stakeholders to produce guidance for churches to be published in May. The guidance should assist churches in making the best use of the joint accord between the Government and the Church to support digital connectivity. Two hundred churches have taken up the opportunity of the new technology, adding to the existing 300 that had already done so.

Mrs Murray: I thank my right hon. Friend for her good wishes. Is she aware of any specific problems that discourage parishes from taking up the opportunity to improve connectivity in rural areas such as South East Cornwall, and at the same time increasing parish income? If so, can the Government do anything to help?

Dame Caroline Spelman: It is largely about awareness or perceived barriers—some people think it is impossible to be a candidate, but I reassure my hon. Friend that it is perfectly possible to install digital technology infrastructure even in listed buildings. I encourage her to raise awareness locally. Two churches in the Truro diocese were granted facility in 2017, but two is not many in the whole diocese. Anything that can be done to encourage other churches to look at the opportunity to improve broadband coverage in their area would be gratefully received.

Scott Mann: It is a pleasure to be coupled with my hon. Friend the Member for South East Cornwall (Mrs Murray). I wish her the very best in her coupling this weekend—a proper Cornish wedding in Westminster.

After discussions with the Church Commissioners officer, I am aware that there are no reasons why church spires cannot be used for boosting broadband signals in rural areas. I recently had a good meeting with Cornwall Broadband, a local provider, which would like to open a

dialogue with the churches in Cornwall to utilise their spires. Would the Church Commissioners be interested in that dialogue, and what advice can the right hon. Lady offer to facilitate those discussions?

Dame Caroline Spelman: The Church Commissioners would be interested, but the initiative comes very much from the diocese; I encourage them to make contact through the diocesan office. Some diocese have progressed faster with this opportunity, particularly in East Anglia—almost 300 churches in Norfolk, Suffolk and Essex alone have installed this digital technology, for example. One of the key barriers is not knowing where the notspots for mobile and broadband signals are. All colleagues can get involved: if there is a tall church building in the vicinity of a notspot, perhaps this technology is for them.

HOUSE OF COMMONS COMMISSION

The right hon. Member for Carshalton and Wallington, representing the House of Commons Commission, was asked—

Plymouth Gin: Mayflower Commemorations

7. **Luke Pollard** (Plymouth, Sutton and Devonport) (Lab/Co-op): Whether the House of Commons plans to stock Plymouth Gin during the Mayflower 400 commemorations. [910104]

Tom Brake (Carshalton and Wallington): The House of Commons catering service does not currently stock Plymouth Gin, but will seek to stock some for the Mayflower 400 commemorations.

Luke Pollard: I thank the right hon. Gentleman for that answer, which will warm the spirits of people in Plymouth. Plymouth Gin is a fantastic gin, and Mayflower 400, which marks the 400th anniversary of the sailing of the Mayflower from Plymouth to America, is a great opportunity. In these tough times, may I suggest to the right hon. Gentleman that we look not only at the standard-strength gin, but Plymouth Gin's Navy strength as well? We could all do with a little bit extra in these tough times.

Tom Brake: I thank the hon. Gentleman for that. He may be aware of moves within the House to look at the availability of alcohol in this place; I am not sure whether the House will want to entertain the idea of double or triple-strength gins. However, he has put his point on the record and I will take it back to the catering services, including whether they want to stock the double or triple-strength gin that he proposes.

Sir Mike Penning (Hemel Hempstead) (Con): As the House authorities are aware, wholesalers have a monopoly, particularly when it comes to putting beer into Strangers Bar. Red Squirrel Brewery, which is in my constituency, managed to get it in there after five years, but only after having to go through the wholesaler designated by the House. The margins made it almost unprofitable for it to put the beer in there. That is wrong: there should not be a monopoly in this House.

Mr Speaker: I say to those observing our proceedings that that interesting inquiry does relate to alcohol, but not to gin. It is a sort of side observation from the right hon. Gentleman, borne of his personal experience, for which we are grateful.

Tom Brake: I assume that it is in order for me to respond very briefly, Mr Speaker. Clearly, the right hon. Gentleman has put on the record his concerns about how the process works, but he will also be aware that Members do at least, through the guest beer option, have the possibility of bringing their own specialist beers to the House.

CHURCH COMMISSIONERS

The right hon. Member for Meriden, representing the Church Commissioners, was asked—

Ordination of Women: Priesthood

8. **Mark Menzies** (Fylde) (Con): What steps the Church of England is taking to mark the 25th anniversary of women's ordination to the priesthood. [910105]

The Second Church Estates Commissioner (Dame Caroline Spelman): There are a number of significant anniversaries this year. It is the 25th anniversary of women's ordination as priests, the 50th anniversary of women being made readers and the fifth anniversary of women being consecrated as bishops. The Archbishop of Canterbury has held a special service at Lambeth Palace to celebrate the anniversary, and events have also been taking place in diocese.

Mark Menzies: Throughout 2018, celebrations were rightly held in honour of the centenary of the women's vote. What plans does the commission have to carry on in that vein for the 25th anniversary of women's ordination to the priesthood?

Dame Caroline Spelman: Our plans are to pursue our determination to encourage more women into the priesthood. For the record, I share with the House the fact that the number of female clergy is now at a record high: women now make up nearly a third of the 20,000 active clergy. More importantly, there are those in the pipeline: more than half those entering training for the priesthood in 2018 were women.

ELECTORAL COMMISSION COMMITTEE

The hon. Member for Houghton and Sunderland South, representing the Speaker's Committee on the Electoral Commission was asked—

Vote Leave

9. **Dr Philippa Whitford** (Central Ayrshire) (SNP): What recent representations the Commission has received on fines imposed on Vote Leave. [910106]

Bridget Phillipson (Houghton and Sunderland South): The commission found Vote Leave guilty of multiple breaches under electoral law and imposed fines of £61,000 in July 2018. Vote Leave made representations to the

commission in June 2018, when it was notified of the commission's proposals for penalties. The commission considered these representations carefully, in accordance with its published enforcement policy, before deciding on the penalties to be imposed. Vote Leave took up its right of appeal to the county court, and the appeal is listed for July 2019.

Dr Whitford: The Leave campaign was found guilty of sending almost 200,000 unsolicited texts to numbers it had harvested from a football competition with odds of 5 million, million, billion to one. Anyone who is good at trillions can tell me at the end. In view of the threatened economic damage from Brexit, does the hon. Lady really think that a fine of £40,000 is enough to put others off?

Bridget Phillipson: The Electoral Commission works closely with the Information Commissioner and others in making sure that our rules are followed, but the Electoral Commission, in terms of its responsibilities, continues to urge the Government to introduce legislation to strengthen its sanctioning powers for future referendums and elections. Its view is that the current maximum fine of £20,000 per offence could well be seen as the cost of doing business.

CHURCH COMMISSIONERS

The right hon. Member for Meriden, representing the Church Commissioners, was asked—

Easter Church Attendance

10. **Kevin Foster** (Torbay) (Con): What plans the Church of England has to encourage more families to attend church this Easter. [910107]

The Second Church Estates Commissioner (Dame Caroline Spelman): Parish churches will be welcoming parents and families especially back to church this weekend for Mothering Sunday. What better year to record with grateful thanks all of those involved in making it possible for mothers to have their names on marriage certificates? Even though Mothering Sunday takes place during Lent, it is a feast day. In preparation for Lent, the Church has developed a free Lent pilgrim app and emails, and the campaign material is also available on Alexa.

Kevin Foster: I thank my right hon. Friend for her answer. As she knows, Easter is a special time for us Christians as it represents the absolute core of our faith. There is something unique and special about spending it in church, so can she outline what work the Church of England is doing to reach out via social media and the internet to families who may not normally be church attenders to come and share that special joy with us?

Dame Caroline Spelman: The Church has been winning awards for the range of innovative resources it uses to develop support for local churches and encourage their communities to use them. For example, there is achurchnearyou.com, a finder website that has more than 10 million visitors a year and has seen a big increase in the number of people using the site and spending time on it.

Hard copies of the Church's materials are also available. Should the rigours of Brexit be too much, it is not too late for Members to avail themselves of the "Pilgrim Journeys" book of daily readings to get us through to Easter.

Supporting Disabled People to Work

10.42 am

Marsha De Cordova (Battersea) (Lab) (*Urgent Question*): To ask the Secretary of State for Work and Pensions if she will make a statement on the National Audit Office's report "Supporting disabled people to work".

The Parliamentary Under-Secretary of State for Work and Pensions (Justin Tomlinson): The Department welcomes the National Audit Office report, which acknowledges the Department's work to build our evidence base and deliver tailored support through jobcentres with partnership working, including healthcare services that deliver for disabled people. Between 2013 and 2018, disability employment has risen by 930,000, but there is more to do to deliver on our commitment set out in the "Improving Lives" paper. As the Secretary of State announced earlier this month, we will review our goal of 1 million more disabled people in work by 2027 to see if it can be made even more ambitious.

We know that personalised, tailored support and tackling the misconceptions and the barriers that people may face are effective in getting disabled people into work. Our initiatives give claimants the opportunity to access personalised support to help them to move closer to work and to help to achieve cultural change, including through our Disability Confident scheme, supporting employers to provide job opportunities. Since the "Improving Lives" paper was published in 2017, the Department has launched the Work and Health programme, which will support some 220,000 disabled people, and the intensive personalised employment support programme, which will start at the end of this year. Access to Work supported some 33,860 people last year, up 13% to a record high, and more than 11,000 employers have signed up to the Disability Confident campaign.

The Department routinely evaluates its labour market programmes and ensures that the evidence is used to provide the most effective interventions that help people move closer to the labour market. We will continue to build our evidence base by testing a range of initiatives and using this evidence to inform our future strategy. With universal credit, that is transforming the labour market prospects of disabled people, not only through earlier and more intense engagement, but by allowing them to move into and out of work without the fear of losing their benefits or having a new health assessment. This year, we will also introduce new disability employment adviser leader roles to support work coaches to build their skills and capabilities.

In conclusion, stakeholders will be at the heart of our future work. Together we will continue to do all we can to unlock disabled people's potential.

Marsha De Cordova: Mr Speaker, may I start by thanking you for granting today's urgent question?

Today, the National Audit Office published a damning report evaluating the Government's progress in supporting disabled people into employment. The NAO concluded that, two years into the Government's work, health and disability strategy, the Department for Work and Pensions lacks any clear measures or implementation plan to promote the employment of disabled people.

The report found that the number of disabled people out of work has remained stagnant—at 3.7 million—for the last five years, highlighting that the increase in the number of disabled people has not been matched by a decrease in the number who are out of work. The report also found that the Government have yet to evaluate the effectiveness of their employment support programme. Indeed, the head of the NAO has said that the Government "has yet to make a significant dent"

in the number of disabled people out of work. The disability employment gap has stayed at a little above 30% for the last two years. Recently, the Secretary of State announced "a more ambitious plan" to increase the employment target beyond 1 million in the next 10 years. Given the NAO's conclusions today, how does she expect to deliver that?

The NAO also found that the case load of work coaches is set to double as a result of universal credit. How will the Minister ensure that disabled people do not receive a worse service, and what additional resources will be made available, aside from just disability employment leads?

We all know that the Access to Work scheme is effective, but many employers are unaware of it. Will the Minister commit to expand the scheme and to remove the current cap? The Government's Disability Confident scheme lacks any credible performance measures to ensure that disabled people get the right support, as well as any quality standards or independent evaluation. Will the Government now commit to getting the scheme independently evaluated? Will they also start to record the number of disabled people who are in work as a result of it?

Finally, it has been two weeks since there was a Minister for Disabled People. When will one be appointed?

Justin Tomlinson: The NAO report did welcome our approach to offering tailored and personalised support. We know from speaking to disabled people of all ages that that is something they very much welcome. All of us in society have our own unique challenges and opportunities as we navigate through life and particularly as we seek work. From the many visits I made during my time as the Minister for Disabled People, I know just how powerful the case is for doing everything we can to help disabled people into work, and particularly young disabled people, who want to have exactly the same opportunities as their peers.

The NAO report also welcomed our test-and-learn approach. There is no global, off-the-shelf book that says exactly how we can help every single individual. We have to develop new, innovative ways, and that was welcomed, as was our commitment to continue partnership working, particularly to support local, excellent initiatives that help to unlock people's potential.

I do not recognise much of what the shadow Minister said, because there are 930,000 more disabled people in work over the last five years. This is real people having the opportunity to work; these are record numbers. Over 400,000 workless disabled people a year move into work. That is a welcome figure. However, we recognise that more needs to be done, which is why the Secretary of State was passionate about saying that we will review that target of 1 million more by 2027, and I will support that.

We are focusing our efforts on personalised and tailored support. We are increasing the number of disability advisers and their training. The personalised support package will unlock local initiatives. The work and health programme is helping 220,000 disabled people. We are doing joined-up working with the Department of Health and Social Care. Our proactive work supporting employers has also helped. I recognise the point about raising awareness of Access to Work, and we do need to do more on that, but we had a record number of people last year—up 13%. The cap has gone from 1.5 times average earnings to twice that amount, at about £57,900. I welcome the cultural change among employers who recognise that, with just a few small changes, it can be a win-win situation. I felt that as an employer, and a number of times when I engaged with businesses of all sizes. Those businesses benefit, as do disabled people, and we will continue to do all we can.

Robert Halfon (Harlow) (Con): I strongly welcome what my hon. Friend has said. My constituent, Lacey-Rose Saamanthy, a Harlow resident, is deaf and she was recently offered a role at Broomfield Hospital as a catering assistant. However, her offer of employment email did not make it clear that that offer was conditional on a risk assessment, and it was subsequently retracted. To me, that is outrageous. The risk assessment identified a number of risks that Ms Saamanthy believes could easily have been mitigated. Will the Minister explain the role that disabled employees can play in the workplace, and help stop such outrageous discrimination against a deaf person who was offered a job but who then had that offer rescinded?

Justin Tomlinson: I pay tribute to my right hon. Friend's work in supporting what I and my hon. Friend the Member for Blackpool North and Cleveleys (Paul Maynard) have done to introduce disability apprenticeships. He mentions a terrible case, and disability employment advisers can help to provide constructive advice to employers—particularly small employers that do not have HR departments—and give them confidence to ensure that all people, regardless of their disability, can contribute to those employers.

Neil Gray (Airdrie and Shotts) (SNP): Although I have enjoyed our debates on this subject over the years, the Minister knows that it should not be him at the Dispatch Box but a new, dedicated disability Minister. The fact that the Prime Minister has not even bothered to replace the Minister for Disabled People after nearly two weeks is a shameful indictment of a Tory Government who have collapsed into crisis and chaos. They are so consumed by their Brexit folly that they are completely ignoring the day job. That is costing the country dearly, and it adds insult to injury for those disabled people who have been left unrepresented and impoverished by Tory policies.

We should not be surprised by the NAO report. Will the Minister explain why his party dropped its ambitious policy at the last election to halve the disability employment gap? We see in the NAO report that the Government's new watered-down goal of having 1 million more disabled people in work cannot be used to measure the success of those efforts—even the Department for Work and Pensions acknowledges that. What is the Minister's assessment of the NAO's conclusion that his Department has no idea

of what works when it comes to disability employment support? Why have all the schemes to support disability employment been underspent?

Finally, the NAO report does not cover the interaction between disabled people and the benefit system. Does the Minister see that cutting disability benefit support—as this Government have done with employment and support allowance and universal credit—while not having a clue about what impact their employment programmes are having, is the height of irresponsibility, and a neglect of the needs of disabled people?

Justin Tomlinson: I reassure the hon. Gentleman that I am happy to be here answering this urgent question, and I am passionate about this role. As I said, my work in this area, both as a former Minister for Disabled People and today, is particularly guided by meeting young disabled people and their families, and there is a passion and determination for them to have the same opportunities as others. In some cases that involves full-time work; other times it can be as little as one hour a month, but for some people that is life changing, and the Government are committed to that. It is right that the Secretary of State reviews our ambitious target of an extra 1 million disabled people in work, and it is the actual number that counts. Every one of those 930,000 disabled people involved with this scheme in the past five years now has the opportunities that so many others take for granted.

The hon. Gentleman spoke about the sign-up rates of various different packages, but I gently remind him that they are voluntary—we do not want to mandate anything. That said, however, through the personalised support package there is the opportunity to look for local initiatives. All our constituencies have examples of best practice, and through the personalised support of the individual work coach, we can unlock access to those initiatives, linking them to local employers and giving people—particularly those who have been away from the jobs market for a long time—the very best chance. As I said, I have seen the joy of individuals who work for as little as one hour a month, and what a difference that makes to their life.

Sir John Hayes (South Holland and The Deepings) (Con): I know that you, Mr Speaker, regard the report by the all-party group on acquired brain injury, “Time for Change”, as required reading. I hope the Minister will, too. It sets out how hundreds of thousands of Britons across all our constituencies are affected by head injuries, with physiological and psychological effects. Neurorehabilitation can help those people to recover and lead purposeful, meaningful and fulfilled lives, but I have to say that that requires Government Departments working together to bring these hidden disabilities to light and to give people new chances and new lives.

Justin Tomlinson: I thank my right hon. Friend. This is a very, very important issue. I know that the former Minister met stakeholders, as have I. My right hon. Friend has been a real champion in raising, in particular, hidden disabilities and long-term health conditions. It is absolutely right that we have joined-up working, which is why we are working so closely with the Department of Health and Social Care through the joint Health and Work Unit. Many claimants need a combination of support to unlock their full potential.

Stephen Timms (East Ham) (Lab): The disability employment gap fell steadily in the years up to 2010. It has since got stuck at a level just above 30%. David Cameron, in the 2015 election campaign, promised to halve it by 2020, a pledge that was quickly abandoned after the 2015 election. What does the Minister now believe will happen to the disability employment gap over the next five years?

Justin Tomlinson: The right hon. Gentleman is one of the most constructive and proactive Members of the Opposition pushing on this very important area. When we came to office, disability employment stood at 44.1%. It has now gone to 51.5%. That is up 7.4%, with the gap closing by 3.6%. I expect that trend to continue over the next five years.

Rachel Maclean (Redditch) (Con): I was very pleased to sign up my constituency office to the Disability Confident scheme, because I know, as a former employer in a small business, that there are practical and awareness barriers. Will the Minister update the House on some of the practical measures he is implementing to help employers employ disabled people who really want to work?

Justin Tomlinson: I thank my hon. Friend for showing real, tangible commitment to supporting this and to creating new opportunities for disabled people. The Government rightly have to lead on this, but we also need employers to be proactive offering work experience, interviews and, ultimately, jobs. The key message we give to employers is that it will benefit them. We have huge skill gaps in this country and often with just very small changes they can benefit. I am not just preaching as a Minister, but as somebody who ran my own business for 10 years and benefited from making very small changes to get some excellent new members of staff. We will continue to work and to give as much advice and support to businesses as we can.

Ann Clwyd (Cynon Valley) (Lab): Labour Members fought very hard in this Chamber to keep the Remploy jobs going. I had a Remploy factory in my constituency, which was a lifeline to so many people. I am sure the Minister has the best intentions, but I have heard these platitudes before. Can the Minister tell us how many Remploy people who lost their jobs are now in work?

Justin Tomlinson: I will have to write to the right hon. Lady to give her the exact figures, but the principle we have to look at is giving individuals who are more than two years away from the jobs market, real and intense support to help them get there. At the moment, the best route is through the specialist employment support. Last year, we had 1,520 starts, of which 600 people were able to get at least a placement for 13 weeks, leading to permanent jobs. We need to continue to do everything we can on personalised support and linking up with local employment opportunities.

Sir Mike Penning (Hemel Hempstead) (Con): As a former disabilities Minister—I had other roles within the Department as well; it was not just disabilities, but that was the lead issue—I say to those on the Front Bench, and I hope the Prime Minister is listening, that

we should have a Minister for this role as soon as possible. I do not understand why that has not taken place.

Disability Confident is a great success. As parliamentarians, we can push it forward in our own constituencies, as we have in my constituency of Hemel Hempstead, so that people have the confidence to get into work and employers can employ the right people.

Justin Tomlinson: My right hon. Friend is absolutely spot on. We can help to raise the awareness of Disability Confident. We can do our own Disability Confident events, and we can write to employers to encourage them to sign up and to work with local organisations that support disabled people to find job opportunities. It should be a real priority for all of us.

Neil Coyle (Bermondsey and Old Southwark) (Lab): The National Audit Office makes it clear that there is no evidence that the £386 million spent on Disability Confident has resulted in a single disabled person getting into work. Would it not be better to devolve that resource and extra responsibilities for employment programmes to local and regional government—such as in Southwark, where we have a Labour council committed to becoming a full employment borough—to allow them to innovate to get more disabled people into work?

Justin Tomlinson: To be fair, I think the figures speak for themselves: 930,000 people in the last five years have gained—[*Interruption.*] However, I accept the thrust of the point about looking at local solutions and empowering local communities, because they know their job market and where the skills gaps are. I accept that principle. We are moving in that direction through the personalised support package so that work coaches can look at local initiatives. There is a lot more work in that area. I very much welcome that question.

Vicky Ford (Chelmsford) (Con): One of my constituents who is disabled has written to me, suggesting that this Government are putting less into disability benefits than previous Governments, and my constituent is very concerned that there could be an impact from Brexit. Will my hon. Friend confirm that there is more money going into disability benefits and that the Government will continue to support those with disabilities, no matter what happens regarding Brexit?

Justin Tomlinson: Our support for people with disability benefits is now at £55 billion, up £10 billion in real terms since 2010. That is a record high. The amount that we are spending on employment support for those with disabilities is showing a real-terms increase following the spending review and will continue to do so.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I hope that the Minister would agree that this is a bit of a wake-up call, but what the Government have been doing is not all bad and I welcome some of the moves that are happening. As chair of the Westminster Commission on Autism, may I offer more of a partnership? The neuro-diverse community and people on the autism spectrum are differently abled. We have some wonderful organisations such as AchieveAbility and Genius Within that are going out looking for people who are a bit quirky in their thinking, who think differently. The gig

economy and some of the techy areas are looking for these people. They are very valuable assets and we need to encourage them. Will the Minister meet some of these people, whom I can introduce him to?

Justin Tomlinson: I thank the hon. Gentleman, who has done a huge amount of work in this area. These are the sorts of points that were picked up in the Maynard review. We have worked very closely with a lot of the leading autism charities. They rewrote the training guidance for our frontline staff and fed into the autism toolkit within jobcentres. He is absolutely right: if employers are savvy and look at their skills gaps so that they can match them to the huge amount of talent and potential of people with autism, they will benefit. That is the key message to employers. We are not looking for favours; we are looking for a win-win for the disabled individual and the business.

Kirstene Hair (Angus) (Con): I recently visited Remploy in my constituency in Arbroath. It does a fantastic job of transforming lives and supporting and getting people with disabilities into work. It had its first placement on a farm in Angus recently. Does the Minister agree that the Government have fantastically ambitious targets and that we should ensure that all industries wish to widen their talent pool?

Justin Tomlinson: I thank my hon. Friend for championing this cause in her constituency. She highlights the point that a lot of these local organisations are doing a great amount to support disabled persons, building up their skills so that they are ready to enter the workplace. We all need to try to unlock as many doors as we can with employers, so that there are more opportunities that everybody can benefit from.

Lilian Greenwood (Nottingham South) (Lab): I was proud to speak at the Disability Confident conference in Nottingham last Friday and I pay tribute to the work of local DWP staff and local employers such as Nottingham Trent University, which is sharing its experience of improving the accessibility of its recruitment and retention practices. When the charity, Leonard Cheshire, surveyed disabled people in work or previously working, only 23% had received support from Access to Work, and the vast majority had had to wait more than three months for their application to be approved. What is the Minister doing to ensure that everyone is aware of the Access to Work support that is available and that they can get that support promptly?

Justin Tomlinson: I thank the hon. Lady for taking the time to pay tribute to the frontline staff in jobcentres, who do a huge amount of work to support disabled claimants. That often goes unnoticed, but it makes a real difference to those claimants. A record number of people received support from Access to Work last year, and I welcome the 13% increase, but we will continue to step up our efforts to ensure that businesses—particularly small businesses, which provide 40% of employment opportunities—are aware that both financial support and advice are available to unlock the potential of disabled staff.

Alex Burghart (Brentwood and Ongar) (Con): Will the Minister build on the point that he has just made, and congratulate all the businesses—such as Brentwood

Community Print in my constituency—which, entirely off their own bat, go out and provide work for people with disabilities, and help them to rebuild their lives and find a way forward?

Justin Tomlinson: I am delighted to pay tribute to Brentwood Community Print. It has recognised that it can benefit from being an innovative business in terms of recruitment, and I hope that many other businesses will look and learn the lessons that it has set out.

Holly Lynch (Halifax) (Lab): The head of the National Audit Office has said that it is “disappointing” that the Department for Work and Pensions still does not understand “what works” when it comes to helping disabled people into work. However, further to the point made by the hon. Member for Brentwood and Ongar (Alex Burghart), may I invite the Minister to visit the brilliant ISCAL factory in my constituency? ISCAL is a leading manufacturer of tissue coasters and napkins, and offers supported employment opportunities to people with mental and physical disabilities. It really is transforming lives.

Justin Tomlinson: The NAO welcomes the fact that we are offering precise and tailored support, and that we are using innovative methods and a test and learn programme. There is no global definition: there is nothing that we can take off the shelf and say “This will work for everyone.” There is no one size fits all. Everyone is an individual, and everyone has individual challenges and opportunities.

We are rightly investing in that innovative research, and will use our findings to share best practice and roll it out. We welcome the fact that the number of disabled people in work has risen by more than 930,000 in the last five years. I am thrilled to hear of the success of the hon. Lady’s local initiative, and I will certainly suggest to the Department a potential future visit.

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): I was delighted to attend a Disability Confident event in one of my local jobcentres in Galashiels, whose staff do a tremendous amount to get disabled people back into work. Can the Minister confirm that the financial support that disabled people currently receive is more generous than the support that they received under the system that we inherited?

Justin Tomlinson: My hon. Friend is another champion in his constituency, ensuring that disabled residents have the maximum opportunity that so many of us take for granted. We are spending £10 billion more in real terms on disability benefits than we were in 2010, and that is making a difference to some of the most vulnerable people in society.

Chris Stephens (Glasgow South West) (SNP): It is good to see that the Minister survived his grilling from the Work and Pensions Committee yesterday. Has he seen the report from the think-tank Demos, which has found that there is a “chronic” lack of trust between disabled people and the Department, and that 60% of disabled people do not believe that it understands their concerns? What will he do to address that perception?

Justin Tomlinson: It is always a pleasure to appear before the Select Committee, and in particular to respond to the hon. Gentleman's challenging and probing questions. We, as a Department, are incredibly passionate about working closely with stakeholder groups with real, frontline experience, not just listening to them but allowing them to help to shape the development of our policies and training guidance, so that we can do everything possible to unlock all people's potential.

James Cartledge (South Suffolk) (Con): It is important for us to get disabled people into work, but it is equally important for that work to pay. Does my hon. Friend agree that we should look not just at the benefits system, but at how it interacts with general measures such as the higher income tax threshold which support better take-home pay for all?

Justin Tomlinson: I think all Members will welcome the thrust of the point that my hon. Friend has made. It also gives me an opportunity to emphasise the benefit of universal credit to people with fluctuating health conditions. They do not keep crashing out of the benefit system and having to go through health assessments again and to reapply at a time when their health should be their primary concern. Universal credit offers that flexibility and tailored support.

Ian C. Lucas (Wrexham) (Lab): The DWP is the biggest-spending Government Department, but its spending is opaque. I have tabled questions about whom it pays in my constituency, and I cannot get a straight answer. Excellent local businesses such as Empower are helping disabled people. I want to work with local providers and the Department to provide placements, but I cannot get through to the Department. Will the Minister help?

Justin Tomlinson: I thank the hon. Gentleman. That is a really good question. Through the principles of the personalised support package, we have to find ways to support those local initiatives. There is not a one size fits all and a lot of that support will match the local market. That is a very important point and I will make sure that he has a meeting with the appropriate Minister.

Kevin Foster (Torbay) (Con): At a Disability Confident event I hosted some time ago, we saw some great examples of very talented people being employed by local employers. What work is the Department doing to ensure those employers are recognised not just for the fact that they have done something good but because they have taken on some brilliant people?

Justin Tomlinson: I thank my hon. Friend, who has worked tirelessly in the area, and that is exactly why the Secretary of State has been so passionate about saying that our target has to be ambitious. We owe it to every single one of those individuals looking for work, whether full-time work or the occasional bit of work. It makes a huge difference and we are incredibly proud that the number of disabled people in work has risen by 930,000 in the last five years—a record high.

Derek Twigg (Halton) (Lab): The report says that people with mental health conditions and learning disabilities fare worse than the rest. A number of parents in my constituency who have young people with learning

difficulties in adult education find it very difficult and are in despair that their children are not going to find work. What more can the Government do to ensure that efforts are particularly focused on young people with disabilities getting into work?

Justin Tomlinson: That is very important because those with learning disabilities have about a 6% expectancy of finding work. Very early on in my time as a disability Minister, I met some young adults with a learning disability who desperately wanted that chance and that is what drove me to set up the Maynard review with my hon. Friend the Member for Blackpool North and Cleveleys (Paul Maynard), so we could unlock the potential of the apprenticeship programme. I am delighted that last year that came live and now people with learning disabilities who would not necessarily have got the grade C in maths and English are benefiting from apprenticeships, giving them a real, tangible chance of getting the work they so desperately want.

Mr Philip Hollobone (Kettering) (Con): I commend my hon. Friend the Minister for his commitment and dedication to the role and particularly commend the speed of response to correspondence, which is an outstanding example that other Ministers should be encouraged to follow.

How many disabled people are employed in the DWP?

Justin Tomlinson: I thank my hon. Friend and I do understand the importance not just of responding to individual MPs' correspondence but offering an opportunity to meet, particularly on the more complex cases, and there are many Members I can see here today whom I have met in recent weeks on a variety of issues. We are all first and foremost constituency MPs who are here to champion those in our communities who have challenges. On the question about how many disabled people are employed in the Department, I will have to write to my hon. Friend because I would not wish to give somebody of such experience anything other than the exact answer.

Diana Johnson (Kingston upon Hull North) (Lab): Following on from the question from my hon. Friend the Member for Halton (Derek Twigg) about young people with learning disabilities and their ability to access the job market and get employment, can the Minister explain why this report from the NAO did not recognise what the Minister has just said from the Dispatch Box—the review that has been carried out has not had the effect he has just claimed it has?

Justin Tomlinson: To be fair, that is looking historically and this came in last year—so it is the first wave of people starting to look—but it is all combined with making sure employers have the confidence that they can take on people who may have some challenges. Often it only means small changes, but we are incredibly proud that we will leave no stone unturned, so that not just the 930,000 people who we have seen over the last five years, but more people, of all disabilities, will have an opportunity to work.

Christine Jardine (Edinburgh West) (LD): This disappointing report today surely underlines the need for a Minister for disability, so following up on what other Members have said and the reports in today's

paper that there will not be a Minister until after Brexit, when will the Government reassure the public that they are actually acting on this and care about disabilities?

Justin Tomlinson: I can reassure the hon. Lady that nobody cares more than our Department, led by a Secretary of State who is very passionate about this, and I have been very happy to support the various parliamentary debates and meetings that have gone on since then—and if we would like Brexit to be wrapped up, I urge all colleagues on all sides of the House to support the Prime Minister's deal.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): The hon. Member for Angus (Kirstene Hair) mentioned the great opportunity of the Remploy factory in her constituency, but unfortunately in my constituency, in Springburn, that opportunity was stripped from my constituents when the Remploy factory was closed in 2013, putting 50 disabled workers out of work. Indeed one of those workers was found dead on the day the factory was closed; it was another callous and shameful episode of the coalition Government. So will the Minister commit to extending the protected places scheme for disabled workers, particularly at Blindcraft in my constituency, where 250 people work producing world-class furnishings and high-quality joinery? It is a world-class example of how this can actually work as a proper sustainable model. I encourage him to go and look at that particular example, to extend the protected places scheme and to broaden that opportunity for disabled workers. It is a wonderful factory.

Justin Tomlinson: I thank the hon. Gentleman for highlighting what is clearly a very successful local initiative. This goes back to some of my earlier answers, in that we are committed to finding ways of getting support to those innovative local initiatives that are making a real difference on the frontline, and I will feed in to the Department his suggestion of a visit.

Ian Austin (Dudley North) (Ind): Will the Minister organise a meeting with me and his colleagues from the Department for Transport? The Ring and Ride service, which is used by thousands of disabled people and pensioners in the Black Country, has been put at risk after its operator collapsed into administration. The service is a lifeline for the many disabled people who use it to get to projects to boost their skills and confidence, and for the pensioners who use it to meet friends, do their shopping and get to social events or projects that prevent loneliness and isolation. It is really important that this service should be saved.

Justin Tomlinson: I thank the hon. Gentleman for highlighting the importance of that, and I will certainly ensure that an appropriate Minister meets him to see what support can be offered.

Patricia Gibson (North Ayrshire and Arran) (SNP): The Tory vice-chairman, the hon. Member for Braintree (James Cleverly), is reported to have said that no Minister for the disabled will be appointed until the Brexit chaos has passed. Will the Minister tell us why that is? Three Members have asked this question already, but to no avail. It is disturbing that the Minister seems to be blaming MPs for the lack of a disabilities Minister because they have not supported the Prime Minister's doomed deal. What signal does he think this sends to disabled people about the Government's priorities? Why are disabled people paying the price for this Government's Brexit chaos?

Justin Tomlinson: As I said in my earlier answers, I am happy to attend and support debates and meetings. I am also proud to have served as the Minister for disabled people a few years back, and my passion has not diminished one bit. We all collectively owe it to those people who need that extra bit of support to do everything we can, and I am proud to do that.

Jim Shannon (Strangford) (DUP): First, I thank the Minister for his honest endeavours on behalf of disabled people. They are much appreciated. Can he outline whether there are any grants for small and medium-sized enterprises to make accessibility issues easier? If not, would he consider such a scheme?

Justin Tomlinson: I thank the hon. Gentleman for his question. He has been a passionate advocate over the years in a number of the debates that I have responded to in this area. He is a real credit to his constituency. The Access to Work programme and the personalised support package can help to unlock opportunities within small employers. That is a really important area of work, and I am glad that he has taken the time to highlight it.

Deidre Brock (Edinburgh North and Leith) (SNP): Citizens Advice has identified that some disabled people could be worse off under universal credit by as much as £300 a month because the work allowance is not available to disabled people who are assessed as fit for work unless they have children. Will this damning report finally make the Government address this huge shortfall?

Justin Tomlinson: What is clear is that, under universal credit, over 1 million disabled families will be on average more than £100 a month better off. On universal credit, for the first time, people with disabilities or long-term health conditions, particularly those with fluctuating conditions, will remain in support rather than crashing out of the system and then having to apply for new forms and re-navigate a new health assessment. This is incredibly important, and it is repeatedly highlighted by stakeholders with genuine experience of what goes on.

Households Below Average Income Statistics

11.18 am

The Secretary of State for Work and Pensions (Amber Rudd): Mr Speaker, with your permission I would like to make a statement on the poverty statistics published today. These statistics cover a range of poverty indicators. In a year when inflation was relatively high, average incomes were flat but still remain at a record high. These numbers show that between 2016-17 and 2017-18 relative poverty after housing costs has decreased by one percentage point; absolute poverty after housing costs is unchanged in percentage terms; and absolute poverty and relative poverty before housing costs have increased by one percentage point.

Since we entered government in 2010, income inequality has fallen, and we have lifted a total of 400,000 people out of absolute poverty, but of course no one in Government wants to see poverty rise. After all, we all came into politics to help people plot a path to a better life. That has driven me since I entered this place in 2010 in the midst of a national economic crisis, because I know it is vital that the Government support their citizens and provide them with the opportunities they need to succeed. I sit in a Department that has huge power to do that. I have seen what a force for good universal credit can and will continue to be when we roll it out further. I know how committed my Jobcentre colleagues up and down the country are; I have had the privilege to visit many of them over recent months. They truly do change lives for the better—no matter what the Labour party sometimes says.

Colleagues in this House are rightly proud that this Government have cleared up Labour's economic mess and helped over 3.5 million people into work since 2010. Behind every employment statistic is a person or family whose mental health, wellbeing and life chances are improved by being in the workplace and having the security of a regular pay packet. It means that 665,000 fewer children will grow up in workless households, providing them with the support of an income, meaning that they are less likely to grow up in poverty, and giving them a role model in work. It means that there are now nearly 1 million more disabled people in work than in 2013, and I want to be more ambitious to ensure that even more disabled people are in work. It also means that millions more people receive a much earned pay increase, with wages now growing at the fastest rate in a decade.

That is the record of a Conservative Government who provide opportunities for all, rather than trapping people on welfare. Remember that every Labour Government left office with unemployment higher than they inherited. Under the previous Labour Government, 1.4 million people spent most of the previous decade trapped on out-of-work benefits, meaning that spending spiralled out of control with benefits increasing by 65% in real terms. Trapping people who can work on benefits does not help them; it holds them back. Every household paid an extra £3,000 a year to cover that splurge, and that included the lowest earners who were paying income tax. It was vital in such circumstances that the Government brought spending under control.

Colleagues know that our careful management of the economy means that we continue to improve our support for the poorest and the lowest paid. Today's statistics capture household incomes up to April 2018. Since then, we have had nearly a year of real wage growth. The Government have also made significant changes to increase the incomes of the poorest since then, injecting an additional £1.7 billion per annum into universal credit alone at the 2018 autumn Budget. Those changes begin to take effect next month, when we will also give the country's lowest earners a pay rise, introducing the highest-ever minimum wage. From April, we will be increasing work allowances by £1,000 for families with children and disabled people, which will enable 2.4 million households to keep more of what they earn, increasing the national living wage, which will rise to £8.21 an hour from next week, and increasing the personal allowance to £12,500, taking millions of the lowest paid out of paying income tax altogether. But I know we can do even more, and I want to do more.

Since coming into post, I have been determined to deliver a compassionate welfare system that supports the most vulnerable. In January, I announced that we will no longer be extending the two-child policy to apply to children born before 6 April 2017 and that we would trail support for up-front childcare costs with the flexible support fund, allowing parents to start work before paying for childcare through universal credit. We have also committed to building an online system to enable private landlords to request that a tenant on universal credit's rent is paid directly to them, supporting the most vulnerable to manage their money. We are also looking at how to ensure that the main carer in a household—usually a woman—receives the UC payment.

This month, I further pledged to scrap personal independence payment reassessments for 287,000 disabled pensioners, to introduce a personalised and streamlined assessment service to improve the experience for people claiming health-related benefits, to pilot a single assessment for UC and PIP, and to consider how we can best reduce the number of claimants who appeal decisions on PIP and work capability assessments by ensuring that we do more to make the right decision the first time around. In addition, the Chancellor has already announced our aspiration to end low pay, starting with a new review into the future of the national living wage.

I will continue to work with colleagues across the House to further improve our support for those on the lowest incomes, because I know that no one in Britain should have their future determined by the circumstances into which they are born. Every single boy and girl born in this country should be able to reach their maximum potential, escape any societal constraints, dream big and reach the highest heights. Every single man and woman should be able to go into the workplace knowing that a better future awaits them and their family—that endless possibilities and ambitions are within their grasp. Every town and city in this country needs to know that this Government are on their side, that we match their aspirations, and that by working together we will make every community a better one to live in. These are ideals that are at the heart of this Government—at the heart of the work that I do every day—and we will not stop until we have completed this mission.

I am determined to tackle poverty, in particular child poverty, and as I look at the next steps on welfare policy and at the DWP budget, including at the spending

review, I will of course look at what more can be done to address poverty. This is what it means to be a compassionate Government: one that supports work, lets dreams become reality and helps those in need. We will work tirelessly to deliver that. I commend this statement to the House.

11.26 am

Margaret Greenwood (Wirral West) (Lab): I thank the Secretary of State for advance sight of her statement.

The figures published today are truly shocking. They highlight the devastating impact of austerity on families throughout the country. It is a national scandal that 14 million people, including 4.1 million children, are living in poverty in one of the richest countries in the world; yet the statement was marked by complacency and denial. As universal credit has been rolled out throughout the country, we have witnessed a sharp increase in food bank use. We are one of the richest countries in the world, and that increase is a source of national shame. We see families unable to feed their children. As a former schoolteacher, I know what it is like when children are hungry in school: they cannot learn, they are unhappy and worried, and they do not want their parents to know how worried they are. It is a scandal that has to be addressed.

In the face of such human misery, we hear the Secretary of State attempt to justify austerity and the Government's clear political decision to balance the books on the back of the poor and disabled. It is a disgrace. The Joseph Rowntree Foundation estimates that continuing the benefits freeze for a fourth year will mean families will be on average £560 worse off. On 10 January, the Secretary of State said that the freeze was

"the right policy at the time."

If it is not the right policy now, why is it being continued until April 2020? And why was there nothing in the statement to address that?

In the past, the Government have responded to our criticism of the rises in relative child poverty by saying that it is absolute poverty that matters. Well, we all know that we have to look at all measures of poverty, so what is the Secretary of State's response to the figures released by her Department today, which show that in 2017-18 the number of children living in absolute poverty before housing costs increased by 300,000, and after housing costs by 200,000? It is truly shocking that the number of people in absolute poverty before housing costs increased by 600,000 in that same year.

Evidence of the crisis in poverty in our country is clear, yet last year the Secretary of State criticised what she said was the political nature of the report by the UN special rapporteur on extreme poverty and human rights, when he delivered it last November. That was a shocking statement—as if somehow poverty has nothing to do with politics. After her own Department's figures have shown a 600,000 increase in the number of people in absolute poverty in 2017-18, will she now accept that he was simply telling the truth about poverty in this country?

The number of pensioners living in poverty rose by 100,000 in 2017-18, which means it has increased by 400,000 since 2010, under the Conservatives. Will the Government therefore reconsider their plans to force mixed-aged couples to claim universal credit rather

than pension credit when one partner has reached state pension age but the other has not? Or are they determined to go ahead and break the Conservative party manifesto promise on that?

The Secretary of State claims that health and wellbeing are being improved. I ask her to think about those on zero-hours contracts. There are individuals with three zero-hours contracts who cannot secure a pension because the different contracts do not meet the threshold. She talks of universal credit as a force for good. That is laughable to those who have studied universal credit and those who are experiencing the misery of it. We have seen delays, five-week waits and an inability to deal with fluctuating incomes, meaning that people on the same income are getting very different levels of benefit from the social security system. When will the Government wake up to the poverty crisis besetting our country and deliver to people the security they need?

Amber Rudd: It is because we care so much about the changes in poverty that I have come here to make a statement about today's statistics and to answer questions.

It is because of the Government's commitment to the triple lock that pensioner poverty is at a near-record low. I gently point out to the hon. Lady that the only reason we are able to fund the triple lock is that this Conservative Government are running a strong economy. A focus on how we deliver benefits, whether to pensioners or working-age people, is absolutely key to being able to deliver those important contributions.

The hon. Lady mentioned the Joseph Rowntree Foundation, but its analysis shows that universal credit will reduce the number of people in working poverty by 300,000. That she continues to attack universal credit shows a fundamental misunderstanding of the changes it brings to people's lives. I urge her to engage with her jobcentre and speak more to the work coaches and clients. If she does, she will find, as I have, how positive the response to universal credit is. Many people I know are still concerned about it, but in my experience, and that of many other MPs from across the House, once people have engaged with universal credit—once they are on it—they realise it is a much more positive source of income than the previous benefits.

There are many different sources of poverty. One area we have particularly made sure we put more money into is the lowest-income children in schools, because that is a way to bridge the gap between people born into different households. Under this Government, the education attainment gap between disadvantaged pupils and all other pupils at key stage 4 has narrowed by 9.5% since 2011. The pupil premium, which most colleagues will be aware of, is incredibly important for focusing additional funds on pupils on the lowest incomes. This combination of initiatives, funded by this Government, will help to reduce the poverty gap.

Sir Desmond Swayne (New Forest West) (Con): To what extent does the growth of tax credits actually reduce wages?

Amber Rudd: I would invite my right hon. Friend to come to my Department and find out a bit more about how universal credit works and how the taper rate has changed the benefits system—how people who start a job and earn more receive less from their benefits but

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only on a very gentle trajectory. The taper ensures there is not the sort of trade-off he is hinting at from the previous system of tax credits.

Neil Gray (Airdrie and Shotts) (SNP): I thank the Secretary of State for advance sight of her statement. There has long been a debate in this place about whether we should measure absolute or relative poverty—in that regard, I wish she would look at the work of the Social Metrics Commission—but, regardless of the measure, the Government are presiding over a trend of rising impoverishment. The relative child poverty rate, before housing costs, is up 400,000, and the absolute rate is up 300,000 in a year. This takes the rate before housing costs to its highest level in almost 20 years. After housing costs, we see a stagnation in relative terms and a 200,000 rise in absolute terms, while severe poverty and material deprivation are both up 4% to 5% for all children.

The Secretary of State must know the impact that policy, particularly social security policy, has on poverty levels—she spoke about the power of her Department in this regard. When there is investment, poverty levels drop, and when there are cuts to individuals, levels rise. That is why ending the benefit freeze this year would have been the best place to begin to stop—and, in some cases, to reverse—the rising poverty trend. She could also have lifted the two-child cap, which is a cut directed at children that is impoverishing them. Why has she not done the right thing in these areas?

The Secretary of State has taken some welcome steps, and she has moved further than any of her five predecessors I have dealt with, but I know that she understands that she must go further. These figures should put a rocket under the discussions that she is having with the Chancellor ahead of the spending review. Work should be a route out of poverty, but it currently is not. What does the Secretary of State see as her key anti-poverty policy, and what is her anti-poverty target for the next year, given that whatever type of Brexit occurs will harm family budgets and affect living standards?

Amber Rudd: I thank the hon. Gentleman for his partially constructive comments. We are looking at the Social Metrics Commission's assessment of poverty. It is an interesting approach, because it puts the measure of poverty back towards what people spend their money on, as well as what they actually get in. It is a fair point for the hon. Gentleman to raise with me, and I will come back to him when we have some further conclusions.

The hon. Gentleman highlighted difficulties for families with moving into full-time work. We have made a commitment to make the process more straightforward by providing more free childcare. We have ensured that more money per year is invested in childcare; that has gone up from £4 billion to £6 billion, providing 30 hours of free childcare for people with three and four-year-olds. That is an important change to ensure that people can go into full-time work. The hon. Gentleman also highlighted the difficulty for people on low incomes in part-time work, and we recognise that. We are trying to make it easier for people to go into full-time work, because there are much lower instances of poverty when two parents are in full-time work, and that must be people's goal.

Alex Burghart (Brentwood and Ongar) (Con): Does the Secretary of State agree that growing up in a workless household is one of the most damaging factors for a child's life chances? Consequently, will she commit to investing more in universal support to help people with difficulties to overcome them and move into long-term employment?

Amber Rudd: My hon. Friend is absolutely right. Households with nobody in work are much more likely to be in poverty, and they are a bad role model for everybody else. It is important to ensure that we engage successfully with households so that everybody has the opportunity of getting a job. There are now 665,000 fewer children in workless households since 2010.

Frank Field (Birkenhead) (Ind): Is not the most horrifying omission from the Secretary of State's statement that we live in a country where people are cold, hungry and pushed into destitution? When does she expect to be able to come to the House and report on the numbers of people in destitution? As claimants have contributed so much to the revival of public finances by having cuts to their living standards, will the Secretary of State allow herself to be judged by how much she gets when the Chancellor starts allocating funds, and ensure that those moneys first go to the poor, who contributed most?

Amber Rudd: The right hon. Gentleman is more aware than many people that the Chancellor has put a lot more money into the welfare system. When it is fully rolled out, the system will be £2 billion more generous than it was previously. The right hon. Gentleman knows more than anybody else that, important though welfare contributions are and as committed as I am to ensuring that universal credit works for everyone, the causes of poverty are not allayed by benefits alone. That is why we have made such a commitment to invest in the poorest children through the pupil premium and to invest an additional £33 billion a year into the health service by 2023. All these additional investments will help people on the lowest incomes to have a better quality of life.

Rachel Maclean (Redditch) (Con): Does the Secretary of State agree that it is right that we look at the pressures on people's incomes in the round? That means that we should look at the cost of childcare, which the Government are addressing, and at taking people out of tax, which the Government are addressing. We should also look at putting up wages for the poorest people on the lowest wages, so will my right hon. Friend confirm that the national living wage is rising, which will benefit a lot of people on low incomes?

Amber Rudd: My hon. Friend is right. Next week the national minimum wage will go up to £8.21, which is the highest it has ever been. Furthermore, the level at which people start to pay tax is rising to £12,500. It was not very long ago that people on very low incomes—as low as £6,500—could be paying tax, and that has changed under this and the previous Government.

Kate Green (Stretford and Urmston) (Lab): It is welcome to see the Secretary of State gradually repairing the damage that has been done by her predecessors as a result of caps, cuts and freezes, but she will accept, I am

sure, that she has a long way to go to match Labour's excellent record of taking 1 million children out of relative poverty. Will she pay particular attention to the high risk of poverty among larger families? I welcome the first step she has taken in relation to the two-child policy, but she will know that larger families face a particular risk of poverty, so will she look at removing the two-child limit altogether?

Amber Rudd: Since entering government in 2010, we have removed 400,000 people from absolute poverty. I have acknowledged—this is why I am here today—that today's statistics are disappointing. I am highlighting that there is more to be done both in terms of other services around benefits and in terms of my engagement with the Chancellor. The hon. Lady raises the important point that it is often people with the largest families who have difficulties, and I will be looking at that area ahead of the spending review. However, we will not be changing the two-child policy, which is still an important part of having fairness in the benefits system for the people who pay the tax as well.

Kevin Foster (Torbay) (Con): One of the regular challenges that those in poverty face is in finding suitable accommodation, as the Secretary of State referred to in her statement. What work is she doing in talking to the Ministry of Housing, Communities and Local Government to ensure that we deliver the quality homes that people need, at an affordable price, across the country?

Amber Rudd: That is such a good point from my hon. Friend. He is right that we need to constantly address poor-quality accommodation, as well as making sure that that accommodation is affordable. I am engaged in conversations with my right hon. Friend the Secretary of State for Housing, Communities and Local Government to ensure that we address this together.

Mrs Emma Lewell-Buck (South Shields) (Lab): Recognising the direct link between this Government's punitive welfare reform agenda and rising levels of absolute, grinding poverty, over seven months ago leaked documents showed that the Department began a study of factors driving the use of food banks. It is due to be concluded in October—what are the interim findings?

Amber Rudd: The hon. Lady is right—we are looking at the factors to do with food banks. I want to take a very open approach to finding out what is going on and what the drivers are, because sometimes there are quite a lot of conclusions. I want to make sure that there is an opportunity to do some myth-busting and find out what we can do to allay this.

Mr Philip Hollobone (Kettering) (Con): I have been listening carefully—have I got this correct? Since 2010, 400,000 people have been taken out of absolute poverty, 665,000 fewer children are in workless households, 1.7 million people are no longer paying income tax because of the increase in the personal allowance, and the national minimum wage is now at record levels.

Amber Rudd: I thank my hon. Friend for so succinctly summing up the good news for us. I would add that income inequality has also fallen.

Bridget Phillipson (Houghton and Sunderland South) (Lab): No child in modern Britain should grow up in poverty, and frankly it should be a source of shame for Ministers that today we are seeing child poverty rising, even by their own preferred measures. We are constantly told that work should be the best route out of poverty, yet for too many children that is simply not the case. Even today we have seen the percentage of children in poverty with working parents rising again. Will the Secretary of State not acknowledge this and change course?

Amber Rudd: It is because I have acknowledged that these figures are disappointing and because I want to address this that I have come here to set out what we are doing, what we have already done, and what are going to be the important changes to make to the welfare system to ensure that we do address it. I am committed to making sure that we reduce poverty, and I will be putting in place the levers whereby we can do so. However, these figures are now nearly two years out of date. I have made sure that we are starting immediately to invest the money that the Chancellor put aside for us—£1.7 billion a year—to reduce the taper rate, increase the work allowance, and make sure that we address some of these issues.

Stephen Timms (East Ham) (Lab): I welcome the Secretary of State's new commitment to tackling child poverty, which these figures show is getting significantly worse. Will she look at the option of universal credit claimants forgoing their final benefit payment after they have got into a job, in exchange for an up-front payment to fill the five-week gap before entitlement to benefit, which is forcing so many families to use food banks at the moment?

Amber Rudd: The right hon. Gentleman has raised that with me before. I am always looking at ways to improve the way we deliver universal credit. I have said that I will look at that, and I will continue to engage with everybody across the House to find ways of improving the delivery of universal credit. I feel that the advances that are available to people on day one when they apply for universal credit are the way to ensure that people have access to money as soon as they need it. That is working well, with over 60% of claimants now taking advantage of it.

Chris Stephens (Glasgow South West) (SNP): But the problem with that answer is that, as the Chair of the Work and Pensions Committee said when he visited the Glasgow South West food bank a couple of weeks ago, people are not taking the advance payment because it is a loan, and they do not want to be in more debt. How much does it cost to administer advance payments, and would it not be better if they were the first payment for all claimants?

Amber Rudd: The hon. Gentleman can call it a loan; I can call it an advance. The fact is that it is a way of getting money that will be paid to the claimant to them in advance of the date they would receive it. I do not see it as a loan in the same way. I am looking at ways to ensure that work coaches in jobcentres can position it in the right way, so that claimants do not face it with fear, as he described. I want people to have confidence. This

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is the money that they will be receiving. If they want to effectively receive 13 payments over 12 months, that is a choice they can make.

Yvonne Fovargue (Makerfield) (Lab): In the light of these figures, it is no surprise that StepChange reports that over 20% of its clients have no disposable income to pay off their debts, and they are borrowing for essentials such as food and heating. What is being done to assist the increasing number of people in that situation?

Amber Rudd: I know that the hon. Lady is quite an expert in this area. My colleague the Pensions Minister met StepChange this week. We are committed to ensuring that sufficient advice is available to people who need it, to help them budget. A lot of people come on to universal credit with quite significant debts. One of the issues we have addressed is reducing the debts that people have to repay out of their universal credit from 40% to 30%. We have also set up the Single Financial Guidance Body. We are very aware that people often arrive with debts, and we want to help them manage those debts, so that they have sufficient income to manage on the universal credit they receive.

Mr Gregory Campbell (East Londonderry) (DUP): Successive Chancellors have been lobbied by me and my colleagues to raise the personal allowance, which the Secretary of State alluded to, and that is welcome and good news. The problem now is that it is totally irrelevant to those in part-time employment and on very low pay, because they earn less than the personal allowance. What is she doing to raise the skills level and ensure that small and medium-sized enterprises offer training, to grow the skills base, so that people are not welfare-dependent at all?

Amber Rudd: That is a very good question. As the hon. Gentleman said, we have raised the personal allowance, which has been very successful, but I would like us to do more to help people move on in work from a small number of hours or to a higher skills level. I will be looking at that over the next few months. Some provision is available, and some jobcentres do a fantastic job of engaging, to help people into better jobs or more hours, but I would like to look at that, to see what else we can do.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): The Government always say that being in work is better, but in-work poverty and food bank use are rising. The Secretary of State says that she will look at the minimum wage. Will she make it £10 an hour?

Amber Rudd: I want more people to be able to have the security of full-time jobs and better-paid jobs. That is why I said earlier that we would be working on what else we can do about in-work progression to ensure that people do not stay on low wages but can progress and that we can get the advantage of a growing economy. This Government are committed to making sure that we have better jobs and more jobs, and we are proud of the employment record we have created.

Alison Thewliss (Glasgow Central) (SNP): The Secretary of State has the audacity to claim that “no one in Britain should have their future determined by the circumstances into which they are born”.

That is simply not the case, because a third child born on 5 April 2017 will be entitled to benefits, but a baby on 6 April 2017 will not. Religious faith families and ethnic minorities are disproportionately affected by the two-child limit. She has set up an unacceptable, unjustifiable two-tier system for families in this country, and women will still have to prove if they have had their third child as the result of rape. Why does she think that is acceptable?

Amber Rudd: The hon. Lady has raised this with me many times, and I repeat to her that I do think the system is right. She also has to think about the people on low wages, who pay taxes, who will say to us—as an MP, I have had people say this to me, and I expect people have said it to others as well—that they have to plan for their third child or fourth child, and have to work out whether they have the funds to do so. I think it is right that people who are on benefits have to make the same assessment for their families.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): In 1998, child poverty was at 3 million. By 2010, that was reduced to 1.6 million, but now it is 3.7 million. That was an historic achievement under Labour; now this Government have not only reversed it, but made it even worse. The Secretary of State calls it “disappointing”, but I call it a disastrous—an absolutely disastrous—failure by this Government. The reality is that that reduction was not achieved by accident; it was done by massive, sustained, above-inflation increases in social security support. The Government have broken that link with their welfare cap policy and their arbitrary restrictions on welfare spending. Will the Secretary of State accept that that is the simple reality of the situation? Until they reverse that idea and return to a welfare system based on automatic stabilisers and an inherent right to support per person, that will not be changed at all.

Amber Rudd: I am sorry, but I am going to disappoint the hon. Gentleman. I think we have the right welfare system. It protects the most vulnerable, provides the safety net we need and helps people into work. Under the Labour system, people were abandoned on out-of-work benefits and were not helped. Under this Government, we ensure that they engage with jobcentres and work coaches to make sure that they have the opportunity of a job.

Ellie Reeves (Lewisham West and Penge) (Lab): Sums of £23 a week, £25 a week and £20 a week are all amounts that the Government have told my Lewisham West and Penge constituents on universal credit they should be able to live on after rent and basic utilities. With over 72,000 emergency food supplies given to Londoners over a six-month period, will the Secretary of State take responsibility for the shambles of universal credit and stop the roll-out?

Amber Rudd: I remind the hon. Lady that, under Labour, unemployment rose every time. Under this Government, we are ensuring that there are jobs available, with more people in work than ever before. I would hope that the work coaches at her jobcentre are able to help people into work, because there are jobs available, and that, ultimately, is what will help her constituents and her families have a better quality of life.

Alison McGovern (Wirral South) (Lab): The Secretary of State and I were in this House when the Conservatives repealed the Child Poverty Act 2010 and when George Osborne announced £12 billion of welfare cuts, which have not been restored, so she can be “disappointed”, but she cannot be surprised that child poverty is up by 200,000, with 65% of children in single-parent families in poverty. Is it not time that she came to the Dispatch Box and confirmed that no child in a single-parent family will be worse off under her system?

Amber Rudd: We have still lifted 400,000 people out of absolute poverty since 2010, but I acknowledge that there is more to do. Over the past two Budgets, the Chancellor has put in substantial additional sums: £1.7 billion a year is now coming in for the next three years. I hope that these changes will make a significant difference to improving the delivery of our welfare directly to people in the hon. Lady’s constituency.

Diana Johnson (Kingston upon Hull North) (Lab): Previous Labour Governments had a commitment to eradicate child poverty by 2020. Will the Secretary of State say by what date her Government plan to eradicate child poverty in this country?

Amber Rudd: I am committed to making sure that we reduce poverty and focus particularly on child poverty. We must also remember that the issue is not entirely about welfare benefits; it is also about having a strong economy, in which wages grow and better quality jobs are available for everybody. I reassure the hon. Lady that I am focused on making sure that we reduce poverty.

David Hanson (Delyn) (Lab): It is disappointing that any child should be born in poverty, but the situation is not evenly spread. There is 42% child poverty in the Flint Castle and Holywell Central wards in my constituency; three other wards are in the high 30s. What strategies does the Secretary of State have particularly to tackle areas with high levels of deprivation and child poverty?

Amber Rudd: I would hope that personalised attainment support from work coaches will help provide what the right hon. Gentleman is looking for. Furthermore, the pupil premium in schools should help to focus on children from the most deprived areas, so that they get the extra funds at school to give them the additional support that they need.

Marion Fellows (Motherwell and Wishaw) (SNP): Does the Secretary of State realise that the majority of households affected by the two-child benefit limit are in work? She is pushing them into poverty. Why?

Amber Rudd: The best way for poverty to be solved for families is for parents to be able to access full-time work. I know that the hon. Lady is referring to the fact that some of the people have access to work, but it is more important that they are also able to get into full-time work, which will help them reduce the poverty in their families.

Ms Karen Buck (Westminster North) (Lab): The Secretary of State may talk of her compassion, but the facts are brutal, with rising poverty levels and the

experience of children who live in poverty. Does she find it awkward that last week a report commissioned by the Government on the causes of homelessness found that among the key drivers were “reduced welfare and benefits” and “rising levels of poverty”? If she does find that awkward, what is she going to do about it?

Amber Rudd: As the hon. Lady will be aware, we have now seen a plateauing in the number of homeless people. We have a successful homelessness reduction strategy. I acknowledge that the number had gone up, but we are now seeing it come down, which shows that the homelessness strategy is working. We are committed to making sure that we continue it so that there are fewer homeless people across the country.

Deidre Brock (Edinburgh North and Leith) (SNP): The Secretary of State has to get real about the impact of her Government’s policies on real people’s lives. Since April 2016, the price of butter has gone up by 23%; of sugar by 17%; and of bread by 11%. Benefits, however, have been frozen at 2015-16 prices. Why will she not take action to lift this punitive benefit freeze for its final year?

Amber Rudd: The hon. Lady has focused on an important driver of these statistics: the surprising rise of inflation. In the year in question, inflation was 2.8% when it was not expected to be. That was one of the factors contributing to the rise in the number of people in poverty in that year. However, I believe that the changes that we have made since then will help to address that, so that people can have higher levels of consumer purchasing power at home.

Christine Jardine (Edinburgh West) (LD): I thank the Secretary of State for prior sight of her statement, for the sentiment in it and for her commitment to reducing child poverty.

My family was once relatively comfortable: we were three children, and my father was working. But that changed. Overnight, we became a single-parent family with three children, and the two-child cap could have driven my mother and the three of us into poverty. Will the Secretary of State look at how the cap can be modified to allow for the fact that people are not always aware of what the future holds when they have their children?

Amber Rudd: I recognise that for single parents it can be hard to manage on funds, and to manage childcare and being able to access work. That is why I am pleased that one of the things that the Government have done is to increase the amount of free childcare that is available. I hope that a single mother in that situation would be able to access more work than she would otherwise have been able to do.

Patricia Gibson (North Ayrshire and Arran) (SNP): The statistics show that pensioner poverty by all measures is up by 100,000. The Government are trying to cut thousands of pounds each from disadvantaged older people through the pension credit changes. Will the Secretary of State give the House a vote on those changes, and can she explain why the Government consistently attack and abandon older people, not least women born in the 1950s?

Amber Rudd: Because of the triple lock, we have protected pensioners' income. Over the past three decades, pensioner poverty has halved. They are most respected by the Government and we know that we must always look after pensioners.

I say to Members on both sides of the House that universal credit is helping people to get into jobs, with work coaches having a personal approach to individuals. If they have not had the opportunity to engage with their work coaches in jobcentres, I urge them to do so. We know that that work is being successful: Joseph Rowntree recently said to us that 300,000 people are likely to come out of poverty as a result of universal credit. That is good progress, and we will continue to build on that.

Business of the House

12.1 pm

The Leader of the House of Commons (Andrea Leadsom): Subject to the House approving the motion on the Order Paper in the name of my right hon. Friend the Prime Minister this evening, the business is as follows.

The business for tomorrow will be:

FRIDAY 29 MARCH—Debate on a motion relating to the UK's withdrawal from the European Union.

The business for next week will be:

MONDAY 1 APRIL—Business motion relating to the resolution of the House dated 27 March, followed by motions relating to the resolution of the House dated 27 March, followed by motion to approve a statutory instrument relating to the draft Animal Health, Plant Health, Seeds and Seed Potatoes (Amendment) (EU Exit) Regulations 2019—that old potato—followed by motion to approve a statutory instrument relating to the draft Protecting against the Effects of the Extraterritorial Application of Third Country Legislation (Amendment) (EU Exit) Regulations 2019.

TUESDAY 2 APRIL—Motion relating to the first report from the Committee of Privileges, followed by consideration of Lords amendments relating to the Mental Capacity (Amendment) Bill [*Lords*], followed by motion to approve a statutory instrument relating to the draft Geo-Blocking Regulation (Revocation) (EU Exit) Regulations 2019.

WEDNESDAY 3 APRIL—Motion to approve a statutory instrument relating to the draft Electronic Communications (Amendment etc.) (EU Exit) Regulations 2019, followed by motion to approve a statutory instrument relating to the draft Trade in Torture etc. Goods (Amendment) (EU Exit) Regulations 2019, followed by general debate on the 50th anniversary of the continuous at sea deterrent.

THURSDAY 4 APRIL—Debate on a motion relating to the introduction of the 2019 loan charge, followed by debate on a motion relating to restrictive intervention of children and young people. The subjects of these debates were determined by the Backbench Business Committee.

FRIDAY 5 APRIL—The House will not be sitting.

Colleagues will note at this moment in time we are not bringing forward the motion for the Easter recess. I know that Members have many responsibilities to carry out in their constituencies and in other matters, but the House rightly needs time to address our exit from the European Union. Our constituents will expect Parliament to work flat out to do so. I will seek to provide further clarity on the recess dates as soon as possible. I wish to express all of our thanks to the civil servants, House staff and the staff of Members who are continuing to ensure that we are well supported at this important time.

I want to provide the House with further clarity on tomorrow's sitting day. Should the House agree the motion in the name of my right hon. Friend the Prime Minister later today, it is intended that the hours will be the same as for a normal sitting Friday, with the House sitting at 9.30 am, and the moment of interruption at 2.30 pm.

If agreed by the House, tomorrow there will be a motion relating to the UK's exit from the EU. The motion tabled will comply with the Speaker's ruling, but

the only way we ensure we leave in good time on 22 May is by approving the withdrawal agreement by 11 pm on 29 March, which is tomorrow.

The European Council has agreed to an extension until 22 May, provided that the withdrawal agreement is approved by the House of Commons this week. It is crucial that we make every effort to give effect to that and to allow the House to debate this important issue. We do not want to be in the situation of asking for another extension and, of course, for the requirement to undertake European Parliament elections.

Valerie Vaz (Walsall South) (Lab): I thank the Leader of the House for the statement, which we received only about two minutes before I came to the Chamber. I am not sure how much discussion there was with the usual channels; certainly, the business managers have not seen the content of the motion. I would like further clarity on behalf of the whole House on whether this is in fact meaningful vote 3. I understand what the Leader of the House said about complying with the Speaker's ruling—I do not know whether you, Mr Speaker, have had any discussions about the motion or whether this is in fact meaningful vote 3. I understand that the Government have to comply with what the EU has said, but we need more clarity on what exactly this motion is about and whether it is the meaningful vote, the agreement or the full package.

Again, I do not think this is the way to conduct business in the House on such an important matter. The Leader of the House has given the times, but only just, and there are people who have to make adjustments—I am talking not about Members but about the staff of this House, such as the doorkeepers, and all the civil servants.

I want to say thank you. There was a new process yesterday, and staff—the Clerks and all the staff of the House—rose to the occasion. It went very smoothly; we voted in the correct Lobbies, and we voted on the green sheets, which made a nice change from the pink sheets. I thank staff for working late to get the result to us on time, and we waited patiently for that. Yesterday was interesting: it was not just about process—to me, it was a confluence of process and principle. We know that the House can do that, and we know that it can be a modernising place.

Yesterday, the Leader of the House will have heard Opposition calls for an Opposition day. When will the next Opposition day be? This is a two-year Session.

I am not sure whether the Leader of the House was in the House yesterday when my hon. Friend the Member for Battersea (Marsha De Cordova) made a point of order about the Minister for Disabled People. I do not think one has been appointed. The Under-Secretary of State for Work and Pensions, the hon. Member for North Swindon (Justin Tomlinson), stepped up today for the urgent question, but I do not think he is the Minister for Disabled People. There are 13.9 million disabled people who need a Minister who will champion their needs. I do not know whether the Leader of the House is aware that we have had seven since 2010.

There are also a number of other vacancies. The right hon. Member for North East Bedfordshire (Alistair Burt) and the hon. Members for Winchester (Steve Brine) and for Watford (Richard Harrington) have all

resigned their positions. Those were key roles, dealing with the middle east and north Africa, public health and primary care, and business and industry. A number of Parliamentary Private Secretaries have also resigned. It is about time that we had an updated list of ministerial responsibilities. I wonder whether the Leader of the House could provide one.

The Leader of the House will be aware of the survey carried out by Sir John Curtice for the independent agency NatCen Social Research. He was one of the few people who correctly called the result of the election. He found that 85% of those who voted remain and 80% of those who voted leave in 2016 think the Government have handled Brexit badly. Among our voters, just 7% believe that the Government have handled Brexit well. The Government keep saying to us, “This is the mandate from the people,” but all hon. Members know that the Government have had no problem U-turning on their manifesto commitments. I will give two examples: the means test on winter fuel payments and, just four days after the manifesto was published, the U-turn on the so-called dementia tax.

Yesterday, during Prime Minister's question time the Prime Minister said:

“We have a deal that cancels our EU membership fee”.—[*Official Report*, 27 March 2019; Vol. 657, c. 311.]

That is not strictly correct, because the withdrawal agreement is littered with references to how we will have to pay into the EU to secure benefits. For example, page 51 of the March 2019 agreement mentions communications infrastructure.

Earlier this month the European Parliament voted to guarantee funding for UK students who are already on the Erasmus+ programme, and in the event of a no-deal Brexit it promised to continue supporting European students who are on that scheme in the UK. There are 17,000 students in the UK who planned to study in Europe under Erasmus+, and they still face uncertainty about whether they can do that in September. Where is the Government's commitment to our future, and to those students who want to work in the EU? May we have a statement from the Secretary of State about whether funding for those students will be guaranteed?

I have heard nothing in any statement about revelations in *The Guardian* that the Government have spent £12 million on a penthouse for the trade envoy. May we have a statement on whether that public money has been properly spent? Will we spend that sort of money in all countries where we have a trade envoy? When will the Government respond to the report by the Joint Committee on Human Rights, chaired by my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman), which concluded that more than 3 million Europeans living in Britain could be left in legal limbo after Brexit? The Committee proposed amendments to the Immigration and Social Security Co-ordination (EU Withdrawal) Bill. May we have a statement from the Government about whether those people will be protected, and a timetable for the progress of key legislation that needs to pass through Parliament before exit day?

Monday 25 March was International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade, and it is vital that we remember that history and treat everyone equally. My hon. Friend the Member for Manchester, Gorton (Afzal Khan) said yesterday during Prime Minister's questions that

[Valerie Vaz]

15 Conservative councillors who had been suspended for posting racist or Islamophobic content online have been let back into the Conservative party. Some of those members referred to people as “cavemen” and to Saudis as “sand peasants”, and they compared Asian people to dogs. A man puts on an England shirt, scores a goal, and is racially abused: we stand with Raheem Sterling.

Andrea Leadsom: I completely agree that any form of racism is abhorrent and must be stamped out wherever it is seen. The hon. Lady asks about the statement I have just made, and the motion for tomorrow. As I have said, we recognise that any motion brought forward tomorrow must comply with the Speaker’s ruling, and that discussion is ongoing. A motion will be tabled as soon as possible—obviously by later today—to allow the House to consider the motion in the name of the Prime Minister.

The hon. Lady asks about Opposition days, and I take this opportunity to thank all Members across the House, and to mention the tremendous work by civil servants that has gone into the secondary legislation programme. We are tabling a number of statutory instruments related to Brexit to ensure that we have completed our secondary legislation programme. All statutory instruments needed for exit day have now been dealt with appropriately, and Members have spent more than 120 hours debating more than 230 EU exit SIs in this Session. The sifting committee has considered more than 220 proposed negative SIs, and recommended more than 60 of those for upgrade to the affirmative procedure. I am very grateful for that huge amount of work.

The hon. Lady asked for an undated list of ministerial responsibilities, and I will seek that as soon as possible. She asked about European citizens, and I am sure she will be pleased that the Government have brought forward, through the Immigration Minister, a UK-wide campaign for the EU settlement scheme. That will include billboards and radio advertising, to ensure that everyone who is eligible knows how to apply and get the status they need. It is this Government’s priority to ensure that EU citizens who have built their lives here and contributed so much to our society know that they are welcome in the United Kingdom.

The hon. Lady asked about the new residence in New York, and I assure her that we secured the best possible deal and value for money on a property that will help to promote the United Kingdom in the commercial capital of our largest export market, and a trading partner for years to come. She will appreciate that diplomatic and trade-related activities around the world generate billions of pounds in the United Kingdom. We are also in the process of selling the consul general’s current residence, which will reduce the cost of creating that new centre of expertise. Finally, I congratulate the hon. Lady on her comments about racism. She rightly always stands up for those who have been racially abused, and I will always support her efforts to stamp out racism wherever we see it.

Sir David Amess (Southend West) (Con): Will my right hon. Friend find time for a debate on what further help the Government can give to small businesses? The

lifeblood of our local parades is often the convenience store and the post office, yet under permitted development, freeholders can change a property from a commercial to a residential premises, which gives very little security to leasehold convenience stores.

Andrea Leadsom: My hon. Friend raises an important point. Our high streets and small businesses are so important to the communities that rely on them, and we must recognise the challenges they face and support them to survive and thrive. The planning system has a vital role to play in that, and the spring statement announced further changes to permitted development rights. We are extending the period of temporary use from two to three years, to give start-ups more time to establish their businesses.

Pete Wishart (Perth and North Perthshire) (SNP): I thank the Leader of the House for whatever that was supposed to be. I have the real business for next week here—a blank sheet of paper. The Government do not have a clue what is going on any more; they are totally at the mercy of events, parliamentary arithmetic, and all sorts of party shenanigans. Only this morning have they confirmed that we are sitting tomorrow, and—at last—that the Easter recess will be cancelled, although we do not know about the second week. They cannot even say who will be at the Dispatch Box next Wednesday as Prime Minister. This is beyond a shambles—perhaps the right hon. Member for West Dorset (Sir Oliver Letwin) should be at the Dispatch Box announcing the business. He could not make a worse mess of it than this, and it is almost as if he is the Leader of the House anyway just now.

The only thing that everybody wants to hear from the Leader of the House is whether the Government are bringing back the meaningful vote tomorrow, because what is on the Order Paper clearly is not that. The right hon. Lady has until 5 o’clock today to table a proper motion. Will she do that, and will we have the meaningful vote tomorrow—yes or no?

The Prime Minister’s “back me then sack me” strategy has spectacularly failed—she cannot even get her departure right, even when everybody wants her gone. The race to replace her has begun. I understand that 22 right hon. and hon. Members will feature in that leadership race, but the Leader of the House is not among the favourites this time. Perhaps if she promises to resign immediately after she gets elected, her chances will be significantly boosted.

Our constituents are watching this with increasing horror. They are confused, frustrated, bewildered, and increasingly angry. This is what these Conservatives have done to us. They have divided a nation and paralysed a Parliament. Thank goodness that the people of Scotland have a get out card and a way out of this madness. As it becomes apparent that a UK solution for Scotland to remain in the European Union is disappearing, more and more people are recognising that only a Scottish solution will rescue our EU membership.

Andrea Leadsom: Before I respond to the hon. Gentleman’s remarks, I must put something important on the record: I understand that I am over two weeks late in wishing him a very happy birthday—[Laughter.] Wait for the punchline. I can more than make that up to

him, however, because today is a bumper edition of Cake Thursdays in the office of the Leader of the House, as we have four birthdays over the next few days. I hope that he will swing by after business questions for a slice of Colin the Caterpillar—other cakes are available.

In response to the hon. Gentleman's very serious and important points, I would like to put on the record that, in spite of his slightly less than generous remarks, the Prime Minister of this country has done enormous service. She has absolutely shown her determination at all times to put her country first and to make sure that we leave the European Union in line with the referendum. I think all Government Members support her in doing that.

Sir Edward Leigh (Gainsborough) (Con): Will the Leader of the House confirm that if the withdrawal agreement is not voted for tomorrow, on Monday my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) will take control? There is nothing to stop him, under our procedures, now whittling down the options to one option. Almost certainly, given the results last night, that will be permanent membership of a customs union. There is nothing to stop him putting that in a Bill. There is nothing to stop him making that an Act of Parliament. The choice will then be between—I say this to my colleagues—permanent membership of a customs union or a general election. And that, as they say, will be that.

Andrea Leadsom: My right hon. Friend sets out very clearly that on Monday my right hon. Friend the Member for West Dorset will in fact be carrying out my role, if not that of the Prime Minister, in determining the order of business for the day and in seeking an agreement from the House on a way forward. I certainly feel that this House needs to agree to fulfil on the 2016 referendum. The Prime Minister's deal offers the means by which to deliver on that referendum, but at the same time, for those who do not want to leave the European Union, the closest economic and security partnership. It is a compromise and I do urge colleagues right across the House to back it.

Ian Mearns (Gateshead) (Lab): I thank the Leader of the House for the business statement and for announcing the two Backbench Business debates for next Thursday. We still have a hefty queue of 17 unaired debates, so any additional time is always welcome. Can she promise us that we are not sitting next Friday? I am already rearranging my diary for tomorrow and am hoping to use next Friday for that purpose. When she said the House would not be sitting on Friday 5 April, did she really mean it?

Andrea Leadsom: The hon. Gentleman is a very knowledgeable and experienced Member of Parliament. He will know that the business statement always sets out what is known at the time. But, of course, this is Parliament and things change, so I cannot promise or absolutely guarantee. Nevertheless, what I can tell him is that, all things being equal, the House will not be sitting next Friday.

Maggie Throup (Erewash) (Con): As we prepare to commemorate the 80th anniversary of the outbreak of the second world war, will my right hon. Friend consider

how Parliament can best play its part in recognising the many servicemen and servicewomen who so bravely defended our country in its darkest hour?

Andrea Leadsom: My hon. Friend is absolutely right to pay tribute to all those who suffered so much for our freedoms. We should always value their sacrifice for us. I will certainly take away and consider how the House can mark the outbreak of the second world war, as she suggests.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I am sure the Leader of the House is aware that there has been a fantastic campaign over many years to save Huddersfield Royal Infirmary from being closed as a fully functioning hospital and downgraded to a much smaller local hospital on a different site. There was news this week from the Secretary of State for Health about saving Charing Cross Hospital, which has exactly the kind of challenges that we have in Huddersfield. There is obviously a change in mind, purpose and objectivity in terms of this new Secretary of State, so may we have a debate on the future of local hospitals?

Andrea Leadsom: I am delighted that the hon. Gentleman raises his success in his local campaign for Huddersfield Royal Infirmary. He has made a really important point. We all have local hospitals that we are very keen to support. I encourage him to seek a Westminster Hall debate, because I am sure many hon. Members will have their own local hospital issues, as indeed I do, along with my excellent Parliamentary Private Secretary, my hon. Friend the Member for Banbury (Victoria Prentis), with regards to Horton General Hospital.

Dr Julian Lewis (New Forest East) (Con): May we have an urgent statement from the Universities Minister about the disgraceful situation at Bristol University, where the free speech society has been told it cannot have a speaker—the person who drew up the extreme speakers' league table in which Bristol University came 10th—unless it has an independent chairperson and another speaker to balance up the views of the person who lists extremism in universities in league table order. This is from a university which is said to have hosted no fewer than nine extremist speakers on its campus. It is a disgrace and we need to have an urgent statement about it.

Andrea Leadsom: My right hon. Friend raises a very important issue. I know all of us across the House support the idea of freedom of speech at all times, but nevertheless within the law. That is a very important balance to be struck. In particular, we all believe that freedom of speech in universities, to enable young people to learn about and be exposed to different views, is absolutely vital. My right hon. Friend might well like to seek an Adjournment debate so that he can discuss this matter directly with Ministers.

Thangam Debbonaire (Bristol West) (Lab): I thought the deal was a package of the withdrawal agreement and the political declaration that cannot be split. However, the Leader of the House only mentioned the withdrawal agreement in relation to tomorrow's business. Can she confirm that, to secure an extension of the article 50 process to 22 May and to comply with section 13 of the

[Thangam Debbonaire]

European Union (Withdrawal) Act 2018, this House has to approve both the withdrawal agreement and the political declaration on the future framework by the time the House rises at 2.30 pm tomorrow?

Andrea Leadsom: What I can say to the hon. Lady is that we are looking very carefully at bringing forward a motion later today that, very importantly, must comply with Mr Speaker's ruling. That will be brought forward as soon as possible.

Sir John Hayes (South Holland and The Deepings) (Con): Two hundred thousand nurses have left the NHS in less than a decade and there are 42,000 vacancies, which is 12% of the nursing workforce. Notwithstanding a small number of apprenticeships, the fact that this is widely perceived as a graduate job has robbed nursing of those who long to care and once learned to do so. Will the Leader of the House arrange for a debate, mindful of the words of John Ruskin, who said:

"The highest reward for a person's toil is...what they become by it"?

It is time for a debate on practical skills in which we can challenge the view that only academic accomplishment brings fulfilment. It is time, Mr Speaker, to elevate the practical.

Andrea Leadsom: My right hon. Friend raises the vital role of nurses. It is a good opportunity to pay tribute to the amazing work they do for so many people. What I can tell him is that there are now 16,300 more nurses on our wards than there were in 2010 and over 50,000 nurses in training. The introduction of the new nursing degree apprenticeships and nursing associate roles will help us to build the workforce we need.

Mr Ben Bradshaw (Exeter) (Lab): Let us try again, Mr Speaker. Is what the Leader of the House announced for tomorrow meaningful vote 3, or more attempted trickery and potentially illegal trickery by the Government by separating out the withdrawal agreement from the political declaration? Does she understand that that will be completely intolerable? It would not only be potentially illegal, but would ask this House to vote for a completely blind Brexit. Does she also understand that she and the Prime Minister could put this House and the country out of our misery by bringing back meaningful vote 3 and making it conditional on a public vote? Why is she so frightened of the views of the British public?

Andrea Leadsom: As the right hon. Gentleman will know, I absolutely supported the people's vote that took place in 2016. I am absolutely determined, along with the Prime Minister, to ensure that we deliver on that.

Mr Peter Bone (Wellingborough) (Con): At 5 o'clock, we are going to be asked about the sittings of the House motion for 29 March. It is very unusual for us to have such an emergency sitting on a Friday. It seems rather strange that the Government have not decided what the motion is for that day. If a motion cannot be moved because you would not allow it, Mr Speaker, is the Leader of the House guaranteeing that she is still going to move the motion at 5 o'clock for the Friday sitting? Is that definite or is it optional?

Andrea Leadsom: My hon. Friend should refer back to the business statement that I just made, which still stands.

Chris Bryant (Rhondda) (Lab): There seems to be some shenaniganing going on here. The Leader of the House is being very coy, which is not normal for her; she is normally more up front. Maybe we can tease it out of her: is the plan to bring forward just the withdrawal agreement for the motion tomorrow? If that is the case, a lot of us in this House will think that that does not meet the requirement of the withdrawal Act, which states quite categorically that the Government will not be able to ratify the withdrawal agreement unless

"the negotiated withdrawal agreement and the framework for the future relationship have been approved by a resolution of the House of Commons on a motion moved by a Minister of the Crown".

Unless she is going to say now that tomorrow's motion is properly in line with the Act and would allow ratification, frankly tomorrow is a complete and utter waste of time, and we would be better off voting against her motion later today.

Andrea Leadsom: I have tried to be as open as I possibly can on this. As the hon. Gentleman will realise, the fact is that a motion that comes forward tomorrow must enable us to meet the European Council conclusions, which say:

"Any unilateral commitment, statement or other act...should be compatible with the letter and the spirit of the Withdrawal Agreement."

It must also comply with the Speaker's ruling, and it must enable the House to move forward. Quite genuinely, of course it will meet UK law, and the reality is that it has not yet been finalised, but it will be brought forward just as soon as possible, in time for the House to discuss the business motion in the name of my right hon. Friend the Prime Minister this evening.

Jeremy Lefroy (Stafford) (Con): In North Kivu in the Democratic Republic of the Congo, there have been more than 1,000 cases of Ebola, resulting in more than 500 people dying. This is an incredibly serious situation with implications for the very large city of Goma and for Uganda, Burundi, Rwanda and further afield, as well as of course throughout the DRC. Will the Secretary of State for International Development or one of her colleagues make a statement to this House? I remember how in 2014, there were regular updates on an equally serious situation in west Africa. I believe that this has international implications and we need to hear about it.

Andrea Leadsom: My hon. Friend raises a very concerning matter and he is absolutely right to do so. The Government are working with the DRC and the World Health Organisation to tackle the latest outbreak of Ebola. UK aid has played a crucial role in supporting the response since the outbreak was first announced in August 2018. That support has provided funding and expertise to the World Health Organisation for response activities in the DRC and for regional preparedness. We are the leading donor by far for regional preparedness in neighbouring countries such as Uganda, Rwanda, Burundi and South Sudan. Preventing the spread of the disease not only saves lives, but provides the stability necessary for economic growth and security.

Ellie Reeves (Lewisham West and Penge) (Lab): I have recently been contacted by a constituent—an EU citizen—who worked here for many years before suffering ill health. She was previously entitled to housing benefit and employment and support allowance, but after these were absorbed into universal credit, she lost her entitlement because of stricter residency criteria. Many EU citizens have been plunged into poverty because of these benefit changes and no longer feel welcome, so can we please have a debate on the impact that universal credit is having on EU citizens living here?

Andrea Leadsom: The hon. Lady is raising a specific constituency issue, and I encourage her to raise that directly with the Department for Work and Pensions. I would say, again, that the Government's priority is to make sure that EU citizens who have built their lives here and who have contributed so much to our society should continue to feel that they are very welcome here. That is the top priority and it is why we have introduced the EU settlement scheme to make sure that, as we leave the European Union, what we do will be entirely fair to those who have contributed so much to our society and our communities.

Mrs Anne Main (St Albans) (Con): Yesterday, we did things differently in this House. We voted on eight options, most of which we had never given five minutes debate to, which I found rather upsetting. We had not had any legal advice on any of them and they were all, quite wisely, roundly thrown out by the House. Does the Leader of the House agree that when we look at the figures, which are quite stark, we see that meaningful vote 2 had a majority of 123 over the top prize winner yesterday and had significant majorities over everything that happened yesterday? Given that the two options that I supported yesterday dropped off the list, may I ask if it is possible, if we are going down this beauty contest route, that we ensure that something that got more support in the House is not ruled out by you, Mr Speaker, that we all have to look at what we might wish to support, and that you, Mr Speaker, will look at the ruling on the one that had the top number of 391—over the second referendum's 268—and ensure that that is now not ruled out because of some ruling by yourself?

Mr Speaker: Order. That has very little to do with the business of the House for next week. I do not say this in any spirit of discourtesy to the hon. Lady, but I am perfectly conscious of and capable of executing my responsibilities in relation to that business and all other business. The right hon. Member for West Dorset (Sir Oliver Letwin) is in the lead on the matter. Procedural propriety has been observed and he is perfectly clear with other colleagues as to the basis, sanctioned by the passage of the business of the House motion, on which we will proceed in these matters. I am sorry if the hon. Lady is not clear about the matter, but there is no basis for that ambiguity.

Andrea Leadsom: I am grateful to my hon. Friend the Member for St Albans (Mrs Main) for her comments. She, like me, would like to see resolution; we would like to see the UK leave the EU in an orderly fashion. Again, I urge all colleagues to find it in their hearts to consider finding a way forward urgently so that we can give businesses and citizens some certainty.

Ian Murray (Edinburgh South) (Lab): On 12 May, it will be the 25th anniversary since the devastating passing of the former leader of the Labour party, John Smith. I have applied to the Backbench Business Committee, chaired by my hon. Friend the Member for Gateshead (Ian Mearns), for a debate around 12 May, but given that it is a significant anniversary, I wonder whether the Leader of the House would consider providing some Government time in this place so that we can commemorate the death of John Smith properly.

Andrea Leadsom: I certainly join the hon. Gentleman in having fond memories of the late John Smith and I applaud him for raising that in this Chamber. I will of course look at this, but he will appreciate that there are often calls for Government debates to pay tribute to particular individuals and it is not always possible to offer time.

Kirstene Hair (Angus) (Con): Angus has seen over 15 bank closures in the past eight years. It is one of the worst affected areas of the country for closures and Kirriemuir in my constituency will see its last bank in the town gone in the summer. Can I ask the Leader of the House for a debate in this place around having banking hubs in each town, so that consumers have choice about access to cash, and around the role of the post office, because this is a real, urgent issue for my constituents?

Andrea Leadsom: My hon. Friend raises important issues on behalf of her constituents and she is quite right to do so. While banks are obviously commercial businesses, the impact of closures on communities must be understood and mitigated wherever possible. That is why we support the industry's access to banking standard, which commits banks to carrying out a number of steps before closing any branches. We also welcome some of the innovative solutions that banks can find to ensure that they can continue to provide banking services to communities when they do close branches. She will be aware that the Post Office has reached an agreement with the banks that allows more banking customers to access a wider range of services at the post office than ever before. I encourage her perhaps to seek an Adjournment debate so that she can discuss this more, directly with Ministers.

Nic Dakin (Scunthorpe) (Lab): I was privileged to join Councillor Glyn Williams, Mayor of Bottesford, for an event at Bottesford Town football club to celebrate the role of volunteers in the community. May we have a debate to recognise and thank all volunteers for their strong contribution to our communities?

Andrea Leadsom: The hon. Gentleman has raised an important issue. I pay tribute to all those who do so much volunteering for our communities, and in particular to the Mayor of Bottesford for his contribution. We recently had a debate on this subject in Government time, because I know that Members like to seek such an opportunity from time to time, but I will certainly look at the issue again.

Robert Courts (Witney) (Con): The people of West Oxfordshire—and, no doubt, all our other constituents—are puzzled when new homes are built without some of the features that one would expect in a modern age, such as

[Robert Courts]

full fibre to the door or environmental features such as solar panels. May we have a debate in Government time to discuss the planning system and what should be required of new homes in this day and age?

Andrea Leadsom: I am sure that many Members will agree with my hon. Friend, but I can tell him that building the homes our country needs is our top domestic policy priority. We want everyone to be able to afford a safe and decent place to call their own, and we want to help many more people on to the housing ladder. More than 222,000 new homes were built last year, the highest number that we have seen in all but one of the last 31 years, and the average cost of installing solar panels at home has fallen by about two thirds since 2010. As he may know, we have committed more than £1 billion to next-generation digital infrastructure, and we have also committed ourselves to providing full-fibre connections for most homes and businesses by 2025. However, I encourage him to seek an Adjournment debate so that he can discuss his ideas directly with Ministers.

Liz McInnes (Heywood and Middleton) (Lab): I know that, when the February recess was cancelled, many members of the House staff were very unhappy about having to cancel leave at short notice. The Leader of the House has been deliberately opaque about the Easter recess. What talks is she having with the trade unions about the possibility that staff will have to cancel leave at short notice again?

Andrea Leadsom: As the hon. Lady will know, recesses are always subject to the progress of business and no motion was tabled in relation to the Easter recess. Although the dates were announced, the motion was not tabled. Discussions are taking place constantly, and the House staff are very aware and extremely professional. I pay tribute to them for their commitment to supporting us at all stages. It is the case, however, that, unless a motion is tabled, a recess is not confirmed.

Vicky Ford (Chelmsford) (Con): Yesterday was a very busy day in this place, but I was pleased to see in my inbox an email from the Rail Minister, my hon. Friend the Member for Harrogate and Knaresborough (Andrew Jones), announcing another £48 billion of investment in our railways. I know that you, Mr Speaker, are a stickler for punctuality, so you will be pleased to hear that from Monday onwards—thanks to that same Minister—if my train is more than 15 minutes late, I, and other Chelmsford commuters, will be able to get some of our money back. Please may we have a debate about the Government's outstanding track record and investment in infrastructure?

Andrea Leadsom: My hon. Friend has raised a number of points about the railways. She is absolutely right to do so. We will be spending nearly £48 billion on improving our railways to deliver better journeys. That is vital. When people buy their ticket, they deserve a reliable service that gets them to their destination on time. She may be aware that we have launched a comprehensive review of our railways in order to build on the success of privatisation and to ensure that we get the best from both public and private sectors.

Andy Slaughter (Hammersmith) (Lab): In a throwaway line during Health questions on Tuesday, the Health Secretary withdrew the Government's threat to demolish Charing Cross Hospital after seven years. We have been partying in west London since then, but now the hangover has set in. May we have a debate on health service funding, so that the Government can explain how they intend to deal with the £600 million backlog of works at our three local hospitals, the £30 million-worth of cuts to our local NHS this year, and the extra £10 million that we are paying to subsidise the private Babylon GP at hand digital service promoted by the Health Secretary?

Andrea Leadsom: I should have thought that the hon. Gentleman would want to celebrate the fact that the NHS has now published its long-term plan, and the fact that a record level of Government funding behind it will enable the NHS to continue to deliver world-class care to patients at every stage of their lives. He is, as I understand it, celebrating the protection of his local hospital, and I am delighted to share in his pleasure, but at the same time he must appreciate that this Government have done more for the NHS than has been done at any time in its history, with the biggest-ever investment. Under this Government, the NHS is surviving and thriving.

Paul Masterton (East Renfrewshire) (Con): At a time of great uncertainty and angst, may we have a debate about things that make us happy? A survey released this week shows that East Renfrewshire is the happiest place to live in Scotland. May I extend an invitation to the Leader of the House? If she is looking for something to spark joy, Marie Kondo-style, I suggest that she make her way north for a warm welcome from me and from my very happy constituents.

Andrea Leadsom: Well, the people of East Renfrewshire did unseat the Scottish National party MP and elect a Conservative Member, so it is not surprising that it is Scotland's happiest place to live. However, my hon. Friend has made a very good point. We all need to make time for the little things that make life happy. I should be delighted to visit him.

Mr Speaker: We could have a debate on the definition of happiness. I will offer a starter for 10: victories for Arsenal football club and Roger Federer.

Neil Gray (Airdrie and Shotts) (SNP): Notwithstanding the sunny disposition of the Leader of the House at the Dispatch Box, she is still being sleekit about tomorrow's business. Will it be meaningful vote 3, and is she going to split the withdrawal agreement from the political declaration? If it will not be meaningful vote 3, what is the flaming point of tomorrow?

Andrea Leadsom: If you will forgive me, Mr Speaker, I would have to add to your examples a win by Northampton Saints. As for the hon. Gentleman's point, it is simply the case that the motion has not yet been finalised. It will be tabled as soon as possible, but let me say again that it needs to comply with UK law, with the European Council resolution, and, of course, with the decision that was made by you, Mr Speaker.

Mr Charles Walker (Broxbourne) (Con): Fish, Mr Speaker! Not kippers, which have much to recommend them, but bass. May we have an urgent debate on

minimum fishing net size? Too many immature bass are being caught before they have had a chance to spawn, which is putting both the sport of recreational fishermen and the businesses of inshore fishermen at risk.

Andrea Leadsom: I know that my hon. Friend is a keen fisherman, and he never tells a fisherman's tale, does he? No, never.

I think that we are all keen supporters of this important recreation. It is one of the most popular sports and it certainly adds to the happiness of the nation. The key point about leaving the European Union in this context is that we will be leaving the common fisheries policy, which means that we will be in charge of our own regulations. That will help our UK fishing sector and it will also help our recreational fishermen.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): Happiness, Mr Speaker, is clearly Newcastle United beating Arsenal on Monday and I look forward to watching that here in the House.

Just as in the House, civil servants and local authorities are having to deal with the consequences of Government incompetence over Brexit. Key Whitehall staff have been moved on to Brexit and are unable to perform their daily duties. Newcastle City Council, for example, is expected to produce a Brexit plan when the Government do not have one. May we have a debate about the impact of Brexit resourcing on the delivery of the public services on which so many of my constituents depend?

Andrea Leadsom: The hon. Lady has given me an opportunity to pay tribute to the amazing work done by civil servants, and by officials in all local authorities, to prepare for leaving the European Union in all circumstances. They have done the most amazing job. She says there is no plan, but that is simply not true. There have been getting on for three years of work to prepare for all eventualities, involving thousands of civil servants who have shown their absolute commitment to taking the UK out of the EU in line with the referendum result. I will certainly not hear of anyone not pulling their weight or not doing a good job.

Douglas Ross (Moray) (Con): May we have a debate about the Police Scotland youth volunteers? Because I was in Parliament last night, I was unable to get to the annual award ceremony for the Moray group. A debate would allow us to celebrate and recognise the great work of group co-ordinator Yvonne Squair and the dedicated work these youth volunteers do in communities across Moray and Scotland.

Andrea Leadsom: I am delighted to join my hon. Friend in commending Yvonne Squair and all the dedicated Police Scotland youth volunteers for the work they do. The PSYV are groups of young people based across Scotland, supported by adult volunteers and led by a police constable. They do great work volunteering at community and national events across Scotland. He might well like to seek an Adjournment debate so that he can commend them further to Ministers.

Joan Ryan (Enfield North) (Ind): My constituent Andrew Lindup was killed in a hit and run in December 2016. By the time the driver was arrested, it was too late

to breathalyse him and gather evidence for a charge of dangerous driving, for which he could have faced up to 14 years in prison. Instead he got just six months for failing to stop. There are serious concerns regarding the appropriateness of sentencing for this offence, particularly when the driver causes a death. May we have an early debate on this issue? Bereaved families must know that we view this crime with the utmost concern.

Andrea Leadsom: May I first say that that is an absolute tragedy and I am very sorry to hear about it? The right hon. Lady is absolutely right to raise that in this Chamber. I encourage her to seek an Adjournment debate so that she can discuss it directly with Ministers.

Mr Nigel Evans (Ribble Valley) (Con): I like the idea of a happiness debate. People are so fraught around here. Nobody asks "How has your day been?" Instead they say, "How bad's your day been?" So that is a great idea.

While we try to deliver Brexit, that is in danger of crowding out other issues. As people know, 850 people have been affected by the loan charge legislation, involving £33 million. It has led to bankruptcies, breakdowns and, sadly, suicides. Is it possible to have a statement from a Treasury Minister next week in order to see what changes can be made to alleviate their misery?

Andrea Leadsom: My hon. Friend raises an important point. This issue has been raised with me directly by constituents of mine. A debate is being arranged by the Backbench Business Committee so that Members may discuss that very issue with Ministers and I encourage him to take part in that.

On my hon. Friend's other point about Brexit squeezing out other legislation, I would like to highlight that, so far in this Session, 51 Government Bills have been introduced, 43 of which have already received Royal Assent—important legislation ranging from the counter-terrorism Act to the Tenant Fees Act 2019, the overseas crime production orders Act and of course the voyeurism offences Act. Some of these things really improve the lives of all of our constituents, which we should celebrate.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): It appears that the country faces the imminent prospect of a new Prime Minister, so may we have a debate on the qualities required for leadership and whether it is appropriate for someone who describes Muslim women as "letter boxes" and historical prosecutions of child sexual abuse as "spavving money up the wall" should ever be considered appropriate for the highest post in Government?

Andrea Leadsom: The hon. Lady talks about a debate on leadership qualities. I certainly think that all across this House welcome good leadership where people treat each other with courtesy and respect and seek to progress the interests of all our constituents.

Mark Pawsey (Rugby) (Con): As a west midlands MP, I have been delighted by the resurgence of the UK automotive industry in recent years, but I was concerned to read this morning the report from the Society of Motor Manufacturers and Traders showing production at a six-year low, with investment running at just 10% of

[Mark Pawsey]

six years ago. This is a sector where 80% of the vehicles produced are exported, so may we consider the decisions we might take in this place to provide certainty and to renew confidence in that vital manufacturing sector?

Andrea Leadsom: My hon. Friend is right to raise the concern over the slowdown in the car manufacturing sector. Of course businesses are crying out for certainty; they are crying out for this House to settle the issue of how we leave the EU. Again, I urge all colleagues across the House to consider the Prime Minister's withdrawal agreement in order that we can move on and give certainty to businesses and to our constituents.

Mrs Emma Lewell-Buck (South Shields) (Lab): On 4 March, I raised a point of order after the press had been briefed about the Government implementing key parts of my Food Insecurity Bill. Mr Speaker, you stated that Ministers are expected to announce important policy changes to this House and that it was unsatisfactory that I had not been directly informed of developments. I then received a response to a written question on the matter with some very scant detail stating that it is not usual practice for the Government to make statements on private Members' Bills. Can the Leader of the House ensure that somebody—anybody—from the Government responds to me fully on this matter?

Andrea Leadsom: I am sorry to say that I was not aware of the situation the hon. Lady speaks about. If she would like to write to me after business questions I can certainly seek a proper answer for her.

Kevin Foster (Torbay) (Con): Paul Raybould was a constituent of mine, for many decades he was an active trade unionist and he was a very worthy opponent of mine for the Labour party at the last general election, so it was with great sadness that I heard of his death earlier this week at the age of 55. May we have a debate about those who may for decades campaign for what they believe in, perhaps even stand for election to this place and not get elected here, but still contribute to making sure that this is a vibrant democracy?

Andrea Leadsom: I am sure that the whole House will join my hon. Friend in paying tribute to his opponent at the last election and sending our sympathies to his family at this time. He is absolutely right that, among the passionate debate and disagreement, especially during political campaigns, we all have respect for those who put themselves forward for election. My hon. Friend is right that they make an invaluable contribution to making our democracy as strong as it is.

Kate Green (Stretford and Urmston) (Lab): I was surprised that there was no statement from the Government on the report this morning from the chief inspector of probation into the shocking performance of the transforming rehabilitation programme. She states that not enough attention has been given to keeping victims safe, she speaks of poor-quality work generally in the community rehabilitation companies, and she says the privatised contracts have been a failure. Will the Leader of the House arrange for a Minister to come forward with a statement to this House so that we can question him on this shocking report as quickly as possible?

Andrea Leadsom: The hon. Lady raises an important point. I can tell her that the Justice Minister, my hon. Friend the Member for Penrith and The Border (Rory Stewart), is meeting with probation officers today and will of course look very carefully at what Dame Glenys's report shows up. We are now providing support and supervision to an additional 40,000 offenders leaving prison and have invested an additional £22 million a year in services for offenders on release. We will be creating new arrangements for offenders to build a more stable and resilient probation system. We will set out our detailed proposals later this year, but they will take very careful account of the report the hon. Lady mentions.

Rebecca Pow (Taunton Deane) (Con): Happiness, Mr Speaker, also has to be Nadal beating Federer, I think.

The Wellington monument is an iconic symbol on the Blackdown hills in Taunton Deane and very much the gateway to the south-west. Will the Leader of the House join me in thanking all the people involved in a fantastic project to restore that monument, which celebrates one of our greatest war heroes, the Duke of Wellington? It is proving to be much more than a monument. We are nearly at our £4 million target and, in recognition of its importance in so many ways, the National Trust has made restoring it one of its three top national priorities.

Andrea Leadsom: Good. My hon. Friend is a great champion of her constituents in Taunton Deane and they are very fortunate to have her. This very worthwhile project is undoubtedly pulling the community together. I understand that the Wellington monument will be the tallest three-sided obelisk in the world. I am sure that we all wish her constituents great success with its refurbishment.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): The Leader of the House mentioned tomorrow's 11 o'clock deadline. Can she clarify when the vote is expected, so that we can make our travel arrangements?

Andrea Leadsom: Yes. As I mentioned earlier to assist the House, tomorrow will be a normal Friday sitting day starting at 9.30 am and finishing at the moment of interruption at 2.30 pm.

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): Residents in Westruther in my constituency have set up a community enterprise scheme to buy the local pub and convert it into a community café, community hub, post office and shop. These local facilities—shops, pubs and post offices—are at the heart of local communities in my constituency and elsewhere, but they are increasingly being lost. Will the Leader of the House find time for a debate to praise the volunteers behind this scheme and similar ones, and to recognise the important work they are doing to keep the heart of their communities alive?

Andrea Leadsom: That sounds like an excellent initiative, and I am delighted to join my hon. Friend in wishing the Westruther community all the best with their plans. He is right to raise this issue, and I agree that it is the hard work of local people that keeps smaller communities going. I am sure he is as delighted as I am that the Chancellor recently announced the package for a

borderlands growth deal which, in addition to the Scottish Government commitment, would provide the area with a total funding package of £345 million.

Mike Gapes (Ilford South) (Ind): May we have an early debate on democracy and accountability across Europe, highlighting in particular the achievements of the European Parliament, which has done so much on roaming charges, clean beaches, air quality and many other issues? In that debate, could we have clarification from the Government on what preparations are being made to fight the European Parliament elections in this country on 23 May if there is a need to extend beyond 12 April?

Andrea Leadsom: The hon. Gentleman is right to pay tribute to the work of the European Union in achieving so many good things right across the EU, including in the United Kingdom. It is this Government's determination to ensure that we continue and build on that good work, as indeed we have already done in certain areas. For example, we have introduced shared parental leave ahead of other parts of the European Union. He asks for further information on standing European elections. As I said earlier, the EU Council has said that if we can agree to progress with the withdrawal agreement this week, we will have until 22 May to legislate for the withdrawal agreement Bill in order to avoid having to fight the European elections.

David Morris (Morecambe and Lunesdale) (Con): The Eden Project would like to come to Morecambe. At this moment in time, £1.1 million has been raised for the feasibility study and the Chancellor has given £100,000 straight to the Eden Project from the Treasury. Will my right hon. Friend help me to secure a debate on the Floor of the House about the benefits of Eden North, the Eden Project in Morecambe?

Andrea Leadsom: That sounds like an excellent idea. Having visited the Eden Project some years ago, I know that it would be a wonderful thing for it to be able to move to my hon. Friend's constituency and to others. I would certainly encourage him to seek an Adjournment debate so that he can discuss this with Ministers.

Nick Smith (Blaenau Gwent) (Lab): Shocking figures today show that life expectancy for women in poorer areas has declined badly under this Government. This shameful inequality in our society is quietly worsening. May we please have an urgent statement outlining concrete action so that everybody can reach a good age, not just the prosperous?

Andrea Leadsom: The hon. Gentleman is absolutely right to suggest that it is our aspiration that everybody in society is able to enjoy a long and healthy life. That is why the Government have prioritised ensuring not only that more people are able to get into work and have the security of a pay package but that, through universal credit, people are supported when they are unable to work. We have also made significant investment in our NHS to ensure that it can help to support people to lead longer and more successful lives.

Jim Shannon (Strangford) (DUP): Two weeks ago, 50 innocent people were killed in Christchurch simply for practising their faith. It is clear that the rise of the

far right is a growing threat to freedom of religion or belief across the world. Indeed, the Minister for Security and Economic Crime, the right hon. Member for Wyre and Preston North (Mr Wallace), speaking in his role as the security Minister, said that a similar far-right shooting could absolutely happen here in the United Kingdom. After the fact, the New Zealand Prime Minister, Jacinda Ardern, called for a global fight to root out racist right-wing ideology. I believe that the UK must join that fight. Will the Leader of the House therefore agree to a statement or a debate on this extremely important issue?

Andrea Leadsom: We were all shocked and appalled at the horrifying attack in New Zealand, and I reiterate that we stand shoulder to shoulder with the people of New Zealand. The Home Secretary has been very clear that the far right has absolutely no place in Britain. The British people overwhelmingly reject the prejudiced rhetoric of the far right, which is the antithesis of the values that this country represents: decency, tolerance and respect. Through our CONTEST policy and our counter-extremism strategy, we are dealing with the threat of extreme right-wing terrorism and the wider harms caused by the far right, including seeking to deal with community tensions, hate crime and public order issues. This is of course about keeping our communities safe and secure, and there will be many opportunities to discuss this with Ministers in the coming weeks and months.

Martin Whitfield (East Lothian) (Lab): Given the motion that has been tabled for tomorrow, may I offer the Leader of the House an opportunity to provide some clarification? Should the withdrawal agreement be separated from the future framework, it is not the intention of the Government to seek to place the responsibility for that fracturing on the conventions of this House and the decisions that have been made under those conventions, is it?

Andrea Leadsom: No. I repeat what I have said in answer to a number of questions, which is that the motion is being carefully considered in order to deal with the need to meet the Council resolutions within the law of the United Kingdom and to meet the ruling of the Speaker. As soon as that motion has been finalised, it will be brought forward for the House to consider in time for this evening's business motion.

Alison Thewliss (Glasgow Central) (SNP): There have been around 130 preventable new cases of HIV in Glasgow among the drug-injecting community since 2015, and the British HIV Association is the latest organisation to come out in support of a drug consumption room. Will the Leader of the House make some time for discussion of my ten-minute rule Bill on this subject—the Supervised Drug Consumption Facilities Bill—which would provide the UK Government with a legal route to allow Glasgow to get on with the job of reducing harm and preventing deaths from drug injecting?

Andrea Leadsom: The hon. Lady is quite right to raise this really important matter. HIV is an appalling health problem and we want to do everything we can, not just here in the UK but globally, to eradicate it. I would encourage her to seek an Adjournment debate so that she can raise this directly with Ministers—

Alison Thewliss: I have a Bill.

Andrea Leadsom: She has a private Member's Bill, and time has been allocated for that, but as she will appreciate, the order of private Members' Bills is subject to the order in which Members have put them forward.

Wayne David (Caerphilly) (Lab): The Leader of the House has not been as clear as she might have been, but it appears to be the case that tomorrow's vote will not be a meaningful one because the Government seem to have separated the withdrawal agreement from the political declaration. The House needs to approve both in order for them to be put on a statutory basis, but it has been suggested that if the House debates and approves only the withdrawal agreement, that might be sufficient for this country to remain within the European Union until 22 May through an extension of our timetable to depart. Can she confirm whether that is correct?

Andrea Leadsom: The hon. Gentleman asks me a very specific question about a motion that has not yet been finalised. That is something that I am not in a position to answer at the moment. I apologise to him for not being able to answer it, but I have responded to many Members in the same vein and I have sought to be as transparent as possible in saying that the motion will be brought forward as soon as it is finalised.

Chris Stephens (Glasgow South West) (SNP): I acknowledge the Leader of the House's warm words about civil servants, but may we have a debate or statement next week to mark what will be the 10th consecutive year of the public sector pay cap and pay restraint for public sector workers? This situation is typified by workers at Tate Modern—now the most successful UK tourist attraction—who are now balloting on industrial action after years of pay restraint. When are public sector workers going to get a decent pay rise?

Andrea Leadsom: The hon. Gentleman and all right hon. and hon. Members should celebrate the fact that wages are growing at their fastest rate for a decade, and that the national living wage will rise again from April, taking the total annual pay rise for a full-time worker since its introduction to over £2,750. Most importantly, we now have over 3.6 million more people in work because of our reforms of welfare and our determination to back businesses. Significant improvements to people's living standards are under way, and all hon. Members should celebrate that.

Lilian Greenwood (Nottingham South) (Lab): Last week, in the midst of this Brexit mess, the University of Nottingham held an event to celebrate their European staff. The vice-chancellor told colleagues that the university will remain open and welcoming even if—especially if—the political climate does not. Will the Leader of the House join me in congratulating the University of Nottingham? Does she share my shame that a major employer should have to go to such lengths to reassure EU citizens that they are welcomed and valued? What will she do to ensure that EU staff working here in the House know that we value them and want them to stay?

Andrea Leadsom: The best way for this House to show that we want to support the EU citizens who are here is by supporting the Prime Minister's deal. That will ensure that EU citizens who have come to the UK to make their lives here and have contributed so much will

be able to continue as before. Importantly, it will also ensure that UK citizens who have made their lives in the EU can continue as before, too.

Vernon Coaker (Gedling) (Lab): While the House quite rightly continues to discuss Brexit, the knife crime epidemic across our nation continues unabated. On Tuesday alone, six people in London were stabbed in six hours, and people were stabbed in other parts of the country too. It just goes on and on. The Metropolitan Police Commissioner said at the Home Affairs Committee that there was a lack of interdepartmental co-ordination. It has taken a month to get the knife crime summit, as my hon. Friend the Member for Sheffield, Heeley (Louise Haigh) pointed out in an urgent question last week. When are the Government going to get the necessary grip on things and come to this House to make statements on a regular basis? The knife crime summit is on Monday, so can we at the very least expect a statement by the Home Secretary or the Prime Minister to tell us what happened and to allow us to ask questions?

Andrea Leadsom: The hon. Gentleman often raises this incredibly important issue, and he is absolutely right to do so. The Government are determined to get a grip on the problem of serious violence, and he rightly points out that my right hon. Friend the Prime Minister has a summit on this subject on Monday. He will appreciate that the business of the House is not under the Government's control on Monday in terms of statements and so on, but I will nevertheless take away his request and see what can be done.

As for his call for the Government to get a grip, that is exactly what the Government are doing. At the spring statement, the Chancellor announced £100 million for police and crime commissioners so that they can urgently divert resources to deal with serious crime. At a more strategic level, we have our serious violence task force, and our Offensive Weapons Bill will introduce new knife crime prevention orders that will help the police to prevent people from carrying knives. We are also extending stop-and-search powers, police forces are undertaking co-ordinated national weeks of action to tackle knife crime, and we are launching a consultation on a public health approach to tackling violent crime. I say gently to the hon. Gentleman that this Government are absolutely determined to get a grip, but I will certainly take away his request for a statement following the summit.

Bill Esterson (Sefton Central) (Lab): The statutory instrument needed to create a new state aid regime after we leave the European Union was due to be debated in Committee on 25 February, but it was withdrawn at short notice. In the four and a half weeks since that date, several other statutory instruments have been laid and debated, including SIs from the Department responsible for state aid. Without a state aid regime that functions properly, businesses that rely on state aid, and those who work for them, will be in serious difficulty, and that will have a profoundly negative impact on our economy. Will the Leader of the House tell me why there has been such a long delay and when the SI is likely to be brought back and considered?

Andrea Leadsom: The hon. Gentleman will know that that statutory instrument has in fact been debated and agreed in the other place. As I said earlier, the programme of statutory instruments that we sought to finalise by

the date of exit has been completed on time, and any others will be considered in good time for leaving the European Union, as necessary. To be clear, a statutory instrument may not be needed for exit day—I am not commenting on this particular one—but all the statutory instruments that need to be in place by exit day will be.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): Today marks the 13th anniversary of the formation day of the Royal Regiment of Scotland as a new regiment in the British Army. Of course, it may be relatively new, but it is also the most senior regiment of line infantry, combining some illustrious names in the Army's history, including the Royal Scots, the King's Own Scottish Borderers, the Black Watch, the Royal Highland Fusiliers, the Argyll and Sutherland Highlanders, and the Highlanders (Seaforth, Gordons and Camerons). It also includes two reserve battalions in the 51st Highland Volunteers and the 52nd Lowland Volunteers, and I am proud to have been a member of the latter. I joined the regiment in 2006—the year it was formed—and it was a formative part of my growing up. Will the Leader of the House join me in marking this occasion, and may we have a debate on the huge contribution that the regiment has made over the past 13 years?

Andrea Leadsom: I am delighted to join the hon. Gentleman in celebrating the Royal Regiment of Scotland, its great contribution, and all the regiments that now form a part of it. We owe a real debt of gratitude to all those who do so much not only to keep us safe, but to support international humanitarian exercises and work for our communities.

Diana Johnson (Kingston upon Hull North) (Lab): On 14 January, ahead of the first meaningful vote, the Prime Minister said that the link between the political declaration and the withdrawal agreement

“means that the commitments of one cannot be banked without the commitments of the other.”—[*Official Report*, 14 January 2019; Vol. 652, c. 826.]

Does the Leader of the House agree with the Prime Minister?

Andrea Leadsom: The hon. Lady asks me about a specific statement that the Prime Minister made a few weeks ago, and what I can say to her is that any motion that is brought forward will of course comply with the law, with the European Council decision and with Mr Speaker's ruling.

Marion Fellows (Motherwell and Wishaw) (SNP): Next week is World Autism Awareness Week, so may we have a debate in Government time on the difficulties in accessing employment and apprenticeships for adults with autism spectrum disorders and what this Government are doing to help?

Andrea Leadsom: The hon. Lady raises an important point. It is vital that we do everything we can to support people with autism, many of whom can have extremely rich and fulfilling lives and may need some support to do that. There was a debate on autism quite recently, but the hon. Lady may like to seek a Backbench Business debate so that this important issue can be discussed further.

Patricia Gibson (North Ayrshire and Arran) (SNP): Last August, Siobhan McLaughlin won her case in the Supreme Court giving her access to widowed parent's allowance for her children, which she had been denied because she was not married to her late partner of 23 years. The Court ruled that the purpose of the allowance is to diminish the financial loss caused to families with children by the death of a partner, and that it is unlawful to deny the allowance to an unmarried parent. Will the Leader of the House make a statement on why, seven months after the Supreme Court judgment, unmarried parents are still being denied this support after the death of a partner?

Andrea Leadsom: The hon. Lady raises an important issue, and if she would like to write to me, I can take it up directly with the Department on her behalf. Equally, she may prefer to raise it directly with Ministers.

Points of Order

1.19 pm

Anna Soubry (Broxtowe) (Ind): On a point of order, Mr Speaker. I am not going to go into the details, but I have shown you an email that I have sent to a senior police officer and that the Leader of the House is only just getting the opportunity to read. I am not going to go into its contents, but I will say this, because I know that it will concern you, Mr Speaker. Yesterday, a member of staff, not from this place but from the other place, sent me an email to thank me and the hon. Member for Cardiff South and Penarth (Stephen Doughty) for raising our concerns about the security of everybody who works in this place. I cannot help myself if there is a catch in my throat, because this is a young woman who works in an office in the other place, and she described in a very moving way how she and other members of staff in this place are being spat at and abused as they come into work, obviously because of the political situation.

I know that nobody will feel anything other than disgust at what is going on. I would like to think that some people—the majority—might be concerned about what has happened to people like me and others, but some think we deserve it. In any event, I know that the Leader of the House does not think that, and I thank her for all she has done. I thank you, Mr Speaker, and I thank Mr Deputy Speaker, who has reached out and done everything he can. But do you know what, Mr Speaker? There have been fine words and many promises, but there is no doubt about this situation, especially following a further incident in this House—last night there was a second incident involving the same person as before from a known far-right group.

In short, Mr Speaker, given events tomorrow and no doubt next week, can you assure us all that everybody, whoever they are, from cleaner to peer, will be kept safe in and out of this place?

Mr Speaker: I am grateful to the right hon. Lady for her point of order, and for showing me a copy of the relevant email, which I have just read at the Chair. I hope I can offer her and all colleagues the assurance sought. I make two points. First, as I indicated to the House that I would, I have had arranged for me a meeting between me, other senior colleagues and, indeed, a variety of colleagues to whom this matter is of concern, with the Parliamentary Security Director and the chief superintendent on the parliamentary estate. However, I have to acknowledge that that meeting is taking place only next Thursday, so it is some way off, but that was convenient for diary purposes for everybody involved.

My second point is that, although this does warrant further investigation and colleagues would not expect me to shoot from the hip, I am concerned by the idea, which has now been put to me not only by the right hon. Lady but by another hon. Member last night, that there has been at least one case—let us not get into an argument about how many, but at least one—of an individual coming on to the parliamentary estate and behaving in a threatening or abusive manner towards Members and staff. Although it is of course a treasured principle that there should be a presumption of public access to the estate for our citizens and people who want to visit here, it is axiomatic not only that they go

through security but that they pose no threat to anybody here. If there is evidence of a person or persons in relation to whom we cannot feel that sense of security, I believe it must be right for preventive action to be able to be taken, because if there is a clash between someone's right to visit here and our right—the right of us all, Members, staff and MPs' staff—to be safe, the latter has to trump the former. I hope that is helpful.

The Leader of the House of Commons (Andrea Leadsom)
rose—

Mr Speaker: The Leader of the House wants to come in, and it is absolutely right that she should.

Andrea Leadsom: Further to that point of order, Mr Speaker. Following the exchanges yesterday in which you quite rightly said you would convene a meeting, it might be of some reassurance to the right hon. Member for Broxtowe (Anna Soubry) that the director of security let my office know this morning that there will be significantly increased security tomorrow, for precisely the reason the right hon. Lady mentions. Our security teams here in the Palace are very aware of the concerns.

I remind all hon. Members that the behaviour code that forms a part of the independent complaints procedure applies to everybody, whether they work here or visit here, so if anybody feels that they are being treated in an unhelpful or derogatory way, that invokes the behaviour code that this House signed up to last July.

Mr Speaker: That is a very helpful underlining of the concern and the route map to resolution if colleagues are offended or insulted in that way. I had not made that point, and it is very helpful that the Leader of the House has done.

Dr Julian Lewis (New Forest East) (Con): On a point of order, Mr Speaker. I apologise for not giving you advance notice of this point of order. Yesterday, I was quite shocked, when attending a meeting of colleagues, to find at least two—one male, one female—in tears at the prospect, yet again, having twice taken the difficult decision to vote against a three-line Whip, of being put in the position of having to decide whether to do so or not. At what point will there be some protection, particularly for younger Members, so that they are not put in that situation by being asked to come back again and again and again to vote on the same proposition?

Mr Speaker: I think the right hon. Gentleman's point—of which, as he says, I had no advance notice—stands in its own right. Many people will feel that it is a powerful observation. There are a number of reasons for the long-established convention that the House is not asked to decide the same question more than once in the same Session. The reason invoked by the right hon. Gentleman was not, from my study of history, part of the original rationale for it, but in my own view it is a powerful reinforcement of the continuing case for the convention. He has made an extremely important point, and it is something on which colleagues at all levels need to reflect.

Chris Bryant (Rhondda) (Lab): On a point of order, Mr Speaker. I understand why the Leader of the House is not able to give us details of exactly what is going to

happen tomorrow—I think it has not yet quite been decided—but as soon as it has been decided and a motion has been tabled, it would be good if the whole House was able to know what that motion is. For instance, would it be possible to put it up on the annunciator once the Government have tabled their motion, so that people would be able to table amendments and to consider whether they think it is appropriate to vote for or against the motion that we sit tomorrow? It would be good if the Government were able to do that by 5 o'clock, before we start that debate, which I understand could go on until any hour tonight. Would you like to make some kind of provision about manuscript amendments in relation to tomorrow's proceedings, Mr Speaker, as we still have no idea what the business tomorrow is really going to be, other than that it will be broadly to do with Brexit? The worst of all possible worlds is if we just keep on going round and round and round and round in circles, still riding the same hobby-horses.

Mr Speaker: The hon. Gentleman makes a compelling case, and it will have been heard by colleagues. For my part, in so far as he exhorts me to seek to facilitate manuscript amendments and so on, I am inclined to say to him that I shall always profit by his counsels. I always have done and I dare say I always will do.

Mrs Anne Main (St Albans) (Con): On a point of order, Mr Speaker. Further to the point of order made by my right hon. Friend the Member for New Forest East (Dr Lewis) about people being in tears, I think all of us here are grown up enough to be able to see that we need to do what we feel is absolutely right when we vote. The great Mr Forth used to say that whipping was optional. It is important that we bear in mind that we cannot allow the sensitivities of colleagues over feeling pressurised one way or another to stop us having a full choice. I am aware of 30 colleagues who have changed their minds on the meaningful vote, so I absolutely do not feel that those of us who have not committed to it yet should not have the ability to change our minds and have it back again. I am feeling rather frustrated that the two options that I supported yesterday will probably not make their way through the beauty contest, as I have described it, and I therefore reserve the right to wish to have meaningful vote 3, if am to pair it off against what I now see as the ugly sisters of the options.

Mr Speaker: The hon. Lady expresses her disappointment with the verdicts of the House on propositions legitimately submitted to it yesterday. She did that earlier in our proceedings and has thought it worthwhile to repeat and underline her point. She is perfectly entitled to her view, but it will have to be considered by colleagues alongside that just proffered by the right hon. Member for New Forest East. Conventions exist for a purpose, and I very politely say that the validity of a convention is not dependent upon a headcount at a particular time. The whole point of having a rule is that it is judged to be of value. The fact that somebody suddenly thinks it is not convenient does not mean it should be discarded.

Mrs Main *rose*—

Mr Speaker: No, I am not debating the issue with the hon. Lady. [*Interruption.*] No, it is not a debate. She has raised a point of order. I have answered it. The right hon. Member for New Forest East very courteously

raised his, and it was answered, and other colleagues might also wish to raise points. We always need to have a sense of other.

Pete Wishart (Perth and North Perthshire) (SNP): On a point of order, Mr Speaker. This follows on from the point of order made by the hon. Member for Rhondda (Chris Bryant). We do not know whether tomorrow's business will be the meaningful vote—the Leader of the House quite reasonably told us that we would see the motion at 5 o'clock—but it is being heavily briefed to the press that we are likely to be presented tomorrow with the withdrawal agreement without the political declaration attached. Do you think this acceptable and permissible, Mr Speaker, given what has been agreed with the EU and the clear strictures in clause 13 of the EU withdrawal Act? Will it be in order for the Government to bring that forward?

Mr Speaker: I am grateful to the hon. Gentleman for his point of order. As to the legality of such a proposition, I would have to look to others to advise. People can take their own counsel on this subject; I certainly would do so. If he is asking me whether I have seen any such motion, the answer is that I have not—I have seen no motion appertaining to tomorrow's business beyond that which lies on the Order Paper suggesting that we might meet tomorrow. In terms of a substantive motion for tomorrow, I have as yet seen none. I am happy to tell him that, as the Leader of the House knows, I met a couple of very senior colleagues this morning who were exploring possibilities and consulting me. A conversation was had, as people would think was entirely normal and proper. I have not since heard from either of those senior right hon. or hon. Members, but I might do so during the course of the day.

As to the question of what people are briefing, I should observe that briefing is very much a phenomenon of our age: brief, brief, brief, create an impression, establish a narrative, try to dictate the course of events thereby—people do this all the time. I have not been briefed on any such plan, however, and the hon. Gentleman would not expect me to have changed my mind from the position that I enunciated on 18 March and reiterated on 25 March, and that I underlined again from the Chair yesterday. It remains the position so far as the convention is concerned. As the Leader of the House said—almost as a holding statement—during the business statement, we shall have to see what further work is done during the course of the day.

Wayne David (Caerphilly) (Lab): Further to that point of order, Mr Speaker. Once it becomes clear what the Government intend—once they have submitted their motion—would it be possible for you to make clear to the House the significance of the motion?

Mr Speaker: Yes, it is certainly important that we know what we are debating. The Leader of the House has announced that if we sit tomorrow there will be a debate on a motion relating to the UK's withdrawal from the EU. I am not cavilling at that; I simply state it as a matter of fact. It could of itself be a perfectly orderly motion, but it is not specific, and is not intended to be specific, in terms of referring to a particular part of the Act. The House will obviously need to know what it is and is not debating, and I hope there will be greater clarity about that in the course of the day.

Chris Bryant: I wouldn't bet on it.

Mr Speaker: I was not betting on it; I simply said I hoped.

Chris Bryant: Hope springs eternal.

Mr Speaker: The hon. Gentleman observes correctly.

Hannah Bardell (Livingston) (SNP): On a point of order, Mr Speaker. I apologise for not giving you notice of my being unable to be at business questions to raise this point, but I have spoken to several members of House staff who have quite reasonable and significant concerns about having holidays cancelled. As Members, we appreciate that we have to come here, despite the somewhat arcane procedures of this place, and lose out on holidays over recess—though it would be helpful if you could reiterate, for the benefit not just of the House but of journalists and the public watching, that recesses are not holidays and that, although Members and staff occasionally take holidays, for most of us they are a time to go back to our constituents, with whom we are getting very limited time at present.

Leaving that to one side, what can Members do to make sure that the voice of the staff of this House and the other place is heard, and that if their plans are being cancelled at significant cost to them they will be properly recompensed? From the conversations I have had, it seems that that is not the case. Members understand that that is something they have to suck up, so to speak, but I do not believe that House staff should be messed about and not recompensed for holidays and time with their families that they are losing out on because of the current state of affairs.

Mr Speaker: As far as staff are concerned, one would expect them to be fully recompensed. That is the working principle here. I cannot comment about others. I mean no disrespect to them, but journalists, who are not employees of the House or Members, are a different matter, and the responsibility there is someone else's. As far as those here are concerned, however, the working assumption must be that people are properly recompensed.

I understand the anxiety that many people will feel, however, and I hope there will be clarity sooner rather than later.

Insofar as the hon. Lady asks where people should go with their concerns, or what recourse they have to ensure that those concerns are expressed, I would say that the trade unions and staff associations are obvious bodies to express concerns to. Those institutions regularly interact with the House of Commons Commission and the Clerk of the House, who is head of the House Service, not to mention the Director General of the House. There are, then, avenues, and they are quite well known, and the trade unions in this place are perfectly well aware of how to get their messages across—and it is absolutely right that they are got across.

Kevin Brennan (Cardiff West) (Lab): On a point of order, Mr Speaker. Am I right in interpreting the business of the House motion to mean that we could be debating it until any hour tonight prior to the Adjournment debate, that the Government need not announce tomorrow's business until the end of the Adjournment debate and that therefore it could be quite a late hour, should they choose to put in a lot of people to speak to the business of the House motion, before we have any concept of what we are debating tomorrow?

Mr Speaker: The hon. Gentleman's understanding is correct. That could happen. It is what would be called a worst-case scenario, but I believe it to be so. I think that the Leader of the House is cautiously optimistic that that scenario will not transpire, but I cannot rule it out.

BILL PRESENTED

DOMESTIC PROPERTIES (MINIMUM ENERGY PERFORMANCE) (No.2)

Presentation and First Reading (Standing Order No. 57)

Sir David Amess presented a Bill to require the Secretary of State to ensure that domestic properties have a minimum energy performance rating of C on an Energy Performance Certificate; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 5 April; and to be printed (Bill 369).

Backbench Business

Beer Taxation and Pubs

1.39 pm

Mike Wood (Dudley South) (Con): I beg to move,
That this House has considered beer taxation and pubs.

I am delighted to have secured this important debate, alongside the hon. Member for Stoke-on-Trent North (Ruth Smeeth) and my hon. Friend the Member for Ribble Valley (Mr Evans), and I am grateful to the Backbench Business Committee for allocating us this time.

In the short time that I have available, I hope to set out a compelling case as to why the Minister should recommend to the Chancellor that he cut beer duty in future Budgets, reform business rates and continue to look at new ways of reducing the disproportionate tax burden on pubs and breweries. Representing a Black Country constituency as I do, and as chair of the all-party parliamentary beer group—the largest Back-Bench all-party group in this House—I know what an important issue this is for many of our constituents. My own Dudley South constituency is home to three very distinct and individual brewers: Bathams, dating back to the 1860s; Black Country Ales, which is a much more recent and fast-growing brewery; and Ma Pardoes, one of the original Campaign for Real Ale breweries.

Kevin Brennan (Cardiff West) (Lab): I congratulate the hon. Gentleman on his great work as chair of the all-party parliamentary beer group, of which—like many other hon. Members—I am a member. Does he agree that, although it is very welcome that the Government extended rates relief to pubs, it is disappointing that they did not also extend it to small music venues, where people often also drink the occasional beer?

Mike Wood: Of course, the business rates relief extension was part of the support for high streets and community pubs in particular. I think there is a particular value to that, but I certainly would not be opposed to the kind of measures to which the hon. Gentleman has referred.

When we last debated beer duty in this House—in Westminster Hall in October 2017—I said that there were 75 pubs in my constituency. I am afraid that there are now only 73, despite my very best efforts.

Dr Rupa Huq (Ealing Central and Acton) (Lab): The hon. Gentleman talks about disappearing pubs in his constituency. A person does not actually have to be a drinker to enjoy the benefits of pubs. Jo Cox, our late and much missed friend, talked about the loneliness agenda. I am a non-drinker, but I am very upset that we are losing the Goldsmiths Arms in East Acton, which has been there since 1826 when it was a coaching inn. The petition to keep it open has been signed by 2,180 people, but under this Government it often feels that people power and planning law are in conflict, and greedy developers often have too much power on their side.

Mike Wood: I would caution against trying to turn this into a party political issue, because although the number of pubs is still reducing at far too high a rate, it

is a rather slower rate than was the case before 2010. There are a number of factors that lead to pub closures, some of which are more in the control of the Government and public authorities than others. Where the Government can act to slow down, stop and reverse pub closures, I would very much encourage them to do so.

Sir Greg Knight (East Yorkshire) (Con): Does my hon. Friend agree that the closure of a public house often has a far more devastating effect in a rural area, where the pub is the centre and heart of the community, often acting as a shop, a music venue and a tavern to the local people?

Mike Wood: My right hon. Friend is quite right. I will speak about the particular importance of rural community pubs later, but pubs are often key to local identity even in our towns and high streets. In fact, more people probably give directions with reference to pubs than to road names.

Stephen Crabb (Preseli Pembrokeshire) (Con): My hon. Friend is making a superb speech, as always. On the subject of the decline in the number of pubs, we should not forget that one area of enormous growth in the industry over the last 10 years is the proliferation of craft brewers. I am sure that every single Member here has an excellent craft brewery in their constituency, and these breweries often run tap houses. Does my hon. Friend recognise the importance of the small brewer's relief to the growth of craft brewers, and will he make that part of his discussion with the Chancellor and the Treasury?

Mike Wood: My right hon. Friend pre-empts the later part of my speech, and the hon. Member for Stoke-on-Trent North is similarly indicating that she may just touch upon this topic later. Yes, the rise in the number and variety of smaller breweries, and particularly craft breweries, over the last decade and a half has been one of the key features of the sector. This is partly down to the success of the small brewer's relief.

Toby Perkins (Chesterfield) (Lab): I congratulate the hon. Gentleman on securing this important debate. He is absolutely right about rural pubs. However, the importance of the last pub on the council estates in many of our towns is often overlooked. The last pub has closed on many of those estates, and that has a huge impact on the facilities available for people to get together. Although I entirely support what he says about rural pubs, let us make sure that we do not forget the issue with regards to council estates.

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. Mr Perkins, if you want to speak, we are on a five-minute limit. I do not want to have to drop people down the list; I want everybody to have the same fair chance. If those who are speaking would take fewer interventions, it would help us all.

Mike Wood: I consider myself duly reprimanded, Mr Deputy Speaker. Suffice it to say that, once again, I strongly agree with the hon. Member for Chesterfield (Toby Perkins), as I have also seen the impact of derelict pubs of varying sizes standing monument within housing estates and town centres across the Black Country, it

Stephanie Peacock (Barnsley East) (Lab): Will the hon. Gentleman give way?

Mike Wood: I will take one last intervention and then I must move on, otherwise you will shout at me, Mr Deputy Speaker.

Stephanie Peacock: I congratulate the hon. Gentleman on securing this debate and on his powerful speech. The Black Bull pub in Barnsley East closed last year, and the 250-year-old building is due to be demolished. Does he share the sadness, and what does he think we can do to improve the situation?

Mike Wood: I share the sadness whenever a well-used pub closes for any reason, and there is a particular impact on the community when that pub is a heritage building in a town, city or village.

Last autumn, 116,000 people up and down the country signed the Long Live the Local campaign—many of them emailing their MPs. It was launched by Britain's Beer Alliance, and quickly garnered public support from licensees, beer drinkers and many more groups. I know that the success of that petition due to everybody who united behind the campaign was pivotal in persuading the Treasury of the need for action to support beer and pubs. I am delighted that the Chancellor listened to those passionate calls and froze beer duty once again.

The beer and pub sector is vital to our country. Nearly 900,000 people up and down the United Kingdom rely on the industry for work; 43% are younger people aged 16 to 24, and more than half are women. Supporting the pub trade is a fantastic way to reduce youth unemployment and develop skills among young people. This House saw at first hand the impact of apprenticeships across the hospitality sector and the opportunities available, during the apprenticeship showcase in National Apprenticeship Week.

Mr Marcus Jones (Nuneaton) (Con): My hon. Friend is making an extremely good point about the opportunities for people in the industry. Does he agree that this is one of those industries where someone can quite literally start behind the bar and end up as the chief executive or the chairman of quite a big company?

Mike Wood: My hon. Friend is spot on. When I was helping to judge the parliamentary pub chef and young pub chef of the year competition this time last year, we spoke to a number of people who were not yet in their mid-20s and were not only running their own kitchen but, in a number of cases, were now running multimillion-pound turnover businesses in their own right. There are very few other sectors where people can go into an industry at a young age with next to no start-up capital and have such opportunities for rapid career progression resulting in running their own business.

Brewing is also a true success for home-grown British manufacturing. A staggering 82% of all beer consumed in this country is made in this country, and we have over 1,800 breweries in the UK, 149 in the west midlands alone. In my own constituency, the sector accounts for 1,068 jobs, 315 of them held by people under 25. It contributes over £34 million in gross value added to the Treasury's coffers, for which I am sure my hon. Friend the Minister is very grateful. Nationally, the sector adds

nearly £23 billion to the UK economy and contributes almost £13 billion in taxation to the Treasury. Some of us would argue that that is a little disproportionate. One in three pounds spent in pubs goes straight into Treasury coffers, with an average of £140,000 for every pub in the country being raised for the taxman every year. I therefore strongly welcome the Chancellor's announcement of a review of small brewer's relief.

Peter Aldous (Waveney) (Con): Small brewers such as St Peter's in my constituency have a proven track record in exporting their beers all around the world. They could expand, open up new markets and create more jobs if export volumes were excluded from small brewer's relief. Does my hon. Friend agree that the Treasury should consider this exclusion as part of their review of small brewer's relief?

Mike Wood: I thank my hon. Friend for raising that point, which is one of those that needs to be considered. I understand the Treasury's concerns about the risk of fraud, the ability to actually enforce it, and particularly, at the moment, legality under the current European duty framework.

Beer duty has divided this House in the past, but there is now a general agreement on all sides that it is already high and we certainly need to avoid rises. When the hated beer duty escalator was introduced by Gordon Brown, beer duty rose by a staggering 42%, while beer consumption in the UK fell by 16% overall and by nearly a quarter in our pubs. Almost 7,000 pubs called time for good, and more than 58,000 beer-dependent jobs were lost. This was a very expensive policy failure, and the price was paid by beer drinkers, publicans and employees alike. I am delighted that, as a country, we are now drinking more beer but also paying less tax on it as a proportion of the cost. However, the amount of this beer being sold in pubs continues to fall, and while the rate of pub closures has slowed, as I said, they are still closing at a disturbing rate.

Helen Whately (Faversham and Mid Kent) (Con): I commend my hon. Friend on his speech. Pubs are very important in my constituency, where the brewery Shepherd Neame is the largest employer as well as the producer of excellent beer. I see colleagues nodding. Lower-alcohol beers are becoming increasingly popular, so does he agree that there may be a case for looking at the threshold at which brewers get duty relief for such beers?

Mike Wood: My hon. Friend is absolutely right. I know that my hon. Friend the Member for Waveney (Peter Aldous) would also agree, with St Peter's being a major advocate of this argument as well. The European Union, within its beer duty framework, is in the process of changing those thresholds. I would hope that the Treasury, regardless of what form of Brexit we end up with, will make sure that, at the very least, we follow the mechanisms that are already in place, amending the threshold for low-alcohol beers to one where it is rather more viable for brewers to produce at that strength. Encouraging people to go down from over 4% to around 3% is better for their health, and if we can make sure that it is fiscally better for the brewer as well, then so much the better.

As CAMRA has made clear, one of the opportunities as we leave the European Union—we know from last night's discussion that there is an element of disagreement

as to what should happen next—is that we are able to take back control of our excise duty regime. This gives the Chancellor an opportunity to look afresh at how we tax beer in pubs, in particular—how we can use fiscal measures to help pubs to thrive, to support responsible drinking, and to redress the competitive disadvantage that our community pubs have as against, in particular, supermarkets that are able to stack drinks high, sell them below cost, and use them a loss-leader.

Mary Glindon (North Tyneside) (Lab): Does the hon. Gentleman agree with Colin Shevills of Balance North East, who commissioned an independent survey of publicans, that it is cheap alcohol—cheap booze—in the supermarkets that is most dangerous to our pubs and causing more closures than alcohol duty?

Mike Wood: There is a range of factors. Beer duty is certainly part of it, but business rates are a massive factor in the pressures affecting our pubs. For these pubs to flourish, to remain the beating heart of our communities, and to continue to compete as businesses, they need the investment that comes, and is only possible, if the tax burden is kept at a sensible level.

Mary Robinson (Cheadle) (Con): Will my hon. Friend give way?

Mike Wood: I really cannot—I ought to have finished by now.

The three duty cuts and two beer tax freezes that we have seen under successive Conservative Chancellors have secured thousands of pub jobs and hundreds of pubs. They have boosted confidence in our brewing and pub businesses, which have continued to invest in the sector. They have increased beer sales, boosting the Treasury's total tax take from beer. This is a win-win situation, and I encourage the Minister and the Chancellor to win even more by giving us a fair deal on beer taxes. I ask the Minister to encourage the Chancellor to go further. Hard-pressed UK beer drinkers still pay 40% of all Europe's beer duty despite drinking only 12% of the beer consumed. One could argue that 12% is possibly not yet enough. Crucially, seven in 10 alcoholic drinks sold in pubs are beer. By helping British beer, we are helping British manufacturing and also helping our community pubs. We have to address business rates. We need fundamental reform. The relief announced in the Budget last autumn was enormously helpful, with about 80% of pubs benefiting, but they are still hugely overtaxed. Despite only making up about 0.5% of total business turnover, our pubs represent nearly 3% of all business rate payments.

Beer and pubs are a great British success story. We can help them to prosper and to succeed if we can spare industry and consumers from the burden of high beer duty and unfair business rates, and use our duty framework to support our community pubs. I thank the Backbench Business Committee for finding the time for this debate, thank Members for supporting it, and look forward to the Minister's response.

Several hon. Members *rose*—

Mr Deputy Speaker (Sir Lindsay Hoyle): With a five-minute limit, I call Ruth Smeeth.

1.57 pm

Ruth Smeeth (Stoke-on-Trent North) (Lab): I congratulate my friend, the chairman of the APPG on beer, the hon. Member for Dudley South (Mike Wood). It is an honour to serve as his deputy and as the Labour lead in the House on the issue of beer.

I must declare an interest—not one in the register—in that I am the hon. Member for the Titanic brewery, the best small brewer in the United Kingdom.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): I've got the pubs.

Ruth Smeeth: I think I am going to be heckled throughout by my hon. Friend and neighbour.

Titanic has benefited hugely from small brewer's relief, which I will touch on in a moment. First, I would like to put on record my thanks to Keith and Dave Bott not only for the support that I receive from them, but for the investment they have made in my community. They have ensured that small brewers have had a voice in this place, and others, for many years.

It is a pleasure to talk about a B-word that has nothing to do with Brexit. I think we can all agree that we have spent enough time on that for a little while. Instead, I would like to talk about the value of pubs to our society.

While the sector supports more than 1 million jobs in the country, and we heard various statistics from the hon. Member for Dudley South about it, we need to touch on the other things that the pub sector delivers, such as the impact on loneliness—especially providing somewhere for older gentlemen to go—and on our communities.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): Does the hon. Member recognise the importance of linking community pubs with craft breweries, such as Loch Lomond and Lennox breweries in my constituency, which reduces social isolation and consumption of alcohol at home?

Ruth Smeeth: There is a huge opportunity for us to debate the benefits of off-licence versus on-licence, the support that people get when they enter a pub and the responsibilities of the landlord. That is especially the case when we talk about loneliness.

Bob Stewart (Beckenham) (Con): I was stirred to action by the hon. Lady, my good friend, using the words “older gentlemen”—I qualify, but I am not lonely. The way to keep the pubs in our communities alive is for people to visit them. If we get more people going to the pubs, they will live longer. That is very important—and, by the way, that includes me.

Ruth Smeeth: I thank my friend for his intervention. I think a pint of Steerage from the Titanic brewery will definitely help him live longer.

Pubs bring everyone together in the community. Whether it is fundraising for local charities, increasing awareness of illnesses or just everyone coming together on a Sunday evening, pubs are at the heart of our communities when other institutions are falling away.

Louise Haigh (Sheffield, Heeley) (Lab): I congratulate my hon. Friend on making an excellent speech about the importance of the pubs at the heart of our communities. We are losing so many community pubs because of the terrible imbalance in our business rates regime. I am sure she will come on to it, but does she agree that this disparity—pubs pay 2.8% of the entire business rates bill but account for 0.5% of turnover, an overpayment of £500 million a year—desperately needs addressing?

Ruth Smeeth: I will touch on taxation in a moment.

I want to talk about the role of pubs in British culture and society, because they are a core part of who we are. People enjoy coming to the UK for tourism—an issue that we need to discuss even more as we head towards Brexit—and there is nothing more English or British than holding a pint. Tonight at the Sentinel business awards, which I cannot attend because of the debates in the House, everyone will toast their awards with a pint of local beer, because it is part of our community and our culture.

Mary Robinson: Will the hon. Lady give way?

Ruth Smeeth: I am afraid that I have run out of time for interventions.

As my hon. Friend the Member for Sheffield, Heeley (Louise Haigh) said, there are some stark figures about the impact of taxation on the sector that we need to acknowledge. Amazon UK paid £4.5 million in corporation tax last year. Black Sheep brewery, chaired by the wonderful Andy Slee, a Stoke-on-Trent constituent, paid £8 million in beer duty. Amazon UK has a turnover of £1.98 billion. Black Sheep brewery has a turnover of £19 million. Minister, there is an issue here. In 2016, eBay UK paid £1.6 million in corporation tax. Titanic brewery paid 25% of its turnover to HMRC—£2 million.

On the disparity in business rates, following the rate revaluation last year, Titanic brewery pubs' rateable value went up by 20% across Staffordshire. The Amazon warehouse in Stoke-on-Trent fell by 10% in rateable value. There is a disparity, and it is simply not fair for online and offline businesses. Breweries and pubs cannot move off the high street, nor would we want them to.

Small business rate relief has been touched on, but I am going to run out of time. All I can ask the Minister at this point is to look at the requests made by the Society of Independent Brewers about the impact of the changes. We are at a cliff edge, and unless this is smoothed out, investment to enable smaller brewers to reach the next level will stop. I reiterate my invitation to the Minister earlier this year to come and have a pint with me at Titanic brewery at his earliest convenience.

2.4 pm

Mr Nigel Evans (Ribble Valley) (Con): I declare an interest, as president of the all-party parliamentary beer group. It is great to follow the hon. Member for Stoke-on-Trent North (Ruth Smeeth). I do not think she heard, but when she told us that she was the MP for the Titanic brewery, I shouted, "I suspect she's sunk a few of those." I know I have.

Mr Deputy Speaker (Sir Lindsay Hoyle): It was not a good joke the first time you said it.

Mr Evans: As you know, Mr Deputy Speaker, I live next door to a pub; there cannot be much more commitment than that. At times, I feel that I should pay my council tax for the pub rather than the house I live in. I celebrated my 50th birthday in that pub, and I welcomed you and your wife Catherine to the pub. Only a few weeks ago I was at the superb Caledonian brewery in Edinburgh and sunk a few of its pints while celebrating Wales on their march to the grand slam.

It is great to have a debate in this place where we are all coming together, rather than knocking six bells out of one another. The pub is such an important focal point for people. I live in a rural village, and it is great when people can get together. Pubs do so much to raise funds for numerous charities, and they are a place for sporting groups—whether it is darts teams or football teams—to come together.

Mary Robinson: I am grateful to my hon. Friend for giving way and to him and his colleagues for securing this debate about beer taxation and pubs. The wider aspect of this is pubs as a community hub. It is Mother's Day on Sunday. Our pubs will be full of people celebrating, dining and drinking and having a great time. Does he agree that the loss of these pubs would be a real detriment to our society?

Mr Evans: Absolutely. I hope that many people will be taking their mums out to pubs in their communities to thank them for being their mums; we do not need any other excuse than that. We hardly pass a pub these days that does not have a board outside informing people that Mother's Day is coming up and they should book early to avoid disappointment. There are so many occasions when one can go to a pub and celebrate. In fact, any day with a "y" in it will do, as far as I am concerned.

Pubs bring people together. The best way to see that is to go to a village where the only pub has closed. It tears the heart out of that village. I know the pressures that pubs are facing, whether due to business rates, which are crippling some small pubs, environmental standards—it is right that they have to meet those—or investment in new fridges.

Pubs generate a lot of economic activity, and not just through the sale of beer, which is a fantastic product. They provide jobs in rural areas where jobs can be scarce. In particular, they provide badly needed extra income for younger people who are perhaps at college and can be flexible with their time.

Dr David Drew (Stroud) (Lab/Co-op): The hon. Gentleman is making a wonderful speech, as I knew he would on this topic, which he knows only too well. Has he considered communities that have gone even further and bought their pub? The community-owned pub is now a really important part of some villages. I congratulate the Plunkett Foundation, which does an awful lot of work to tell communities how they can buy their own pub.

Mr Evans: Yes. At times, there must be immense pressure for pubs that have closed to be turned into a block of flats, because there is a lot of money in housing, but there is an opportunity for them to be turned into a community pub, if the community come together to raise money and keep it going. There are countless examples of those throughout the country,

and it means that the community still have a focal point where they can come together. I hope that more publicity will be given to those opportunities.

I have three breweries of different sizes in my patch: InBev, which makes Stella Artois, Thwaites brewery, which was moved from Blackburn into the Ribble Valley, is much smaller but is the famous brewery with the shire horses—there is a lot of corporate responsibility within that company—and Holmes Mill, which brews the great Bowland beers in the heart of the Ribble Valley.

Bob Stewart: My hon. Friend speaks with forked tongue. I have been to the pub beside his house with him twice or three times, and it is a wonderful pub, but when we go next door he always leaves behind the lady who lives in his house. She is called Alexa. He has never taken her.

Mr Evans: All I can say in reply to that interesting intervention is that my hon. Friend has been to my pub three times and not once has he bought me a drink. That is the sort of friends I have.

Bob Stewart: What about Alexa?

Mr Evans: I am not mentioning Alexa.

It is a great pub—it was actually the CAMRA pub of the year in 2013—but I have other pubs such as the Freemasons at Wiswell and the Parkers Arms in Newton. A lot of pubs rely on offering food as well. The hon. Member for Ealing Central and Acton (Dr Huq) mentioned that she does not drink, but people do not have to drink alcohol to go to these places because there is so much more on offer.

Mention has been made of taxation on beer, which is huge. At £13 billion, it is massive. Almost 1 million jobs are provided by the industry. We need to look at ways of lowering that taxation. There is something wrong when taxation goes up, people drink less and less money actually goes to the Inland Revenue. There should be a common-sense approach to lower taxation, increase sales and ensure that HMRC gets more money out of that.

Taxation is high if the alcohol by volume rate is high; it drops only at below 2.8%. We need to look at ways of increasing the rate to 3.5%. It would encourage more people to drink lower strength alcohol and have a great time; it would incentivise them to do that. It is worrying when a lot of people drink high ABVs—5%-plus. Drinking a pint of beer is good for one's health, but drinking too much beer with a higher ABV is not.

Tomorrow night, I was due to be in a pub celebrating a big event, but that big event is not happening; it is being deferred. All I can say is that, on 22 May, I hope to be saying, "Cheers, Brexit!"

2.12 pm

Liz McInnes (Heywood and Middleton) (Lab): I am pleased to be able to make a contribution to this very important debate, and to follow the hon. Member for Ribble Valley (Mr Evans), and I thank the hon. Member for Dudley South (Mike Wood) for securing it.

I am particularly interested in this subject for several reasons, including as a constituency MP with a medium-sized family-run brewery in my constituency, J. W. Lees—John Willie Lees—which provides employment for about 1,100 people, owns 140 pubs across the north-west and north Wales, and is a major contributor to our

local economy. My interest is also as the daughter of a landlady. My mother ran the Owain Glyndwr pub in Corwen, north Wales, during the 1980s, and then she was allowed to return home to the Duke of York in Heyside, Oldham—they were both John Willie Lees pubs—where I spent many hours, most of them happy, helping out with bar work in the evenings and at weekends.

Giles Watling (Clacton) (Con): I thank the hon. Lady for giving way because she has just reminded me of something. I have been to the Owain Glyndwr pub in Corwen, when I was working at Theatr Clywd over the way. As an actor who toured the country for the best part of 50 years—I probably visited everybody's constituency, apart perhaps from that of the hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone)—I have visited many taverns in many towns and, much to my wife's surprise, people know me by name. The tragedy is to revisit a place—as we know, at one period some 50 pubs a week were closing—and find that the heart of the community has been torn out because the pub has closed. In Kirby-le-Soken in my own constituency, two of the pubs closed, but they have now reopened. Should we not celebrate the fact that some publicans are being innovative and creating new business, and we should support them through taxation?

Liz McInnes: The hon. Gentleman is absolutely right that a lot of publicans are having to be innovative in the way they run their pubs to keep them open. I do not know when he visited the Owain Glyndwr, but if it was in the 1980s, I may well have served him.

Giles Watling: In 1987.

Liz McInnes: Then it could well have been me who poured his pint.

As the hon. Gentleman has just said, pubs are at the heart of our communities. For me, there is no greater pleasure than going down to my local on a Sunday evening—I try to make it my night off from politics—fending off all the queries about Brexit and what on earth we are all doing in this place, as well as providing a sympathetic ear for the landlord's often expressed concerns about business rates and the future of his pub.

The facts are simple: pubs are closing at a rate of two to three per day. Our high streets are already struggling from the effects of bank branch closures, post office closures and the rise of online shopping. This is just piling on the problems in the face, I am afraid, of this Government's increasingly incoherent policy on the future of our high streets. Pubs are being taxed left, right and centre with duty, business rates and employment taxes, as well as full VAT at 20%, while people are shopping online, staying at home and not coming out to socialise with others. This is not good for society, and a healthy pub is the heartbeat of its community.

The Campaign for Real Ale is calling for a fundamental review of the tax system to stem the tide of pub closures. CAMRA welcomes the Government's business rate relief introduced in the 2017 Budget, but has said recently—just this month—that more action is needed to ensure the survival of the remaining 50,000 pubs. I am pleased that the Treasury is reviewing small brewer's relief, which hon. Members have already mentioned. I look forward to hearing the results of the consultation, which closed on 17 March.

[Liz McInnes]

While small brewer's relief has been helpful in the start-up of many new micro-breweries, it has also meant a reduction of one third of brewers, such as John Willie Lees in my constituency, which are squeezed between the large international brewers, with huge economies of scale, and the smaller brewers that benefit from a beneficial duty rate. As has already been mentioned, business rates do not help, and many pubs are closing because of high costs.

John Grogan (Keighley) (Lab): Does my hon. Friend think it would be good if the micro-brewers agreed with the family brewers a proposal for a new structure of duty relief that would have weight with the Treasury? SIBA was in contact with family brewers last year, but the talks broke down. Does she agree that if the industry could agree a scheme, that would have considerable weight?

Liz McInnes: I think that is a very sensible suggestion, and I hope my hon. Friend has fed it into the consultation. As I have said, I am looking forward to hearing the results of the consultation. I do not want to set up the small brewers against the medium-sized brewers, but I think we need to find a solution to this issue.

We have heard already from CAMRA and the British Beer and Pub Association that for every £3 spent in the pub, £1 goes straight to the taxman. The beer duty freezes in 2017 and 2018 were a welcome measure, after the damaging 3.9% increase in March 2017, but British beer remains overtaxed. Britons pay nearly 40% of all the beer duty paid in EU nations, but we consume only 12% of the beer. The beer duty rate in Germany is 12 times lower than the UK rate. A modest cut in beer duty in the next Budget would create thousands of additional jobs and help to ensure the sustainable future of our surviving pubs. This has been supported by the over 115,000 people who have signed up to the recent Long Live the Local campaign.

Finally, I want to finish with a point that was also made by the hon. Member for Ribble Valley. If the Government were to increase the threshold for lower strength beer to qualify for duty relief from 2.8% to 3.5%, this would stimulate further investment in lower alcohol products and increase the range of low and no-alcohol alternatives available to encourage the healthy social drinking that our pubs—our community hearts—so desperately need.

2.19 pm

Mrs Anne Main (St Albans) (Con): It is a pleasure to follow the hon. Member for Heywood and Middleton (Liz McInnes). This debate has been very good humoured, and it is a pleasure to take part—I'm fed up with this place at the moment! Beer duty has been mentioned, and I should declare an interest: the headquarters of the Campaign for Real Ale, which is in the forefront of the campaign on beer duty, is in my constituency. However, I want to focus on pub business rates.

Generally speaking, people do not go to the pub to get drunk these days. There are so many other things: some pubs run mini-libraries or toy libraries, while others run campaigns to support local people in need or help charities. Some hold darts matches. They are a

focal point for many people who have nowhere else to go to meet friends and can be a place for celebrations with relatives as well. A pub is so much more than just the price of the liquid in the glass, and we really have to get that over. That is why I want to focus on the premises in which the liquid is served. A reduction in beer duty would be good, but as a wine drinker I want to focus on how we keep pubs in business so that we all have somewhere to go.

I took part in the previous, very well attended, debate on this issue in Westminster Hall. I am trying to get a meeting with the Financial Secretary to the Treasury to raise this important issue and some of my constituency's pubs and landlords have come to meet my hon. Friend the Exchequer Secretary to the Treasury, who is on the Front Bench now. But the reality is that those people do not feel that there is a real awareness that the much welcomed reduction in business rates will not reach all the parts that other beers cannot reach. In my constituency, the reduction reaches a mere 50% of the pubs, on average. Many of the pubs have contacted me about a massive hike in business rates; they have to cut staff or close their businesses altogether. That cannot be the message that the Government intended to send out.

Mr Jim Cunningham (Coventry South) (Lab): This, of course, is not the first time we have had a debate about pubs; we have had them for years, although we never seem to make much progress when it comes to their taxation. The other affected area is the working men's clubs, a lot of which are now dying out. It is important that the Treasury has a good look at the situation to see whether it can help pubs. At the end of the day, pubs are a catalyst for the community. The hon. Lady is on the right track.

Mrs Main: I am pleased that the hon. Gentleman mentioned the community aspect in his valuable intervention. Some pubs threatened with closure are taken on as community assets, but it is incredibly hard to make the business case, given how business rates are. No matter how willing the community is, there are only so many pints of beer that anyone can drink to help provide the income it needs, unless we want to encourage people to be blotto night and day. We have to ask whether the business model is workable, and for many pubs it just is not.

The cut of 33% in rates for businesses with a rateable value of under £51,000 was a major step, but in areas such as St Albans it is not having an impact. Areas with high property values such as St Albans are almost totally overlooked. Many people have mentioned heritage and beautiful buildings: pubs in my area are under a huge threat of being turned into domestic properties. That is a real worry. They are struggling at the cliff edge, and we have to address the issue now.

The 2017 business rates formula for pubs uses a methodology for setting the rateable value based on fair maintainable trade. Nobody seems to understand how that works. The rateable value is driven mainly by the pub's turnover and it takes into account property valuations. That means that even small pubs in St Albans are having huge hikes in business rates because they happen to be settled among much higher-value domestic properties. The formula does not take that into account, so it penalises small business operators.

The hon. Member for Keighley (John Grogan) mentioned micro-breweries: the formula also penalises the independents, which is a real problem. We may lose some of the quirky pubs on our high streets that offer that level of interest and difference and prove a huge pull for tourists who come into areas such as St Albans and appreciate pubs such as The Boot and Ye Olde Fighting Cocks, many of which have historic backgrounds and architecture to match. That means that it is difficult to expand or increase footfall, because they are extremely small.

Save UK Pubs has compiled a useful document outlining the increases that pubs face. I have given it to the Minister before, but I will send it to him again in case he has lost it. The Boot, which I have just mentioned, is an absolutely tiny heritage pub—some people have bigger sitting rooms. People there reckon they would have to sell an additional 22,000 pints to cover the additional £51,000 in business rates that they now have to pay—a 280% increase. That is unsustainable.

If the Chancellor came up with the model, he certainly was not looking at St Albans when he did. Christo Tofalli of Ye Olde Fighting Cocks told me that unless there is proper reform of the relevant taxes, licensing laws and duty costs, his pub will be finished. He bought this beautiful, historic pub; people can work out from its name that it goes back a long time. Bringing it back to life has cost him a huge amount of personal investment. Having pulled it back from despair, he expects people in this House to get how important a pub is. It is not necessarily a drinking outlet—there are plenty of those. A pub is family to some people and part of the community to many people. Once it has been turned into a posh house, as happens in my constituency, it will never come back. I put in a plea for the Minister not to hide behind all the different things that have been done. It is not enough, and we need to look at the situation again.

2.26 pm

Toby Perkins (Chesterfield) (Lab): It is a great pleasure to follow the hon. Member for St Albans (Mrs Main), who called at the end of her speech for more to be done to support our pubs—the theme of this entire debate.

Pubs are absolutely crucial to our communities and certainly to my constituency. Chesterfield has 105 pubs, and 1,419 people there rely on beer and pubs for their employment. In Chesterfield alone, £15 million goes into the local economy through wages paid to people who work in our pubs. Alongside the economic value that pubs provide—we have talked about the huge tax contribution that they make—pubs also make an incredibly important social contribution. As we have heard from other hon. Members, when a pub closes on an estate there is no longer a focal point for the community.

What is the first thing that comes to mind when we think about soap operas? We think of *The Rovers Return* or the Queen Vic, which are the hub of their communities. When people visit our country, the first thing they want to do is visit the local and have a pint of British ale. We cannot overestimate the incredibly important role that pubs play in our social fabric.

Alex Sobel (Leeds North West) (Lab/Co-op): My hon. Friend is making a wonderful speech. In the market town of Otley in my constituency, there are two grade II listed pubs—the Black Bull Inn and The White Swan,

operated by Star Pubs & Bars. It has ruined the heritage of those pubs. Does my hon. Friend agree that that goes against the heritage and tourism that we need to engender? Should we not have more local powers to ensure that that sort of thing cannot happen to grade II listed heritage pubs?

Toby Perkins: I certainly feel strongly that the owner or landlord of a pub is its custodian for the local community. Pubs valued by a community have often been lost as a result of the irresponsibility or inadequacy of the people who have run them. When pubs close, that has a huge impact on the local community. Sometimes, we have got too bogged down with the numbers; where pubs close is also important. We have heard about the importance of rural pubs, and I mentioned previously the importance of pubs on the local estate.

The Brampton Mile is a famous area in Chesterfield with 17 pubs within a single mile. Some have attempted to visit them all in a single night—I cannot entirely remember how it ended, but it started well. When a pub closes in an area with a huge number of pubs, the impact may not be the same, but when there is only one pub in an area, it is incredibly important, and we feel strongly about that. Some 243 people in Chesterfield signed the “Long Live the Local” petition.

Here in Parliament, we recognise how important pubs are. The hon. Member for Dudley South (Mike Wood) who started the debate, is chair of the all-party parliamentary beer group. I am chair of the all-party parliamentary pubs group. This year, we held the first ever parliamentary pub of the year competition. I was delighted that so many MPs entered. There was a fantastic array of entries. My own entry, the Chesterfield Arms in Chesterfield, was a finalist, but was ultimately defeated by the Four Elms pub in Cardiff, Central. It was an event in which we came together and celebrated the role that pubs play in our communities.

There are always claims that if the Government only taxed businesses less, the pubs would do better. As a former shadow Business Minister I recognise the extent to which such calls are heard. The Government were elected in 2015 on a manifesto that promised a fundamental review of business rates. I appreciate that that commitment disappeared from the 2017 manifesto, but the Government have not considered themselves to be held to many items in that manifesto. The system of business rates disincentivises investment, whether in pubs, manufacturing or retail. When people make their premises better they pay a higher tax bill, which flies in the face of the sort of investment that we all want to see. I would love the Government to put less focus on reducing corporation tax at the expense of business rates. Corporation tax is businesses paying tax on profits that they have made, whereas business rates are a tax on owning a property. At a time when pubs and so many retail units are closing, the taxation policy achieves the opposite of what the Government intend.

If I had more time, I would talk about the pubs code, and I look forward to the review that the Under-Secretary of State for Business, Energy and Industrial Strategy, the hon. Member for Rochester and Strood (Kelly Tolhurst), is undertaking. Pubs are crucial to our communities, and I am delighted that this debate has taken place. May we all continue to trumpet that crucial role.

2.31 pm

Bill Grant (Ayr, Carrick and Cumnock) (Con): It is a pleasure to follow the hon. Member for Chesterfield (Toby Perkins). As a nation we need to have a balanced approach to the provision of alcoholic drinks, their sale, their taxation and the licensing of pubs. I will take this opportunity to make a cautionary remark: it is well publicised that there are proven consumption levels that should not be exceeded in order to minimise the risks to our health. The key is to enjoy drink in moderation and, best of all, in the local pub.

Our pubs provide a social meeting place, encouraging people to meet and converse with others in convivial surroundings. The majority of pubs in Scotland are convivial—although some may not be—and an important part of our infrastructure. In the United Kingdom, pubs and drinks producers are also major employers, with approximately 900,000 employees. Many of those businesses—and of course the consumer—will benefit from the rates discount of one third for small retailers in England and Wales from April 2019, and in Scotland we have had the small business bonus for a number of years, which has been of great assistance, but neither scheme goes far enough to assist pubs. Another good thing is the freezing of beer, cider and spirits duty for yet another year—I thank the Chancellor very much for that.

I have previously expressed my support for the freeze on duty, given my constituency includes Grants of Girvan, producing whisky and Hendricks gin, Caledonian Bottlers in Cumnock, and the small Ayr Brewing Company, which produces excellent real ales consumed and enjoyed by many.

Even though we are discussing beer, it would be remiss of me not to mention the Scottish whisky industry, which remains a great British success story. Exports are worth some £4 billion per annum, comprising almost a fifth of the UK's food and drink exports. Duties on alcoholic drinks are forecast to raise £12.3 billion in 2018-19. Surely the Chancellor has a bit of wiggle room for some kindness towards the pub trade.

Luke Graham (Ochil and South Perthshire) (Con): My hon. Friend makes a good point about the whisky industry which the Government have supported so well by freezing the duty for the last two years. For a constituency such as mine, which has Diageo, Strathearn distillery and others, that provides vital support, domestically and with exports. Does he agree that our pubs supply not only great drinks but fantastic food, like the Kirkstyle Inn in Dunning in my constituency? That food can bring families in and, combined with local music, can make the pub the heart of the community.

Bill Grant: I completely agree, and pubs are great outlets for locally grown produce which we can be very proud of in the UK, in particular in Scotland.

As with all good news, there is a negative. One of our local businesses raised concerns with me recently about post duty point dilution and the proposed ban on this. I am aware that it will hit some businesses hard and cost them dearly to maintain their standards, only to fund the Exchequer, where their methods involve this practice. I ask the Minister to consider whether any flexibility can be applied when the legislation is drafted this year.

Sadly, pubs are still closing. In the village of Patna in my constituency, we have gone from four pubs to one over the last 15 years, in Drongan from three to one and in Rankinston, the village of my birth, we have had no pub for many years. We have seen the sad demise of these much loved institutions. Indeed, in the last decade almost a quarter of UK pubs have closed. However, it is not all bad news—in Cumnock, the 1906 Bar in the square has just been refurbished and reopened as an excellent eatery and pub. The Kirkton Inn in Dalrymple—you may know it, Madam Deputy Speaker—has recently been purchased and refurbished. The owners have breathed life back into and it is now an excellent pub and eatery. I wish individuals behind those business ventures every success.

There are many reasons for pub closures, including lifestyle choices, supermarket prices and ease of purchase from convenience stores. Despite the temptation of the aforementioned, I very much enjoy supporting my local pubs, but I cannot be the saviour of every pub—we all need to participate. If we want them, we have to use them, although as always the beer should be consumed in moderation.

The issue of business rates comes up constantly, and I have been approached by bar owners and publicans in my constituency who are concerned by the cost, despite the small business bonus scheme. They face long delays when they appeal their rates, and they find it very hard. CAMRA has long campaigned to reduce the rates for pubs. How often can we repeatedly punish these wee facilities in rural communities and towns and treat them as a cash cow for taxation? We need to take a serious look at the issue.

Communities still value their local pubs and eateries as part of the social fabric of towns and villages. I recognise the work the Government have undertaken recently, but I urge the Minister to continue to recognise the value of pubs, the employment they create and the safe, supervised environment they provide for the consumption of alcohol and engaging with others. We cannot afford to lose many more and it is vital that the value of pubs to the local community is reflected in the taxation applied.

2.37 pm

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): I congratulate the hon. Member for Dudley South (Mike Wood), my near neighbour, on securing this debate. He mentioned Baynhams beer, of which I am a regular consumer and supporter, and Ma Pardoes pub, where I am a regular visitor. In fairness to all the other Black Country beers and drinking places, I must say that it is a fantastic area for anyone who loves their beer. The sheer range of craft and real ales there is phenomenal.

I particularly welcome the debate because it is framed in the context of the taxation regime for pubs. We need a change in that regime, but that alone will not protect our pubs and their heritage unless it is allied with a change in the supervisory and regulatory relationship between pub tenants and pub-owning businesses.

Let me touch first on the tax regime, although Members have covered most of this. There is obviously a case for looking at alcohol duties. The fact that high-alcohol beers and ciders are taxed at hugely different rates is in

itself a reason for looking at them. The fact that high-alcohol spirits are taxed at a lower rate is another reason for looking at them. Ultimately, it is the job of the Treasury to have a comprehensive review of these duties. That should be designed first to promote social drinking, secondly to sustain pubs and lastly to sustain Exchequer revenues.

Ruth Smeeth: My hon. Friend has touched on the fact that there are differential duties. Does he agree that it is ludicrous that there is still, in effect, a subsidy for cider producers whose products contain high levels of alcohol, when that is not the case for beer? There needs to be a level playing field across the sector.

Mr Bailey: I agree with my hon. Friend. Given the increased consumption of cider and the increased tax revenues from it, I would have thought there was a case for looking at the relative taxation levels of the two drinks.

Business rates have been mentioned. I will not go over the details, but we have a ludicrous situation whereby someone who invests in their business and increases their turnover often gets a huge increase in their business rates as well. One example given to me involved somebody who took over a pub that had traded at £200,000. He raised that to £700,000 but then found that his business rates had gone from £8,400 to £37,000. He did get that reduced to £24,000, but the mere fact that he had such a big increase and that it was then revised would seem to demonstrate that the process for evaluating business rates is deeply flawed. I recognise the Government's attempts to do something about that, but we really need a comprehensive review of business rates so that they are geared in such a way as to promote and reward investment rather than penalise it.

Mrs Main: The hon. Gentleman is absolutely right. I have had similar experiences, with pubs putting in the investment and then finding themselves penalised. However, they say that when they put in a challenge, it takes a long time and it is difficult to get an explanation as to why the final figure is arrived at. There is not the transparency over the rateable system that there should be.

Mr Bailey: I totally agree. The process is opaque and would often appear to be perverse as well. There is a big case not only for revising it but for making it far more transparent so that anybody investing in their business can get a clear idea of what the potential financial penalty—if that is the word—would be on their investment.

I want briefly to touch on the pubs code and the Pubs Code Adjudicator, which my hon. Friend the Member for Chesterfield (Toby Perkins) mentioned. I am the former Chair of the Business, Innovation and Skills Committee, and a member of its predecessor Committees, and we examined time and time again the relative balance in power between the pub tenant and the pub owner, as well as the relatively low level of income that tenants running even the most successful pubs obtained from all their efforts, relative to the revenues accrued by the pub-owning business.

The pubs code was agreed by the Secretary of State for Business, Innovation and Skills in the previous coalition Government, and I give him credit for that. A Pubs Code Adjudicator was appointed to adjudicate

and to try to ensure that there was a fair balance of risk and reward between the two parties. It is fair to say that the appointment of Paul Newby was controversial, and a lot of concerns were raised. On the basis of the evidence we are getting back from tenants, those concerns were well founded. The changes do not seem to have affected the rate of pub closures whatsoever; indeed, the number of tenants who are still finding that the reward they get from all their efforts is totally inadequate does not seem to have changed either.

I welcome the fact that the Government are about to undertake a review of the working of the code and the adjudication. The essential thing is for the Pubs Code Adjudicator to act as an adjudicator and not just to enable negotiation between the pubco and the tenant, which actually reinforces the imbalance of power between the two. All too often, pub tenants find themselves negotiating against not only the pub company but their solicitors as well, and they are not in a position to have equivalent legal advice.

I conclude by saying that saving the pub involves two things: a radical transformation in taxation, but also the reinforcement of the legal protections for the pub tenant against the pub-owning business.

2.46 pm

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I thank the hon. Member for Dudley South (Mike Wood) for bringing this debate before us. As other Members have said, this is light relief compared with the dark place we have been in for far too long—let me put it that way.

Many of the points I would have made have already been made, so I will crave your indulgence, Madam Deputy Speaker, and tell a little anecdote from the past. As some Members know, prior to appearing rather unexpectedly in this place, I was much involved in amateur dramatics and the local pantomime group—I have, indeed, been the dame in my time. On a Thursday night—to go back to the halcyon days of pubs—we would repair to a particularly famous old pub in my home town. At 11 o'clock, the barman, Sandy, would say, "Well, well, boys and girls, I think we will need to lock the door." He would shut the massive, great door, turn the key and then carry on pulling the pints. One Thursday, I turned to a new member of the cast beside me at the bar and said, "Goodness me, do you think the bobbies might come knocking on the door tonight?" He laughed and said, "Ha, I'm an off-duty police sergeant," which caused a slight reaction around the bar. Then, a voice further down the bar said, "That's nothing. I'm an honorary sheriff's substitute." They were lax days, but I just wanted to tell Members that anecdote.

There are two points I want to pick up on in my brief contribution. The hon. Member for Stoke-on-Trent North (Ruth Smeeth) made the point that publicans and their staff are trained, and they know the danger signs when somebody is drinking too much. As often as not, they will refuse to serve them, or they will get them into a taxi and get them out of the place. How much better is that, as she said, than having some lonely bloke drinking himself into a stupor at home on cheap White Lightning or cheap wine? We all know that far too many household fires are caused by somebody being bloated in their seat and dropping a fag down the back of the settee or whatever. There is therefore a safety aspect to this.

[*Jamie Stone*]

If someone goes on holiday to Spain, Italy, or wherever, if they are like me, fairly quickly they think, “I’ll pop down the village”. It is a hot day, there is a place with nice wee tables outside, and they have a pint of lager. Let us switch that the other way round. Visitors come to the highlands of Scotland and find no pubs—are you kidding? Tourism is crucial to the highlands, and the one industry that is fundamentally sustainable in the long term. If there are no pubs, the visitor experience will be much impoverished, to say the least, and the bad news is that the next year, people will think, “Perhaps I’ll not go there again”. Pubs have a far wider role than has yet been touched on in this debate, and I echo all that has been said about pubs being part of the social fabric of our communities.

Bob Stewart: The Jolly Woodman in Chancery Lane in my constituency is the nearest pub to my house, and it provides quality real ale. People come from miles around to visit that pub, and that is the sort of reaction we want to pubs in our areas.

Jamie Stone: I could not agree more, and I hope that one day the hon. Gentleman will take me to that splendid place and introduce me to the delights of that nectar.

I have said enough. As soon as I have the opportunity, I shall invite the hon. Member for Clacton (Giles Watling)—he is not in his place at the moment—to my constituency, and introduce him to its local delights, of which there are many. I hope there will carry on being many, because if we lost them it would be a tragedy.

2.49 pm

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): I thank the hon. Member for Dudley South (Mike Wood) for securing this debate, and I congratulate my local Coatbridge brewery, the Veterans, on its successful launch on Armistice Day 2014. It was built by ex-servicemen, and I visited it recently.

Many years ago, I worked in the pub trade for 10 years as a barperson and landlord, and it was the most enjoyable job. I wish to thank my local, the Windmill Tavern in Tannochside, because it was the customers who made my job so happy. I also thank Gates Bar in Bellshill, where I worked part-time. We had many debate nights when we would be pulling pints and talking politics—multi-tasking.

In those days the pubs were busy. Day and night people were out socialising and enjoying a pie and a pint. Changed days—30 years later we have empty pubs and landlords who struggle to compete with the off-sale market given the price of a pint and the price of socialising. Sadly, although we still love our local pubs, I have also seen a change in the hotel and catering trade. Staff wages are low and zero-hours contracts are used and abused. What really annoys me is when staff tips are taxed, and in most cases managed poorly. In conclusion—in the tradition of last orders—can we look at beer taxation, eradicate zero-hours contracts, and stop taxing the tips?

2.51 pm

Jim Shannon (Strangford) (DUP): I did not expect the last two speeches to finish that quickly, but I am sure I do not qualify for the extra time. If I could I

would use that time, Madam Deputy Speaker, but I accept that you would not let me under your rules.

I commend the hon. Member for Dudley South (Mike Wood) for so ably setting the scene and being generous with interventions, and I thank the Backbench Business Committee for selecting this debate. From the fore I wish to be clear that I am aware of this House’s duty to encourage people to drink sensibly, and our policies, taxation, and legislation must carry a message that a sensible balance must be achieved by those who choose to drink alcohol. For that reason I, along with other Members, oppose supermarket cheap deals on alcohol—the hon. Member for North Tyneside (Mary Glindon) referred to that, as have others—because that is clearly a contributory factor to those who have problems with alcohol. Some people buy too much and then imbibe too much. They end up in A&E, and with broken families due to their abuse of alcohol.

I fully support my local pubs, and I want to ensure they have that support in every corner. They have contributed a lot to the local economy in Northern Ireland. With local pubs it is clear—either use it, or lose it—and we cannot continue with the losses that we have unfortunately experienced over the years. I also understand the benefits of drinking in a pub that is a safe, local environment. As others have said, that might include someone who is able to reach over, take someone’s keys and call them a taxi, or an Uber, which is what young people use today, or someone who says, “Okay Billy, or Pat, that’s enough for tonight”, as opposed to them drinking in the home where there is no limit to what can be consumed. I believe that most pubs encourage responsible drinking, which is why I am in favour of this motion.

When we consider the pub industry in Northern Ireland, the figures are clear. We have around 1,216 pubs in Northern Ireland, and the pub and beer sector alone contributes £390 million in gross value added to the economy. It sustains more than 16,000 jobs and £200 million in wages, and the total tax contribution is around £260 million annually—that is some contribution.

There is little doubt that the industry makes a key contribution to the supply chain in Northern Ireland, generating additional value, jobs and wages for the economy. The sector has been in a precarious trading position over the past few years, as demonstrated by the instability of its gross value added performance over time. That is also reflected in the fact that Northern Ireland’s pub sector is the only one in the 12 UK regions to have experienced negative capital expenditure in 2016. That cannot be ignored. It contributes three times more in business rates than its profitability in the economy. The business rating approach to pubs in Northern Ireland is based on old case law that determined that pubs were more profitable than other businesses. Valuation is therefore based on an archaic law that no longer has any basis.

I can well understand the argument that, as things stand, the sector is paying too much relative to its contribution to the economy. We can demonstrate clearly that it is certainly not more profitable than other businesses. The difference between Northern Ireland and the rest of the mainland is clear. The sector contributes 2% to non-public rates in Northern Ireland, but accounts for just 0.7% of the profitability of the local business economy. Northern Irish pubs account for just 1.6% of UK pub sector GVA, but pubs contribute 2.5% to UK

business rates and 2.5% to the overall direct tax burden for the sector across the UK. It would seem to me that this is an overtaxed business area as it is, and that does not take into account the fact that, with people finding it more and more difficult to make ends meet, pub beer can be swapped for home beer. The mentality of “I can drink more if I drink at home” is not what we seek to endorse. We are trying to make sure that people stay in the pub.

I am not in favour of a cut to alcohol taxes per se, but I do believe that a cut targeted specifically at our pubs, bars, hotels and restaurants should be considered, as the social benefit would surely outstrip the initial duty cut cost. The industry is struggling, and my fear is that more local pubs will close. It is important that we do not encourage youngsters to chance their arm at supermarket self-service so that they never experience the safety measures that come with drinking in a local pub, where the tap stops, the keys are removed and there is no trouble. I fear for a generation who will only experience alcohol as a means to get wasted and not as a social event. I believe that pubs have a role to play, and we need to ensure that they can continue to trade and to step into people's lives—and possibly even save lives. This is about social interaction and drinking sensibly. It is about having pubs in our areas.

2.56 pm

Kirsty Blackman (Aberdeen North) (SNP): It is a pleasure to take part in this debate. I congratulate the hon. Member for Dudley South (Mike Wood) and other Members on ensuring that this debate took place. I thank the Backbench Business Committee and all those who have contributed to what has been a very good-humoured debate with very little disagreement. We need to support our local pubs, and we need appropriate taxation regimes that ensure, in particular, that responsible drinking can take place.

I want to talk about a few issues in relation to Scotland and make some wider points on tax. In Scotland, we pioneered minimum alcohol pricing. It mostly affects cheap supermarket alcohol and ensures that, for example, incredibly cheap high-alcohol-content ciders that are sold in supermarkets have to be sold at a higher price. That, however, is not what we would in an independent Scotland. In an independent Scotland, we would be looking for a comprehensive review of alcohol taxation overall. In fact, we asked the Government to do that, and we moved such a provision in a previous Finance Bill. We can only look at individual elements of alcohol taxation for a few years before an overall review is needed. We think that that review should be based on the amount of alcohol in each drink, and that taxation should therefore be levied on an appropriate basis.

I know that this debate is about beer and the taxation of pubs, but in pubs 42% of alcohol sold by value is wines and spirits, so it is important that that is considered in any decisions made. Given that women consume three times as much wine as beer, it is important to consider wine in this context and not just beer. As someone who likes a pint rather than a glass of wine I am on the other side of this argument, but I understand that an awful lot of people are concerned about wine taxation.

On post duty point dilution, which has been mentioned by a number of Members, I am pleased the Government are bringing forward a review. I have been approached

by constituents who are keen to see a change. It would be useful if the Minister, in his summing up, could let us know what is happening with the timescale for that. I am not clear about the timescale going forward, although the Government may have talked about it in the past.

I think there are three different reasons for taxation in general: to generate revenue for the Government; to discourage negative behaviour; and to encourage positive behaviour, particularly in the case of reliefs. In assessing taxation on alcohol and pubs, the Government need to think of those three things going forward. What do they want to encourage? What do they want to discourage? How much revenue do they need to generate from any decision that they take? I think the view around the House is that responsible social drinking is the way forward, rather than people drinking at home and choosing drinks with incredibly high alcohol volumes.

On business rates, in Scotland we have the friendliest environment for business rates in the UK. Two out of every five pubs in Scotland receive the small business bonus and pay zero or reduced business rates as a result. In Scotland, 90% of properties also pay a lower poundage than they would if they were in the rest of the UK. We have done everything we can to ensure that we have the most competitive taxation regime for properties.

Let me just say a wee bit on the contribution of beer and pubs to the economy in Scotland, which is £1.7 billion a year. The brewing and pub industry supports the employment of 60,000 people in Scotland, which is significant. In my constituency, although I do not have breweries, I have the first pubs for Fierce Beer, six°north and BrewDog, so it is nice to be able to give them a shout-out.

I appreciate the tone in which this debate has taken place. If the Minister could answer my question on the post duty point dilution review, that would be incredibly useful. If he could also commit to a review of alcohol taxation in general, that would be great, but I am not sure that he will be able to go that far today.

3.1 pm

Anneliese Dodds (Oxford East) (Lab/Co-op): I congratulate the hon. Member for Dudley South (Mike Wood) on securing the debate. As my hon. Friend the Member for Coventry South (Mr Cunningham) said, this is not the first time that we have debated many of these issues, but I very much agree with the hon. Member for Aberdeen North (Kirsty Blackman) that this has been a good-humoured debate, albeit one with rather too many puns. This debate is also important, as so many Members from right across the country have said, because the UK pub is renowned around the world—the oldest one was established right back in the 11th century—and an essential feature of our national life.

We have already gone through many of the statistics, so I will not do that now, but I very much agree with the hon. Member for Ribble Valley (Mr Evans) that much of the economic impact of the pub and brewery sector is indirect as well as direct. We have talked a lot about the impact on employment. It was very interesting, in particular, to hear about the experience of my hon. Friend the Member for Heywood and Middleton (Liz McInnes) and about her working life. It was also the first taste that I had of working life. Working in a pub and restaurant I was paid the princely sum of £2 an hour before Labour's minimum wage was introduced.

[Anneliese Dodds]

This sector is very important, supporting around 1 million jobs in the UK. Those who work in it contribute many payroll taxes as well. However, pubs are really also community hubs, as so many hon. Members have said. My hon. Friend the Member for Ealing Central and Acton (Dr Huq) referred to the role that they can play in combating loneliness. We have heard about how pubs can help older gentlemen—I do not know why I am gesturing in the direction of the hon. Member for Beckenham (Bob Stewart)—and how they are open to mothers in the run-up to Mothers' Day.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): We recently had a consultation in the west of Wales on the reconfiguration of health services. Dr Rhys Thomas, one of the lead consultants, informed us that one of the biggest public health challenges that we face is loneliness, so there is a public health aspect to this as well.

Anneliese Dodds: I absolutely agree with that point. There is now evidence of that. Work has been undertaken, commissioned by CAMRA, which set out clearly that there is a positive impact of people using pubs in the kinds of ways that we have been talking about during this debate. The point has also been made that many people who use pubs are not necessarily drinking alcohol. They use them in a whole variety of ways. I would also mention the fact that many pubs—particularly community pubs, and I will come back to that point later—are setting up special sessions for people with different conditions, such as dementia, so they are very important institutions from that point of view.

We have seen some worrying developments, which many Members have referred to. We have seen pubs closing at an alarming rate. Last summer, we saw figures showing that 18 pubs a week are closing. Those closures are occurring at the same time as the closures of libraries, post offices, banks and many local shops. They are happening in rural areas, as has been mentioned, but in urban areas as well. My hon. Friend the Member for Chesterfield (Toby Perkins) noted very movingly what happens when the last pub leaves an estate, and my hon. Friend the Member for Barnsley East (Stephanie Peacock) raised the same issue.

Members on both sides of the House rightly referred to the importance of local pubs, but also drew attention to the challenges they face. The first of those challenges relates to the tax system, and involves beer tax, small brewer's relief and business rates.

We are in a peculiar position when it comes to beer tax. I agree with the Institute for Fiscal Studies, which has said that

"The UK's current system of alcohol excise duties is a mess", and that the way in which we tax our alcohol does not necessarily "fully correct for the social costs of alcohol."

I hope that the Minister will spell out what the Government intend to do in the longer term, because a longer-term approach is needed, given the developments at EU level that were mentioned earlier and given the development of the low-alcohol beer sector, which was mentioned by the hon. Member for Faversham and Mid Kent (Helen Whately) and many others. Those developments are significant, but the tax system has not yet responded to them.

Many Members, including the hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone), my hon. Friend the Member for North Tyneside (Mary Glindon) and the hon. Member for Strangford (Jim Shannon), referred to the corrosive impact of low-quality, high-alcohol products which are drunk at home and are cheaper to drink at home.

We had an interesting discussion about small brewer's relief. My hon. Friend the Member for Stoke-on-Trent North (Ruth Smeeth) spoke of its importance to small breweries, but I think we should also look carefully at its calibration in the light of the unintended consequences that were mentioned. My hon. Friend the Member for Keighley (John Grogan) made some good suggestions, and I hope that they will be noted in the review that is currently being undertaken. Despite those pressures, however, we are seeing incredible innovations, especially in the craft brewery sector. I want to plug the micro-pub movement which is taking place in my constituency, and our amazing covered market as well.

Many Members referred to business rates, which have been extremely damaging to pubs and to many other businesses that are based on bricks rather than clicks. My hon. Friend the Member for Stoke-on-Trent North, and many other Members, talked about the imbalance in that regard. A business pays corporation tax only when it has become profitable, but the Government appear to have focused on reducing the corporation tax rate. My party would not take that approach, because we value the high streets and we value bricks-and-mortar-based businesses. Of course, that does not just apply to pubs. My hon. Friend the Member for Cardiff West (Kevin Brennan) mentioned the impact on music venues, many of which are, in practice, in the same place as the local pub. We need to look at these issues in the round, and, in fact, we should look at them in relation to council tax as well. That is why we have committed ourselves to a proper review of local taxation, which we think is well overdue.

However, pubs face many other impediments that are not related to tax. That point was made very forcefully by my hon. Friend the Member for West Bromwich West (Mr Bailey). The pubs code, which was intended to level the playing field for small pub tenants, has not operated in the way in which many of us hoped that it would. It appears that the situation is being manipulated, which is immensely problematic, because, as was pointed out by my hon. Friend the Member for Leeds North West (Alex Sobel), tenants are still subservient to pub companies. That is also a big problem for the social mobility referred to by my hon. Friend the Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney), because it means that people who start off pulling pints cannot end up as pub owners.

I should like to hear from the Minister when the compulsory review of the pubs code will be announced. I thought that it was to be announced this month. Can we also be assured that the process will be open and accountable? We need to restore trust and accountability to the process. We also, as was mentioned by my hon. Friend the Member for Stroud (Dr Drew), need to make sure communities are aware of that social value process so they can take over those community assets when they want to; many communities are not aware of it.

Many of us have said this debate is a refuge from Brexit, but, sadly, it is not entirely of course. That is first because the workforce is very important to the pub

sector and we are all aware of many of the concerns about what will happen if in particular we have a threshold of £30,000 to get workers into the UK. UK Hospitality has said the current proposals are illogical. We need to deal with this challenge. Also, the hon. Member for Waveney (Peter Aldous) rightly referred to the importance of exports from our brewery industry in particular; we must not impose any additional bureaucracy on those exporters, particularly in growth fields and innovative parts of our brewing industry.

I hope the Minister will respond to my points in his remarks, particularly on the beer tax, small brewer's relief, business rates and some of the legal issues.

3.10 pm

The Exchequer Secretary to the Treasury (Robert Jenrick):

I thank the Backbench Business Committee for securing this debate. As numerous Members have noted, it has felt rather like finding a good pub on a long walk when we are feeling weary and looking for a welcome break. The debate has been conducted in a very good-humoured manner throughout. I was first elected at the end of the coalition Government, and pubs was the only vote I believe that that Government lost in all those years, whereas today we are united on this topic but it is just all the other votes we seem to be losing.

I thank my hon. Friend the Member for Dudley South (Mike Wood) for sponsoring the debate. Like the hon. Member for West Bromwich West (Mr Bailey), he spoke about the Black Country's long association with beer and brewing. I grew up in the shadow of Banks's brewery in Wolverhampton and spent my teenage years, like the hon. Member for Oxford East (Anneliese Dodds), working in pubs that my hon. Friend's constituents might drive out to Staffordshire and Shropshire to visit. I also thank the hon. Member for Stoke-on-Trent North (Ruth Smeeth) for her contribution; I have had a few drinks near her constituency in the Potteries, not least on the night I lost my first election in 2010. Given the scale of the result I probably should have drunk a pint from the Titanic Brewery.

But I do not want to be too negative about what we find today, because there are many great positives about beer and the brewing industry across the United Kingdom, many of which have been heard over the past couple of hours, not least the flowering of the British craft beer industry. That has brought fresh life to the market, creating a new generation of entrepreneurs, many of whom I know from my own constituency, a former brewing town, Newark-on-Trent, which has seen several new breweries created in recent years. This has given people across the length and breadth of the country unprecedented choice and, as we have heard, word has spread across the world and exports have risen very significantly.

Toby Perkins: The Minister is right that the small business brewing relief is an example of Government forgoing a bit of tax and a huge industry flowering on the back of that. Might he take note of that example for some of his other decisions?

Robert Jenrick: It certainly is, and I will talk shortly about the relief the hon. Gentleman mentions, which has played a significant part in that flowering and which I believe we can make better and fit for purpose for the future.

The value of beer exports has risen now to £500 million a year, and we heard earlier about the tremendous results also with respect to Scotch whisky and other spirits.

Small brewer's relief gives the smallest brewers across the country a 50% reduction in duty and, as we have heard, it has helped fuel the explosion in the number of local breweries; we now have over 2,000 breweries across the country. At the autumn Budget we announced a review of this relief to give brewers the opportunity to share their thoughts on a relief that is now 17 years old and which has not been reviewed systematically over the course of that period. We have opened the review and had over 500 responses which we will carefully consider and report back on in due course.

Our motives at the Treasury have not been to extract more revenue from the sector, and certainly not to end the relief. However, for some of the reasons that the hon. Member for Keighley (John Grogan) and others mentioned, there is some evidence that although the relief has been hugely positive in some respects, it has limited the growth of some businesses that would like to expand and employ more people and that are concerned about the cliff edge that the relief creates. I hope that we will be able to work with breweries and organisations such as the Society of Independent Brewers to work through that and to do something positive for the industry.

With respect to beer duty, we have taken a number of steps over the past nine years to improve the situation in a country that has been widely acknowledged to have high levels of alcohol taxation. We removed the beer escalator, and we have either cut or frozen beer duty in six of the last seven fiscal events, so that the duty on a pint is lower now than it was in 2012. In real terms, this long-term and significant action by the Government has kept prices low for everyone, in contrast to the period from 1997 to 2010, during which beer duty increased by 60%. This was underlined at the most recent Budget with another freeze on beer duty, meaning that the price of a typical pint of beer is now 2p lower than if prices had risen with inflation. I appreciate that there is always more that we could do this respect.

We are also focusing on other alcohol, such as cider and spirits. My hon. Friend the Member for Ayr, Carrick and Cumnock (Bill Grant) talked about the importance of spirits to his constituency and to many others across Scotland. The hon. Member for Aberdeen North (Kirsty Blackman) talked about their importance to the wider Scottish economy. She also asked me a question about post-duty point dilution. We have given this matter considerable thought for some time, and we announced at the Budget that we will be bringing this practice to an end from April 2020. She also asked, as did the hon. Member for Oxford East, about a wider review of alcohol duty more generally. This is a complex area, and there are clearly no easy answers. There are certainly few answers that are fiscally neutral and that would create no losers, which would be important to many who work or own businesses in the sector. It is perhaps premature to conduct a review at this moment, because the greatest flexibility will be available to us after we leave the European Union. A future Chancellor might then have the choice to take action.

We heard from the hon. Member for Strangford (Jim Shannon) and my hon. Friend the Member for Faversham and Mid Kent (Helen Whately) about responsible drinking, and they asked whether we could lower the duty on

[Robert Jenrick]

low-alcohol beers. We are somewhat constrained in that respect by EU law. The EU alcohol structures directive sets the maximum threshold for reduced duty on low-alcohol beer at 2.8%. Her Majesty's Government charge a reduced duty of 6p a pint on beers with a strength between 1.2% and 2.8%. Until we leave the EU, we cannot raise the threshold for low-alcohol beer above 2.8%, but this is something that we will work on with our partners across Europe, and we could have further flexibility in the years ahead. The Government have taken action in some specific circumstances—with respect to white cider, for example—and our approach is that we will continue to take action as necessary where there is clear evidence that certain alcohol duty rates are causing difficulties for society.

We have heard a great deal about pubs, which are, as we heard from numerous colleagues, the bedrock of many rural and urban communities. As the hon. Member for Chesterfield (Toby Perkins) rightly highlighted, they boost the economy, create jobs and, crucially, act as hubs for our communities. We have heard about their importance in tackling loneliness, and about the issues for older people, whether older gentlemen or others. They are great places for people to work and start their careers in. The pub industry currently employs about 450,000 people, many of whom are younger people, as has been said.

Bob Stewart: I rise, again, as an older gentleman. We have been talking about what pubs do. Let us imagine people who live in pretty awful accommodation—a bedsit or something like that. The local pub can provide a really nice, friendly, warm environment. That is the sort of place that those people can go to, and in my view that is the real advantage of local pubs.

Robert Jenrick: I agree with everything that my hon. Friend just said.

I will talk briefly about business rates in the short amount of time available to me because they have been an important element of this debate. My hon. Friend the Member for St Albans (Mrs Main) brought some of her publicans to see me at the Treasury to discuss the matter. We have taken several actions to support pubs by lowering their tax burden. The most important of them—this comes into effect on 1 April—is the Chancellor's Budget announcement that the business rates bills of small and medium-sized retailers, including pubs, will be cut by a third. The policy has been set for maximum impact among retailers and pubs with a rateable value of £51,000 or below. I appreciate that that will have less impact in communities such as my hon. Friend's, where rateable values are high, but 90% of retailers and between 70% and 85% of pubs across the United Kingdom will benefit, with pubs seeing a tax saving of up to £8,000. We also previously had the £1,000 discount for small and medium-sized pubs, and many pubs will also benefit from up to 100% small business rates relief or the 100% rural rate relief. Of course, all ratepayers are benefiting from the switch from RPI to CPI.

The hon. Member for North Tyneside (Mary Glindon) mentioned the request of many, including the industry, to create a rate of beer duty that differentiates between

people drinking in a pub and people purchasing beer in a supermarket or convenience store. I can see the strong argument for that, but it is unfortunately not possible under EU law. Duty is levied on production, not on the place of consumption. However, we might be able to turn to that should we have sufficient flexibility.

I conclude by thanking the Backbench Business Committee and my hon. Friend the Member for Dudley South and the hon. Member for Stoke-on-Trent North, both of whom gave superb speeches. This debate unified the House and demonstrated the important role that pubs can play in our communities. I will certainly relay the strong feelings from across the House to my right hon. Friend the Chancellor with respect to the next Budget and the future of beer duty. The House's voice is clear that it wants, like people the length and breadth of the country, further and continued support for beer, breweries and our important pubs.

3.22 pm

Mike Wood: I thank all right hon. and hon. Members for their contributions today. We have had well over 20 contributions from Members representing six out of the seven parties in the House and all four nations of our United Kingdom. The contributions from the Minister, the shadow Minister and the SNP spokesperson, the hon. Member for Aberdeen North (Kirsty Blackman), showed the breadth of agreement and support for British beer and pubs and the need for us to support them where we can.

If people watching this debate take away just one message, I want it to be that British beer and pubs are a force for good in so many ways. As the hon. Members for Heywood and Middleton (Liz McInnes), for Chesterfield (Toby Perkins) and for Aberdeen North said, they are good for jobs and local economies. As my hon. Friends the Members for Cheadle (Mary Robinson) and for St Albans (Mrs Main) pointed out, they are good for communities and for families. My hon. Friend the Member for Ribble Valley (Mr Evans) said that pubs are good for charities and for community sport, the hon. Member for West Bromwich West (Mr Bailey) said that they are good for promoting local investment, and the hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone) said that they are good for attracting tourism.

There are other non-economic benefits, too. As the hon. Members for Stoke-on-Trent North (Ruth Smeeth) and for Coatbridge, Chryston and Bellshill (Hugh Gaffney) pointed out, they are essential for tackling loneliness and strengthening the social fabric. The hon. Member for Strangford (Jim Shannon) referred to the vital role that good community and high street pubs play in offering a safe place for responsible drinking. Pubs are a force for good in so many ways. Think just how much more good they could do if we can get the tax burden under control, give our beer and pubs a fair deal, and support these key industries and the role that they play in our communities.

Question put and agreed to.

Resolved,

That this House has considered beer taxation and pubs.

Permitted Development and Shale Gas Exploration

[Relevant document: Eighth Report of the Housing, Communities and Local Government Committee, Session 2017-19, Planning guidance on fracking, HC 767.]

3.25 pm

Wera Hobhouse (Bath) (LD): I beg to move,

That this House has considered use of permitted development and the nationally significant infrastructure project regime for shale gas exploration and production.

First, may I thank the Backbench Business Committee for allowing time for this important debate, which I am honoured to lead? I also thank colleagues from all parties who have turned up to contribute, even though we have had a rather long and difficult week.

This debate follows two over-subscribed Westminster Hall debates. Last October, the Government consultations on giving shale gas exploration permitted development rights and classifying sites under the national significant infrastructure regime came to an end. The Government have yet to publish their responses to those consultations and are instead choosing to push the issue into the long grass. The first two Westminster Hall debates on this subject made one thing clear: Parliament has a view and would like to be heard. The proposed measures to give shale gas exploration permitted development rights and to classify sites under the national significant infrastructure regime are a bad idea for many reasons, but I shall focus on two central points.

First, to give fracking companies access to permitted development rights under the mantle of nationally significant infrastructure deprives local communities of a voice. Secondly, and even more fundamentally, fracked fuel is a fossil fuel. To support the new development of any fossil fuel is a travesty, given that the threat of global warming should urge us all to rethink completely how we produce our energy.

Dr David Drew (Stroud) (Lab/Co-op): I am pleased that the hon. Lady has secured this debate and congratulate her on the way she has started it. Does she agree that the context of the Government encouraging fracking is bad enough, but the way in which they have treated renewables, by making them so difficult through the planning process and completely cutting away the subsidy regime, means that renewables are now at a standstill? It is a disgrace.

Wera Hobhouse: I could not agree more. We have such a long way to go before we become carbon zero and it is so important. What are the Government doing promoting fracked fossil fuel over renewables? We are living through a global climate crisis.

Kevin Hollinrake (Thirsk and Malton) (Con): I congratulate the hon. Lady on securing this important debate. She said that fracking is a new fossil fuel sector, but is it not right that shale gas would simply displace imports, rather than create additional demand on gas-fired power generation?

Wera Hobhouse: I have been involved in the fracking debate for a long time—since 2014—and just to say that it is a bit less of a fossil fuel than the gas we are importing is the wrong argument. It is a fossil fuel and it

contributes to global warming; we should not explore these old-fashioned ideas about how to produce our energy.

Bill Esterson (Sefton Central) (Lab): I completely agree with the hon. Lady that we should not open up a new fossil fuel front and increase the contribution to climate change; she is absolutely right about that. On planning, my local authority has now twice voted overwhelmingly against fracking in nearby West Lancashire, which affects my constituency as well, but the authority's views are completely ignored by the approach the Government are taking. Does that not demonstrate that significant local interests should be taken on board? It cannot just be a national Government issue in respect of permitted development rights.

Wera Hobhouse: Absolutely. There are two big wrongs here: first, it is a fossil fuel industry that we should not support; and secondly, we are overriding local communities and not allowing their voices to be heard. I feel for the communities in Lancashire and the way they have been treated. It is simply wrong. As somebody who used to be a local councillor, I cannot agree more on how wrong it is if local councils and communities are not being heard.

Stephanie Peacock (Barnsley East) (Lab): I congratulate the hon. Lady on her powerful speech. On community engagement, does she recall a former Conservative Minister saying that fracking could take place in the “desolate” north? This is not good enough. My constituents do not want fracking and communities should be listened to.

Wera Hobhouse: Absolutely. To classify different regions of our country in that way is appalling.

Dr Andrew Murrison (South West Wiltshire) (Con): I am enjoying the comments of the hon. Lady, my constituency neighbour, but for balance could she remind the House which country is top of the league table in the G20 for decarbonisation?

Wera Hobhouse: This country has made great strides, and we are leaders, but we will fall behind badly if we do not keep up that lead. That is what worries me. Things have gone badly wrong in the last three years. We are living through a global climate crisis and we must align our policies to become carbon zero before 2050. I am sure the Government have read the report of the Intergovernmental Panel on Climate Change.

I have been campaigning against fracking since 2014. In Bath, not only is there concern about global warming; there is concern that fracking will interfere with our hot springs, causing unknown damage to the water table, our unique geology and the natural springs that are the very reason for Bath's existence and prosperity throughout its rich history. There are additional concerns about the wider environmental damage, such as earth tremors, gas leaks and the huge water consumption the process requires. I do not know whether people have read the recent reports about water shortages. Why are we encouraging an industry that wastes water in this way? What are we doing? Why are we not listening to the environmental concerns?

Kevin Hollinrake: My point earlier was about displacement: we use gas anyway, so this is not about more gas, but about whether we import it or produce it. There are 23 million homes in the UK connected to the mains gas network. Is the hon. Lady's home one of them?

Wera Hobhouse: My home is heated through a community energy centre. That said, I am talking about how the gas is produced. I am saying that fracked gas is a fossil fuel but that there are renewable gas alternatives that we need to explore and invest in, and which the Government should be prioritising.

Matt Western (Warwick and Leamington) (Lab): I commend the hon. Lady for bringing this debate to the House. I appreciate the point the hon. Member for Thirsk and Malton (Kevin Hollinrake) is trying to make, but we have been building an unprecedented number of houses in the last few years, and the 15,000 to 18,000 in my constituency will all have gas boilers. They did not have to. They could have been heated by air source heat pumps, for example.

Wera Hobhouse: I completely agree. Getting to carbon zero is a massive challenge and we must start today. We must think about how our new houses should be built, because the retrofitting of these properties will cost even more. All Departments need to put their minds to it.

These problems are not unique to Bath or the UK. We know from the United States that fracking operations can result in the contamination of the water table. The effect is wide-ranging. Sometimes people cannot even drink their own tap water because of the health risk. A report in 2016 by the United States Environmental Protection Agency demonstrated exactly how the hydraulic fracturing fluid used to split the bedrock can contaminate groundwater and release gases displaced by it. Communities across the USA have been forced to try to mitigate these problems. We should not even go there. Why should we risk water contamination?

Added to all this is the amount of industrial infrastructure that will scar our countryside if these proposals are pushed through. Giving permitted development rights to shale gas exploration would in effect remove the control that local authorities usually have over the planning process.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): On building infrastructure around these sites, does the hon. Lady agree that it is slightly hypocritical that the development arm of CDC Group—the Government-backed development bank—that invests in infrastructure outside Britain would not invest in shale gas because of the infrastructure and climate change risk, but for some reason we are happy to do it in our own country?

Wera Hobhouse: I certainly agree that there is a lot of hypocrisy around this issue. A wind farm was built over the communities of Greater Manchester in my old authority, and I remember people talking about the infrastructure that was built just to access the hills in order to put up the wind turbines; it was terrible. Fracking platforms need to move around all the time, and the infrastructure that we need to build to enable that is absolutely incredible. I do not think that people have ever put their minds to that point.

Geraint Davies (Swansea West) (Lab/Co-op): The hon. Lady is probably aware that satellite data over the United States shows that 5% of the methane from fracking is leaked through fugitive emissions. Given that methane is 85 times more powerful than CO₂ for global warming, that makes fracking nearly twice as bad as coal for global warming. Does she therefore agree that under no condition should we go ahead with fracking?

Wera Hobhouse: I certainly agree that we do not really have comparative data. Fracking is hailed as this new thing that would reduce global warming, but it absolutely does not.

Giving permitted development rights to shale gas exploration would mean local communities being removed from the decision-making process. That is one of my biggest concerns. This issue was picked up by the report of the Housing, Communities and Local Government Committee, which concludes:

“Shale gas development of any type should not be classed as a permitted development. Given the contentious nature of fracking, local communities should be able to have a say in whether this type of development takes place, particularly as concerns about the construction, locations and cumulative impact of drill pads are yet to be assuaged by the Government”.

Rosie Cooper (West Lancashire) (Lab): Will the hon. Lady give way?

Wera Hobhouse: I really have to get on now.

Since the Government proposals were announced, 300,000 people have signed petitions against them and 40 councils have passed motions to reject them. With such widespread opposition, giving fracking companies access to permitted development rights would not simply speed up the process; it would serve to muzzle opposition, effectively silencing local communities. This is outrageous and I hope that colleagues across the House will join me in voicing their strongest opposition.

The consultation that looked at making larger fracking sites part of the nationally significant infrastructure regime is entirely incoherent and, frankly, dangerous. According to the Select Committee report, there is no precedent for this classification. Shale gas extraction sites fail to meet the criteria that normally determine nationally significant infrastructure. The report suggests that this issue would undermine the ideals on which nationally significant infrastructure was founded, and would damage the relationship between fracking companies and the communities they are placed within. Combined with permitted development rights, this adds to the Government's callous attempt to take the decision-making process away from local communities. Shale gas exploration and extraction would be a decision for private companies and the Government, bypassing those who are most affected by it.

Let me turn to the climate crisis. The big problem that we face is the Government's energy strategy and our continued reliance on fossil fuels. Fracking is not sustainable, and even classifying it as a transitional fossil fuel does not stand up to the science. It recently emerged that investing in fracking would produce as many carbon emissions as 300 million new cars. It is blatantly obvious that the Tory Government favour fracking over renewable energy. The Environmental Audit Committee found that investment in renewable energy

had fallen by 56% in 2017, which was the greatest decline of any country that year. In May 2018, investment in renewables was at its lowest in 10 years, despite the claims by the Government that renewable energy is booming. That must be wrong if we must now urgently turn our attention to becoming carbon zero before 2050.

The recently released IPCC report states that globally we must become carbon zero by 2050, if we are to limit a global temperature rise to 1.5 °C. Scientists have concluded that a temperature rise that is higher than that will bring irreversible damage. The IPCC report gives us 12 years to completely transition away from fossil fuels in order to prevent this from happening—12 years. With the proximity of that deadline, how can this Government argue that now is the time to be rushing into a massive national project of shale gas production? My view, which I hope will be shared by others in this House, is that they absolutely should not. We must reinvest in renewable energy. This Government have removed subsidies for onshore wind and have spearheaded a 65% cut in subsidies for household solar panels. The 2017 Budget ruled out additional investment in renewables before 2025. Yet communities up and down the country are asking for more investment in renewables. Only a few weeks ago, our streets were filled with schoolchildren who were making their voices heard and saying that the climate crisis is the biggest issue for them.

We urgently need a culture change. All Government Departments should have sustainability and a zero-carbon target at their core. As a developed country, we should lead the fight against climate chaos, but this Government have gone in completely the opposite direction. Policies such as those proposed by the Government stand in the way of progress. This Government cannot keep prioritising big oil over the urgent need to combat climate chaos. They have to drop these proposals. As a country, we must legislate in a way that restricts fossil fuel industries and instead invests heavily in renewable energy. There is no time to lose. We owe it to ourselves and future generations.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Eleanor Laing): Order. The House will be aware that a great many people wish to speak and we have limited time, so we will have a time limit, immediately, of five minutes.

3.41 pm

Mark Menzies (Fylde) (Con): It is a great privilege to be able to speak in a debate of such importance to my constituency. I thank the hon. Member for Bath (Wera Hobhouse) for applying to the Backbench Business Committee for it. It follows in the path of a similar debate that I held in Westminster Hall at the end of last year. That debate, too, was heavily oversubscribed. I will therefore focus my comments on one or two significant areas.

I was elected in 2010. At the point of my election, it became very clear that shale gas activity—or, at that time, just gas activity—was taking place in my constituency. I would urge caution on Labour Members before they make this whole thing very political, because it was the actions of the previous Labour Government that delivered shale gas to my constituency. I say to the Liberal Democrats that it was a huge privilege to work in the

then Department of Energy and Climate Change as Parliamentary Private Secretary to the then Secretary of State, the right hon. Member for Kingston and Surbiton (Sir Edward Davey), who is in his place today. Much of the work that was done on putting in traffic lights and some of the regulatory framework should have been done by the Labour Government before they gave the green light to proceed with shale gas and fracking, but none of it was.

Sir Edward Davey (Kingston and Surbiton) (LD): I am grateful to the hon. Gentleman for making those points. I hope he can confirm that in those years we allowed local democracy to function. I opposed people who were arguing for permitted development, and opposed the idea that this should be some sort of national infrastructure project. We put on, after vast consultation, very strict regulation with regard to seismicity, and we had his support for that. Will he continue with that support?

Mark Menzies: That is why I called the Westminster Hall debate last year and why I am on my feet today. It is absolutely critical that permitted development, which has a place in our planning system, is for, say, a small extension to a bungalow or a conservatory, not for an enormous industrial estate that will produce tens of thousands of tonnes of pollutants, have thousands of vehicle movements per year, and so on.

I thank the Minister and the Department for listening to the case that I and local people put with regard to the Roseacre Wood site in my constituency. That was a long-running case that had gone through a number of stages in the planning process, including two planning inquiries. We made the case that the site was unsuitable, primarily because it was up country lanes, and regardless of how we tried to cut it, the traffic management plan simply did not work. I am not sure where traffic management plans fit in under permitted development. A fundamental reason why a site was turned down would not be a consideration under permitted development. If the Minister is looking for a reason why this proposal does not stack up, he should refer to Roseacre Wood and the decision tree that kicked in. It was turned down on those grounds, and therefore the Government simply cannot proceed with the permitted development proposals.

Sir Greg Knight (East Yorkshire) (Con): The present Government have a policy of localism and wish to see devolution increased. If the Government are to be consistent, does he agree that, on this issue, they should let local communities decide?

Mark Menzies: I absolutely agree. The Minister has a difficult decision to make, because the planning system for shale gas simply cannot continue as it is. After various appeals, the planning process for Preston New Road and Roseacre has been going on for years. It is not good for local communities to have this hanging over them, nor does it favour local democracy, because the powerful can hire lawyers and basically game the system to suit them. The planning system in its current format must change and needs review, but permitted development is not the route to go down.

On the issue of local democracy, a lot of nonsense is talked when it comes to Lancashire County Council. It is said that Lancashire turned the Preston New Road

[Mark Menzies]

site down and then Ministers forced it on them, but the reality is that planning officers at Lancashire County Council recommended that the site should go ahead on planning law grounds. Those people who were complaining about the Secretary of State giving Preston New Road permission to proceed cannot then celebrate when the same process refuses Roseacre Wood. The planning system sometimes gives us what we want, and it sometimes gives us the opposite of what we want. I am afraid that we cannot trim our argument to suit our case.

Julian Sturdy (York Outer) (Con): My hon. Friend is making a really important point. Does he agree that if the permitted development changes went through, they could have a detrimental impact and undermine public trust in our planning system?

Mark Menzies: Absolutely. Time is against me, so I will not give way again.

It is important that the Secretary of State bears in mind the concerns raised by local communities and Members such as me, and that we work together in a constructive way to ensure that permitted development is taken off the table, because it is not a sensible route to go down. The planning system must be reformed to ensure that there are consistent and transparent opportunities for input from local communities, that the process does not drag on for years and create a shadow over parts of our countryside, and that we give planning guidelines on what a suitable site looks like and what sites people should not frankly waste their breath considering.

I want us to move towards a situation where renewables provide the overwhelming majority of electricity output, alongside a contribution from nuclear. Until we get some movement on battery technology and other forms of the next stage of renewables, gas will play a part. On the cold day in February when the wind does not blow and the sun does not shine, gas does not play a part. Shale gas can only play a part if we can say hand on heart that it is done safely, that it has robust regulation and that it is taking communities with it, not being done to them.

I call on the Government to continue the work that has been done. Let us celebrate the huge amount of positive change that has taken place as a result of listening to concerns from Members such as me and ensure that permitted development is not a tool that the shale gas industry can deploy as part of the planning process.

3.48 pm

Sir Mark Hendrick (Preston) (Lab/Co-op): I came to this subject 10 years ago as a neutral, because I have a scientific and engineering background and am usually driven on issues such as this by the evidence, rather than political or ideological reasons. I deeply believe that we need a very varied energy mix for this country, and obviously as much renewable as possible, but I still think that nuclear power has an important role to play because it is much safer nowadays. In a very unstable world where we still need carbon fuels—with Russia and countries in the middle east and north Africa producing oil and gas—it is very important that we have our own indigenous carbon fuels that we can turn

to as and when we need to. I was therefore quite agnostic when it came to the development of shale gas production in Lancashire.

I thank the House of Commons for producing an excellent paper on shale gas and fracking on 6 November, because it has provided a great deal of background on and insight into the issue. Until fairly recently, the issue hinged on exploratory development in Lancashire and, if I may, I will look back at what has happened in Lancashire in the past. On 1 April 2011—getting on for nine years ago—Blackpool, which is not far from my constituency of Preston, experienced seismicity, or a tremor, of 2.3 on the Richter scale, which was far too large. On 27 May 2011—again, nearly nine years ago—there was a subsequent tremor of 1.5 on the Richter scale. We were told that this was due to fluid injection into a fault zone, and that the fracking company, Cuadrilla, had already mapped out parts of Lancashire and knew exactly where the fault lines were so that it should never occur again.

Cat Smith (Lancaster and Fleetwood) (Lab): My hon. Friend is making a passionate speech. As a fellow Lancashire MP, I am sure he also hears from his constituents about their concerns about earth tremors and earthquakes caused by fracking. In response, the Government have brought in a traffic light warning system. Many of my constituents are concerned that that traffic light warning system is maintained and stays in place, despite the pressure from some fracking companies. Do his constituents tell him the same?

Sir Mark Hendrick: Yes, my constituents do feel the same, which is why I have risen to speak on this important subject. The city of Preston is obviously very close to these fracking sites.

To move on, the Government have insisted that controls are in place so that operators will have to assess the location of faults before fracking, to monitor seismic activity in real time and to stop if a magnitude greater than 0.5 on the Richter scale is detected. The figure of 0.5 is the one promised throughout the time that the developers were going through the exploratory phase and the development phase before they turn to production in Lancashire.

It is good to see the right hon. Member for Kingston and Surbiton (Sir Edward Davey) in his place. He was the Secretary of State at the time, and I recall being present in his office when he gave a great number of assurances about how fracking would be conducted in Lancashire. Of course, things have turned out rather differently from what he said at the time. He was the Secretary of State for Energy and Climate Change between 2012 and 2015, and he made the following statement to *The Guardian*. He said:

“I wanted to make sure that...we have tough regulations to tackle things like methane emissions and any pollution to make sure that we have got things like water sustainability right.”

He went on:

“If we are going to do fracking we have got to make sure that it does not hurt our environment and local communities benefit from it.”

We have yet to see local communities benefit from it. With coal, people in the north dug the coal, but it was those in the south and around London who made the profits from that. I do not want to see the same happen with fracking.

Since then, local communities have been subjected to much higher levels of seismic activity. Over a two-week period in November 2018, there were something like 30 recorded events of seismic activity with a 1.1 magnitude tremor. That is twice the level indicated by the former Secretary of State, the Government at the time or Cuadrilla itself. The people of Lancashire have had enough of this. I came to this as an agnostic, and as somebody who wanted to believe that 0.5 was the level Cuadrilla was going to stick to. Unfortunately, that has not been the case. Brian Baptie, head of seismology at the British Geological Survey, told journalists at a briefing in 2019 that the limit could safely be raised to magnitude 1.5 since that was a level similar to vibrations caused by a heavy bin lorry. I am sorry, but that is not what was promised. Since then, 50 geoscientists have sent a letter to *The Times*, on 9 February 2019, arguing that we should increase the limit even higher. That is not acceptable, and the people of Lancashire will not accept it.

3.55 pm

Nick Herbert (Arundel and South Downs) (Con): As the House will know, my constituency of Arundel and South Downs is the most beautiful in England—250 square miles of Sussex countryside, with no large towns but only small villages and small market towns. Half of it is in the protected landscape of the South Downs national park.

Nevertheless, there is oil extraction in my constituency, and it is entirely uncontroversial. There are small oil wells, and I have never received any complaint about them. I assume that oil tankers visit regularly to take the oil off site, but because the wells are located sensibly the public do not get excited about them. My neighbour's constituency of Chichester has an oil well in the national park itself. It is similarly uncontroversial because it is near a main road, not a community.

Public interest in the proposed fracking in West Sussex takes two forms. There is concern about below-the-ground activity: will it have an impact on local water sources, for instance? Then there is concern about the above-the-ground activity: what will the exploratory drilling and then any potential further drilling mean for future traffic movements that will affect neighbourhoods? My experience is that communities get particularly exercised about proposals when they fear that the countryside in which they live is about to become industrialised and that there will suddenly be significant lorry movements through otherwise quiet country lanes and villages—not just during the exploratory period, but potentially afterwards, if large sources are discovered.

It fell to West Sussex County Council, as the responsible local authority, to assess whether one proposal for exploratory drilling, near Wisborough Green, a beautiful village in my constituency, was appropriate. The council looked at the proposed traffic movements down very narrow lanes and was very unhappy about the impact. Ultimately, the council, taking no view on the merits of fracking or drilling otherwise and not having a policy of animus against the extraction of the mineral, nevertheless thought that the lorry movements were inappropriate. It rightly reflected the concerns of the local community.

Alex Sobel (Leeds North West) (Lab/Co-op): The right hon. Gentleman is making an excellent speech. Traffic is a concern not only at drilling sites: the Knostrop

treatment works in Leeds is one of only three places licensed to treat fracking waste water, which would discharge into the River Aire. There is concern there about not only traffic movement, but discharge into local rivers. There is an issue not just at drilling sites but also at treatment works.

Nick Herbert: The hon. Gentleman makes an interesting point. There are, of course, wider environmental objections; those might be addressed separately by suitable, strong regulation. My concern is whether it is appropriate for exploratory drilling and potential subsequent extraction of shale gas to be allowed by permitted development. I do not oppose permitted development rights in principle; it is sometimes appropriate for such rights to be applied. I support the application of those rights for the conversion of office buildings to residential premises because that has produced a large amount of housing that would not have been available otherwise.

Mike Amesbury (Weaver Vale) (Lab): The 2017 Conservative party manifesto that Conservative Members stood on spoke about a revolution in shale gas and liberalising the planning regime.

Nick Herbert: The hon. Gentleman is right. We stood on many other manifesto proposals that have not seen the light of day. I gently suggest to the Minister, my good friend and near neighbour, that this is one proposal that it would be wise to keep firmly locked away in the bottom drawer. It would not be wise to allow that activity to come under the permitted rights regime, and that would not be an appropriate use of that planning procedure. It is appropriate for local authorities to be able to assess the impact of traffic movements and so on an activity in their area. Conditions can be put on permitted development, but that is not the same as having it looked at by the local authority.

All such issues are a question of balance, but I have discovered, in 14 years as the Member of Parliament for my beautiful constituency, that there is no non-controversial way to generate energy in our country. Yes, we all want more solar, but large-scale solar panels in beautiful countryside can excite just as much opposition as drilling. The question is whether activity is located appropriately. Some of the proposals that have been made in my constituency have been for inappropriate locations and the impact on local communities has not been thought through. Others are uncontroversial because they have been located more sensibly.

I do not have an in-principle objection to the extraction of oil or gas and I am not entering into the debate about the merits of fracking in particular. It is likely that there will only be oil, not gas, in my part of West Sussex in any case—although I may be wrong about that. I know that there is concern about the potential, random industrialisation of the countryside. We cannot allow that to happen through one tick in a ministerial box, and then find that we have no control over it subsequently except in protected areas of national parks. Local authorities have to have the ability to take a view about the impact of, for example, traffic movements, to decide whether levels are appropriate and, potentially, to impose conditions. That is why we should retain the existing planning regime for this activity, and why I would strongly suggest to the Minister that this is not a proportionate or sensible policy that he should pursue.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Eleanor Laing): Order. We have to reduce the time limit to four minutes.

4.3 pm

Sir Edward Davey (Kingston and Surbiton) (LD): I refer the House to my entry in the Register of Members' Financial Interests, especially in respect of solar power and community energy renewables.

When I was Secretary of State and had to deal with these issues, some people in the coalition thought that shale gas was the answer to everything and would reduce energy prices. They were extremely keen to push it forward. I was not one of those people. I was helped in my far more cautious approach by colleagues such as the hon. Member for Fylde (Mark Menzies) and others on the Conservative Benches, who realised that we had to be extremely cautious about the environmental issues and the local planning issues. One reason I am proud of my hon. Friend the Member for Bath (Wera Hobhouse) for calling this debate is my concern that the controls agreed by the coalition—being very strong on local democracy and risks such as seismicity—are in danger of being removed. I was concerned that this relatively new industry had to be safely regulated, for the environment and to take account of local issues.

When we looked at seismicity in particular, we took advice from the experts. We had advice from the Royal Society and the Royal Academy of Engineering about what would be the right approach to regulation on seismicity. We consulted widely. I published the report that was given to me, and I asked for people's opinions on it. We took a precautionary approach even to the evidence.

I came to the view, and accepted the recommendation, that the traffic light system was the way to go and that we needed a precautionary approach, not least because the geologists and experts were telling us that even a small seismic event underground could damage the casing of the wells and the bore holes of the fracks. I therefore accepted that we needed to be cautious, and it was important to give that reassurance to the public. We decided that we would go ahead, but only on that explicitly cautious basis.

In the ministerial statement I gave in December 2012, setting out that cautious regulatory regime, I said that it could perhaps be looked at again in due course. However, for the benefit of the House, let me be really clear about what we were saying at that time. We wanted a significant amount of evidence—this had to be evidence based. So far we have had very few fracking experiences in this country, so we do not have anywhere near the number of data points or the amount of evidence that we would need to possibly allow anything to go forward.

Wera Hobhouse: On that point, does my right hon. Friend agree that it is interesting to compare the Government's planning approach to fracking with their planning approach to renewable energy?

Sir Edward Davey: My hon. Friend makes a good point. If the Government proceed to allow permitted development, that will be in sharp contrast to their planning approach to onshore wind. I had almost weekly

battles with the then Secretary of State for Communities and Local Government, who was trying to stop onshore wind. We won most of them, but after the 2015 election the Government made it almost impossible to build onshore wind in England and Wales. That very negative approach to renewables stands in stark contrast to what the Government appear to want to do on fracking.

I bring that to the House's attention because those are completely the wrong priorities, not least because of the climate change crisis. If anything, I have got more sceptical about fracking over the years, because the evidence—particularly after Paris—is that we need to be even more rigorous in reducing our fossil fuel usage. Now that we have gone from a 2° target to a 1.5° target, we have to push the renewable agenda further forward.

I would say to the Minister that when we were thinking about shale gas, we were thinking about making sure it was linked to technologies such as carbon capture and storage, which are now in abeyance. Without CCS, there is much less of an argument for fracked gas. Moreover, renewables technology has increased and improved dramatically. Prices have come down much further. We have seen storage technology come on. We are not going to need the gas that people thought we would need just a few years ago.

The relaxation of regulations, whether on seismicity or planning, is completely unjustified, and I hope the House will send a clear message to Ministers. However, I would go even further. Given that we have had such progress on renewables and storage, the case for fracking gas is much weaker than it was just a few years ago. I urge the Government to rethink their priorities. Let us bank and capitalise on the amazing success of new green technologies; let us not look backwards.

4.8 pm

James Heappey (Wells) (Con): I congratulate the hon. Member for Bath (Wera Hobhouse) on opening today's debate. I agree with much of what she said. I, too, oppose fracking, for two reasons. First, it poses a threat to my constituency, and I object to it being there. Secondly, I do not see the case for it from an energy policy perspective.

There is, however, an important distinction to make, which my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) tried to introduce to the hon. Lady during her speech. We should not conflate fracking—where we get the gas from—with the role of gas in our energy system in the interim. I absolutely understand the point she made about methane leakage and the potency of methane as a greenhouse gas. Fundamentally, however, the decision over whether to go big on fracking now in the UK is an immediate decision—it is a planning decision and an energy policy decision—and there is a clear argument against it. However, if we conflate that immediacy with the more measured approach that we need to take to removing gas from our energy system, that risks diluting what is a very important debate.

Fracking has no role in our future energy mix because, as a consequence of decisions taken by the Chancellor over decommissioning costs in the North sea, there has been a resurgence in North sea oil and gas exploration. That is helpful in meeting the UK's short-term domestic needs, meaning that the expected economic upside of fracking will no longer be realised. Add to that the

rapidly decreasing cost of renewables and storage, and the exciting opportunity of embracing hydrogen, which I would far rather were the mainstay of the Government's future gas policy, and one can start to make a compelling case for not requiring fracking, whatever the safety arguments might be. There is simply no role for it in the UK's future energy mix, but there is an interim role for gas.

I commend to the hon. Member for Bath, and other Members, the work that I have been doing with the right hon. Member for Orkney and Shetland (Mr Carmichael) and the hon. Member for Southampton, Test (Dr Whitehead) on the future of the gas grid. There is a real opportunity to introduce low-carbon gases into the natural gas mix in our gas system immediately, and to start to decarbonise, which will have a profound impact on the decarbonisation of heat. The longer-term goal is the arrival of a hydrogen based gas system that would meet the needs of decarbonising heat, and will also have an exciting role in transport and for inter-seasonal long-term energy storage.

Interestingly, the right hon. Member for Kingston and Surbiton (Sir Edward Davey) mentioned carbon capture and storage. The real opportunity with hydrogen—particularly pre-combustion carbon capture and storage technologies—is that instead of CCS being something that one spends £1 billion a time on, if it is linked to the production of hydrogen and the emergence of a hydrogen economy, CCS becomes more affordable because it is part of that whole package, which is an exciting proposal.

I hope the Government can admit that what might have seemed liked a good idea five years or so ago, is no longer a good idea. The world has moved on, and we could be embracing many much more exciting opportunities if we just ditch fracking.

4.12 pm

Louise Haigh (Sheffield, Heeley) (Lab): It is a great pleasure to follow the hon. Member for Wells (James Heapey). The Government are considering bypassing local authorities entirely and removing the need for planning permission for fracking, because fracking has little or no support in our communities. Ministers have been hypnotised by the success story in the United States, without considering the critical difference between the US and the UK, which is that the US has vast tracts of low-density land that it can exploit. For fracking to be a viable part of our energy mix in the UK, two things are necessary—tracts of land with low population, and broad-based community support—but we have neither.

The Bowland shale gasfield, which is by far the most sizeable in the UK, is where the viability of fracking will live or die. It covers land from Lancaster in the north to Sheffield in the south and Whitby in the north-east. One well—just one—has been introduced to that basin, in the teeth of opposition, and even that has lain dormant for many months due to tremors. The gasfield covers almost all the major metropolitan centres of the north of England: Liverpool, Manchester, Preston and, on the right side of the Pennines, Derby, Sheffield, York and north Leeds. It is an absurdity that the Government think that a fracking basin that covers a population that runs into many millions is viable.

Rather than recognise those inherent flaws, which are caused by trying to impose an industry with a dubious environmental record on a highly populated sweep of

land, the Government are instead trying to override the local population entirely. If communities cannot exercise their democratic right to oppose fracking through the planning system, how can the Government maintain the presence of localism? There is no broad consent for fracking in the way that there often is for other uses of the national infrastructure projects regime.

Rosie Cooper: Will my hon. Friend acknowledge that it was the elected members on Lancashire County Council who voted not to have fracking at Preston New Road, and that it is the Government who turned their back on those people—my constituents? Despite all their nods to localism, what the Government are saying is that localism and local opinion is well and truly buried.

Louise Haigh: My hon. Friend is absolutely right. There can be no pretence to localism when the Government are riding roughshod over the voices and rights of local authorities and local people, not least because of the documented seismicity risks. Since October last year the Preston New Road operation has triggered three red level tremors and 57 earthquakes, not to mention the risk to aquifers. Denying the local community a meaningful say is utterly anti-democratic and perverse.

It is not too late for the Government to rethink their approach and recognise that the obstacles they find in their way should not just be bulldozed through inappropriate legislation. At a fundamental level, the prospects for an advanced shale gas industry in the UK are completely and utterly flawed.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Rosie Winterton): I am now introducing a three-minute time limit to make sure we get everybody in.

4.15 pm

Lee Rowley (North East Derbyshire) (Con): Thank you, Madam Deputy Speaker, for the opportunity to speak today. It is a pleasure to follow my near neighbour, the hon. Member for Sheffield, Heeley (Louise Haigh). It is also a pleasure to see so many people who have been involved in this discussion ever since I joined this place, particularly in my capacity as chair of the all-party group on the impact of shale gas. I congratulate the Backbench Business Committee on selecting this debate and the hon. Member for Bath (Wera Hobhouse) on securing it.

This is an incredibly important debate. Already, we have heard fantastic contributions from those on the Government Benches, and, in fairness, from those on the Opposition Benches. I think what we are seeing is the emergence of a cross-party consensus that we have a problem with fracking in our country. If there was a traffic light system to be applied today to this House, it would be flashing red that there is no majority for permitted development NSIPs—nationally significant infrastructure projects—or probably even for pursuing fracking in general in this country.

I say that not because I am an anti-fracker per se. I did not start in that place. My second job after I left university was as an oil and gas analyst for three years, so I came at this issue, like others in this debate, from an agnostic perspective. The problem with fracking is that

[Lee Rowley]

when we unpick it and the economic prospectus on which it is based, as my hon. Friend the Member for Wells (James Heappey) indicated a moment ago, it falls apart. I am a pro-business Conservative. I believe in trying to fix our energy solution, and I believe that we cannot move straight to renewables, however laudable that may be, but if the prospectus on which we are talking does not work then at some point we have to say practically and pragmatically that we should go no further, and that we should invest our personal energies, our money, our capital and our effort in something else. That is why I am convinced that fracking does not have a place in the future energy mix of the United Kingdom and that the Government should abandon it. It is wasting time.

There are three problems with fracking. One is a people problem. The knowledge that people have about fracking has increased. As it has increased, support for fracking has decreased. The problem now is that there is a perception that the system is being pranged. The Government's NSIP and PD proposals suggest that we could get them in in the same way as if we were building a kitchen extension.

Damien Moore (Southport) (Con): Does my hon. Friend agree that this process has to be more organic, and that if people want this it should come from the ground up, rather than from the top down?

Lee Rowley: I completely agree with my hon. Friend. We absolutely have to give local communities their own say. The community I represent in Marsh Lane has been clear that it does not want this proposal. It should not be forced upon them. It should not be compelled to take the 14,000 lorry movements over the next five years just for exploration. It should not be required that a light industrial estate be plonked in green belt that has been largely unchanged for the past 200 years and in a village of 800 people.

In the time I have left, I am going to read into the record again the actual bulk that will be there for five years: a 2 metre high perimeter fence; an additional 4.8 metre high combination of bunding and fencing; two to three cabins of up to 3 metres in height; acoustic screenings of up to 5 metres in height; up to four security cameras of 5.5 metres in height; a lighting rig of 9 metres in height; a 2.9 metre high power generator; two water tanks of up to 3 metres in height; a 10 metre high emergency vent; a 4.5 metre high Koonney pressure controller; a 4 metre high blow out preventer and skid choke manifold; and, for six months, a 60 metre high rig. That is in the middle of green belt. That is next to a field which, just a few years ago, was rejected as the site of a car boot sale for 14 days a year, but apparently we can stick a light industrial estate in the field next door. Fracking does not work in this country practically, economically or for the landscape.

4.19 pm

Thangam Debbonaire (Bristol West) (Lab): It is a pleasure to follow the hon. Member for North East Derbyshire (Lee Rowley), who argued very well for his community. I recently said in this Chamber that I wanted to be able to look the next generation of Debbonaires in the eye when they are 18 and say that I

had fulfilled my promise for us to stop climate change—for us to be the generation of policy makers who halted it and even managed to reverse it—but we are not going to do that unless we stop taking new fossil fuel sources out of the ground and invest instead in renewables.

Bristol has declared a climate change emergency. Local communities in my constituency are taking part in many different initiatives to do their bit, but local communities can do only so much, and we need national leadership. I really would like the Government to consider following Bristol's lead and that of many other local councils around the country and declare a national climate and environment emergency, as Labour did earlier today, and take the policy actions that are needed. That includes stopping fracking.

In 2015, the Government declared that there would be no fracking in national parks and sites of special scientific interest, but I sat on a Delegated Legislation Committee—oh goodness, the thrill of those DLs—in which Government Members were suddenly shocked to realise that my hon. Friend the Member for Southampton, Test (Dr Whitehead) was pointing out that the Committee was about to pass a regulation allowing fracking under national parks and SSSIs in certain circumstances. The most that they were able to muster was an abstention, but we voted against it. That was not what we were led to believe when the Infrastructure Act 2015 passed through Parliament. The public and Members were led to believe that there would be no permitted fracking under national parks and SSSIs. As well as the argument about climate change, there is an argument about protecting the countryside.

Most of all for me, however, the argument is about climate change. I want this to be the generation of politicians who declared that national and international climate emergency and put it into every single one of our policies, making sure that with every single decision we take, we think about how it will either contribute to or mitigate climate change. The young people I met outside in Parliament Square three weeks ago and in my constituency on other climate strike demonstrations and in schools want us to do that. They want us to stop fracking and to invest in carbon-neutral technologies. They want us to be the world leader that I know we can be, and I urge the Government to follow their lead.

4.22 pm

Kevin Hollinrake (Thirsk and Malton) (Con): My comments centre on the need for gas, and I am on a slightly different page from the other people that I have heard speaking in the debate. I think that we will need gas, and it is a question of whether we import it or produce it. In my view, it is much better to produce it than to import it for many reasons, including the environmental benefits of producing rather than importing. However, as the Minister knows, I am against permitted development rights and nationally significant infrastructure project status for shale gas exploration.

The need is clear: we import half our gas today, and that will go up to 70% by 2030. Increasingly, it comes from all over the world—principally from Norway, but it includes Russia—and is used for 23 million homes. Gas might have a long-term future. Carbon capture and storage and the H21 programme in Leeds, where we are going to convert methane into hydrogen, mean that

even in a zero-carbon future by 2050—which I am supporting, and I wrote to the Prime Minister on that basis—gas can still play a part.

I am concerned, of course, about how this issue affects my constituency. That is why I went on a self-funded trip to Pennsylvania to look at the infrastructure there. I met protesters, producers and regulators. I saw from Pennsylvania that fracking can be done well or badly. It is compatible with the landscape if it is planned properly. That is why I helped North Yorkshire County Council to produce a minerals and waste plan that had clear guidelines about surface protection in protected areas, no fracking surface activity in national parks and areas of outstanding natural beauty, and restrictions on proliferation. There should be a maximum of 10 well pads per 100 square kilometres. Some people think that that is a lot, some think it is not very much. In my constituency, I have conventional gas extraction. There are three well pads there that operate on that density, and most people in my constituency do not know even know that the well pads are there. In the short term, as my hon. Friend the Member for North East Derbyshire (Lee Rowley) said, there is industrial activity, but that goes away. People who come to Kirby Misperton to see it would see a clump of trees—that is all they would see of a fracked well pad.

People should at least be cognisant of the reality of shale gas exploration. There are some problems that need to be solved. We need a proper, Government-backed remediation plan. It is not fair for landowners to pick up the tab if this goes wrong in the longer term, which is a likely event. We also need to do more to enable local communities to benefit directly from the disturbance and the nuisance that will doubtless be experienced: that benefit should go directly into householders' pockets.

I am against both NSIP and PDR. This is the wrong thing to do. The Select Committee said that quite clearly, and the Government should withdraw their plans to push ahead with exploration of this kind.

4.25 pm

Mr Clive Betts (Sheffield South East) (Lab): I am pleased to follow the hon. Member for Thirsk and Malton (Kevin Hollinrake), my fellow member of the Housing, Communities and Local Government Committee. Our Committee produced a report that focused not on whether fracking was good or bad per se, but on whether the planning guidance was right, and whether local communities had any real say and could address the impact of fracking through the planning system. As the hon. Gentleman said, we concluded that proposals on NSIP and permitted development were totally wrong. They are completely contrary to the localism agenda that the Government set out in the Localism Act 2011. During the Bill's passage, the then Secretary of State talked of "a ground-breaking shift in power to councils and communities". It appears from these proposals that that has gone into reverse.

In coming out against the proposal on permitted development, the Committee said that because of "the contentious nature of fracking"—

which has already been demonstrated by a number of speakers—and the impact on local communities, those communities

"should be able to have a say in whether this type of development takes place".

That, I think, is fundamental. Communities should not be excluded from the process.

It was very different when the Government introduced planning regulations on onshore wind. They said then that in order for a proposal to go ahead, it must be demonstrated that the planning impacts identified by affected local communities had been fully addressed and that the proposal therefore had their backing. So communities can veto proposals on onshore wind, but they can have no say in exploratory applications for the purpose of fracking.

As for NSIP, when we asked, "Why do the Government want to make these changes?", the only answer that we received was, "Councils are probably delaying the consideration of applications." We had plenty of evidence to show that that was not true, and that NSIP would not speed up the process at all. Indeed, we heard from Lancashire, where there had been complaints about the process taking a long time, that regulation 22 had had to be used four times, and the consultation had had to be paused and then started again because of extra information that the applicant had had to provide in response to questions from the public. There was no deliberate delay on the council's part; the delay was part of the proper consultation and consideration.

The Minister took up his role after the consultation had started, and he never looks very comfortable when this matter is being discussed. I suspect that he is coming at it with a new eye; I hope that that is the case. I ask him to listen and to take account of the weight of opinion across the House, among his hon. Friends as well as Labour Members, and to conclude that whatever the merits of fracking per se, these two proposals are a row-back from the localism and the democratic agenda that we ought to be pursuing but are abandoning now.

4.28 pm

Justin Madders (Ellesmere Port and Neston) (Lab): There is no doubt that shale gas exploration, or fracking, has caused great concern up and down the country, but what is also of concern is the feeling that this Government are trying to move the goalposts and lock people out of being able to express their concerns. People from many different communities and, indeed, with many different political perspectives have been united against this heavy-handed and undemocratic approach, including people in my own area. On 18 October last year, Labour, Conservative and independent Cheshire West and Chester councillors voted unanimously to oppose the Government's approach, and that cross-party consensus is building in communities throughout down the country. It is high time the Government stopped this dash for gas and listened to what communities are saying.

Neil Gray: Will the hon. Gentleman give way?

Justin Madders: I am sorry, but I do not have time.

By transferring responsibility for these decisions to a permitted development or centralised system, the Government are, in essence, making it easier to apply for permission to carry out fracking than to apply for a two-storey side extension to a semi-detached house. Friends of the Earth has warned that the plans

"pervert the planning process and could make England's landscape a Wild West for whatever cowboy wants to start drilling and digging up our countryside."

[Justin Madders]

The Campaign to Protect Rural England calls it

“an outright assault on local communities’ ability to exercise their democratic rights in influencing fracking applications”

and adds that it

“reads like a wish list from the fracking companies themselves.”

If we are truly going to take back control, we should have a genuine democratic procedure, not a stitch-up that benefits a few private interests.

The Prime Minister has said that our climate is the most precious thing that we can pass on to the next generation, and we would all agree with that, but how can those fine words possibly be consistent with these proposed changes? The Committee on Climate Change has stated categorically that supporting unconventional gas or oil extraction is incompatible with meeting our binding targets under the Climate Change Act 2008. We have spent months in here trapped in a Brexit mess of our own making, and all the while the impact of climate change both at home and abroad is happening around us. Are we so wrapped up in our own squabbles that we fail to fully appreciate the enormity of this?

Last month, February, was so hot I was walking around for several days in a T-shirt, which was very nice at the time, but actually the Februarys I remember growing up in were pretty inhospitable. So while I was warmed by the rays of the sun I was haunted by the thought that once again we were experiencing unseasonably warm weather, and then I thought about the constituent who told me their daffodils had arrived in December, the recent reports that the world’s insect population is declining rapidly and the fact that places as nearby as Spain have lost 1 million hectares to the desert in recent years.

I fear that when we put all that together it is clear that we are sleepwalking into a climate catastrophe, and that unless we really begin to face up to the fact that we need to shift away from carbon-producing energy sources and we need to do it now, we will be the last generation to enjoy the benefits of industrialisation and it will be the next generation who suffer the consequences of our selfish inaction.

4.31 pm

Geraint Davies (Swansea West) (Lab/Co-op): Shale gas is 95% methane, and according to the Intergovernmental Panel on Climate Change methane is 85 times more powerful than carbon dioxide for global warming, although the Government have kept to the 2013 figure of 36 times. That means that given that fugitive emissions are 5%, fracking is almost twice as bad as coal for global warming, and NASA has satellite imaging showing that the amount of methane has grown exponentially, having plateaued in the 1990s. So if we are to fulfil our Paris commitments, we cannot go forward with fracking. But instead, we see safeguards, tax incentives and the displacement of renewables; we see the end of onshore wind, nothing much in terms of solar, not having the Swansea tidal lagoon and so forth. We should be going in a completely different direction.

Apart from the global warming issues, there is the issue of water. The Minister will know that millions of gallons of water with hundreds of toxic chemicals used as lubricants are pumped into the ground, and half of it then has to come back. Often it is carcinogenic or even

radioactive. We simply do not have the infrastructure to treat that water; we have nowhere to put it, as they do in the United States. President Bush bypassed the clean air and clean water directive to allow fracking so that he would have a strategic gain over Saudi Arabia. We are not in a position to do that sort of thing. We cannot deal with the lorries, the transport and the wider environmental infrastructure.

When I was a member of the Council of Europe I put forward a paper, “The exploration and exploitation of non-conventional hydrocarbons in Europe”. It was adopted by France, and the Macron Government decided on that basis to abolish, and not continue with, fracking. I have a fracking Bill now, which I urge the Minister to look at. It says that at a minimum we should ensure that fugitive emissions are limited overall to 1% and 0.1% at the wellhead with capping and no flaring.

Our children are telling us about climate change. We should take that seriously, but with the possible advent of Brexit we may be in the hands of big multinationals using tribunals to fine us. If once they start fracking we withdraw tax concessions, they will fine us. In the case of *Lone Pine v. Canada* they charged the Canadian Government hundreds of millions of dollars because Quebec had a moratorium on fracking. Similarly Wales does not want to do any fracking, and if we go ahead with Brexit and with fracking as we are planning it, we will be under the cosh of multinationals as well as breaking our Paris commitments and ruining the future for our children.

4.34 pm

Matt Rodda (Reading East) (Lab): It is a pleasure to follow my hon. Friend the Member for Swansea West (Geraint Davies). For me, the context of this debate is quite simply the deeply worrying issue of climate change. We face a stark choice if we are to avoid extreme and potentially unstoppable change to the climate: do we continue to develop and exploit fossil fuels, or do we leave them in the ground? It will be extremely difficult, if not impossible, to stop dangerous climate change if we do not leave fossil fuels, including gas, in the ground. We can and must take a more responsible and sustainable approach, and that is why we need to stop the exploitation of shale gas.

I also want to talk about the issue of local planning, which other Members have spoken about today. There have been test wells in eastern Berkshire and other parts of the south-east, as was mentioned earlier. Many residents in Reading, Woodley and the Thames valley have deep concerns about our local environment. In our area, there is a long history of concern about the effects of noise and pollution from major infrastructure projects such as the expansion of Heathrow and large-scale gravel extraction. The very last thing that residents in our part of England need is a major new environmental threat.

I am conscious of the time, but I just want to add my support for a range of other points that have been made today. In particular, I would like to support and endorse the concerns that have been expressed about the relative weakness of the planning system and about the Government’s policy on energy—particularly renewable energy—and their deeply mistaken policy of cutting the feed-in tariff and not investing in wind power, solar energy and other renewables such as the tidal power

project in Swansea bay. These mistaken energy policies stand in stark contrast to the policies of many other Governments, including the last Labour Government.

Matt Western: Will my hon. Friend give way?

Matt Rodda: I am afraid I am running out of time.

We have just 12 years left to reduce carbon emissions dramatically. Local communities around the country have serious and substantial concerns about fracking. Given the climate crisis and the need for radical change in energy provision, and given the indisputable local concerns, shale gas exploitation has to stop, and it has to stop now.

4.36 pm

Deidre Brock (Edinburgh North and Leith) (SNP): We hear a lot from some people about the benefits of firing on with unconventional gas extraction, but not, rather surprisingly, from some Conservative Back Benchers today. Perhaps the Government should listen rather more closely to the voices in their own party on this issue. We have heard about the jobs that it will create and the energy gap that it will fill, and many of these extravagant claims are being made with quite Trump-esque glee. This seems somewhat at odds with the reality of what this messy, dirty process would offer. If the UK Government want to take an evidence-based approach, they will also be forced to take a little more seriously the overwhelming weight of scientific evidence supporting climate change. They must balance this fact against the rather weaker case for pressing down on the accelerator in the rush to frack the English countryside.

We can argue one way or the other about the level of risks involved in the shale gas extraction process, including the possibility of groundwater contamination and the danger of induced earthquakes. There are a lot of unknowns that need more research, and I do not wish to dwell on the points that have been made very ably by others today. However, we do know that these are genuine concerns, because there are examples of these things happening in areas where fracking has been more rapidly pursued. This has led to many countries, including the Netherlands, announcing plans to bring shale gas extraction to an end. And we have to ask ourselves why even the citizens of the city of Denton in Texas, which is among the pioneers of fracking, have been trying to have it banned from their own backyard.

Neil Gray: I am opposed to fracking, and the majority of my constituents are opposed to it. The majority of MPs who have spoken today also oppose it, largely because of the concerns expressed by their constituents. Can my hon. Friend reflect on the position that my constituents are in, given the approach that the Scottish Government have taken, compared with constituents of other colleagues across the House, given the approach that the UK Government are taking?

Deidre Brock: Absolutely. I think that all of us who represent Scottish constituencies are pleased by the much more cautious, evidence-based approach that the Scottish Government have been taking, and I would hope that the UK Government could learn from their example.

Perhaps a more thorough regulatory regime will reduce the likelihood of some of the worst public health and safety hazards that we have seen in the States and elsewhere, but frankly I would not trust this Government to ensure that the checks and balances were robust enough, and the rewards are simply not worth the risk. I hope that care will be taken properly to address the public concerns that have been expressed across England, but listening to people is not a great strength of this Government. Instead, the UK Government seem intent on slashing red tape and fast-tracking fracking through the planning process, bypassing local democracy and those pesky protestors who get in the way of things. I do not have a lot of faith in the Government putting public interest before that of big business.

Even if it were established that fracking could be done safely, and even if the considerable environmental impacts of the process could somehow be removed, no amount of regulation would prevent it from being a fresh new source of greenhouse gas emissions, and that is really not the way to go. One can disregard the evidence on climate change, deny its existence, look the other way and whistle a happy tune but, like all destructive diseases, the longer it is left, the harder it becomes to fight. Climate change is the biggest man-made crisis facing this planet—far bigger, even, than the bourach known as Brexit. The schoolchildren who took to the streets calling for action are right, and they deserve to be listened to. They are fed up with politicians carrying on as normal—people who are stuck in the past, but who have the power to rob them of their futures.

It is undeniable that we have a long way to go to move away from our reliance on oil and gas, both economically and in our lifestyle choices. Offshore gas will still play a role in the UK's energy mix for the foreseeable future, and I recognise the continued importance of the jobs that are currently dependent on the industry. However, Governments must pull together internationally to tackle climate change, and that will require us to move on from our fossil fuel dependence, not embrace new forms. Diving headfirst into onshore fracking explorations is completely the wrong direction for energy policy.

The good news, however, is that we do not need desperately to seek more gas under people's homes in order to keep on the lights. We have the onshore and offshore renewable technologies needed to establish a successful and sustainable energy industry. Scotland is leading the world in marine renewable energy and is lucky to have a highly skilled workforce to deploy and the wind and the waves to be harnessed. With a quarter of Europe's tidal and offshore wind resources and 10% of its wave potential, this is where the unwavering focus for Government support should be.

Powers to issue and manage onshore oil and gas licences is devolved, and the debate over fracking takes on a different flavour at Holyrood, where a majority opposes progressing fracking and underground coal gasification developments. The Scottish Government have conducted extensive research and continue to engage widely with the public on the issue. After more than 60,000 responses, 99% were opposed to fracking. My constituents in Edinburgh North and Leith are not known to be shy of an opinion, and they have told me how appalled they are at the thought of unconventional gas exploitation damaging our local shores, and I agree. I welcome the Scottish Government's cautious, evidence-led

[Deidre Brock]

and transparent approach to policy on this issue. I urge the Minister to do the same and to put an end to this damaging dash for gas.

4.42 pm

Dr Roberta Blackman-Woods (City of Durham) (Lab): I congratulate the hon. Member for Bath (Wera Hobhouse) on securing this important debate, which has produced a great degree of consensus across the Chamber. The Government should accept that fracking is both dangerous and exacerbates global warming. In Labour's opinion, fracking should never be allowed, and it should certainly not be approved via permitted development or the nationally significant infrastructure projects regime instead of achieving local planning permission. Permitted development and the NSIP regime bypass both local decision-making processes and local people. To propose such systems for fracking determination is absolutely reckless.

On permitted development, such is the madness of the Government's approach that even their own MPs have said it is nothing short of irresponsible and downright bonkers. The hon. Member for Fylde (Mark Menzies) spoke for just about everyone when he asked whether there is anyone on earth who thinks that fracking is equivalent to putting a small extension on the side of a bungalow.

The current planning position is that those seeking to develop shale gas exploration need to secure full permission. Decisions must be made in line with the national planning policy framework, and local planning authorities should also have a section on mineral extraction in their local plan. Those involved need to follow the minerals section of the online planning practice guidance, because it covers the principal issues that mineral planning authorities should address, such as noise, dust, air quality, lighting, visual impact and so on. It is not clear whether the impact on agriculture, safety, heritage, flooding or safeguarding land would be analysed or protected under the permitted development regime.

We recognise that there are exemptions to the proposed policy in respect of national parks and so on, but we think that the intrusive nature of shale gas exploration means that wherever it is intended to be, it should have to go through the local planning permission system. Also, the consultation is not clear about exactly what conditions would be applied to shale gas exploration, as they will be outlined in legislation, which obviously we have not seen.

We think fracking should not go ahead under permitted development, either with prior approval or not—and we are not alone. The Government's approach to fracking has been criticised by almost everyone, apart from the fracking companies themselves and some Conservative Members. The Royal Town Planning Institute said:

"Blanket permissions for shale gas exploration in England are completely unsuitable and fly in the face of good planning".

The institute has warned that the scale and sheer complexity of exploratory drilling "dwarfs" development covered by permitted development rights, ignoring the hugely sensitive local issues and environmental hazards associated with shale gas exploration.

The Government's consultation on permitted development for shale gas exploration closed in October 2018, as did the consultation on approving planning

permission for fracking under the NSIP regime, so where are the Government's responses? How long are we going to have to wait? The NSIP regime suffers from many of the same drawbacks as permitted development, and using the NSIP regime to give planning consent would also override the local planning process. The Housing, Communities and Local Government Committee has called on the Government to ensure that planning applications for fracking remain at the local level, as councils are best placed to understand their area. The Chair of the Select Committee, my hon. Friend the Member for Sheffield South East (Mr Betts), excellently confirmed that point earlier.

The vast majority of consultation submissions were anti the Government's approach. For example, Lancashire, Bolton, Brighton and Surrey are among the councils that have opposed the permitted development change, and some have called the proposals "an affront to democracy". The Local Government Association responded to the Government's consultation by saying:

"We do not support the proposal for a permitted development right for shale gas exploration. This will bypass the locally democratic planning system. People living near fracking sites—and who are most affected by them—have a right to be heard."

My hon. Friends the Members for Sheffield, Heeley (Louise Haigh) and for West Lancashire (Rosie Cooper) made that same point excellently.

A permitted development right for shale gas exploration would fundamentally undermine the local planning process and stop councils consulting on issues that are relevant to fracking applications, such as the potential for seismic activity, which we know has actually happened, and water pollution; the disposal of waste water; well construction and integrity; and water availability. Those points were made well by the hon. Member for Fylde, the right hon. Member for Arundel and South Downs (Nick Herbert), my hon. Friend the Member for Preston (Sir Mark Hendrick), the right hon. Member for Kingston and Surbiton (Sir Edward Davey), the hon. Member for Thirsk and Malton (Kevin Hollinrake) and my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders).

To date, the Government simply have not addressed the serious areas of concern that I have outlined, so it is time for them to think again, not only about permitted development for fracking and using the NSIP regime for determination, but about fracking itself. Conservative plans to force through dangerous fracking would release CO₂ equivalent to the life emissions of almost 300 million cars. That would hugely add to climate change and undermine the Paris agreement, which is exactly what my hon. Friends the Members for Swansea West (Geraint Davies) and for Reading East (Matt Rodda) confirmed in the debate.

Community and environmental groups, including the Campaign to Protect Rural England and Friends of the Earth, have fought back against the Government's proposals, including by taking them to court, but they have ploughed on regardless, including by withdrawing support for safer sources of energy, such as nuclear, tidal and onshore wind, as referred to in points made excellently by the hon. Members for Wells (James Heapey) and for North East Derbyshire (Lee Rowley), and by my hon. Friend the Member for Bristol West (Thangam Debbonaire).

In power, Labour will listen to the voices of communities throughout the country and ban fracking. Instead, we will invest in new renewables, end barriers to onshore

wind and support new nuclear as part of a sustainable and secure energy mix. We strongly urge the Government to reject both the NSIP regime and permitted development as routes to achieve consent for fracking.

4.49 pm

The Minister for Housing (Kit Malthouse): I congratulate the hon. Member for Bath (Wera Hobhouse) on securing this debate, which I will call “shale 2”, as it is a repeat of the Westminster Hall debate promoted by my hon. Friend the Member for North East Derbyshire (Lee Rowley). It is clear from today’s debate that passions remain as high on this subject as on that heady afternoon.

I know the hon. Lady was not trying to position herself as the sole custodian of our precious countryside. My party overwhelmingly represents the British countryside and recognises the precious nature of our green and pleasant land. As an unapologetic environmentalist myself, I share that view. Being genetically from Yorkshire—although I was brought up in the north-west and educated in the north-east—I also have the interests of the northern half of this country at heart. I now happily represent a part of the same bulge of chalk as my right hon. Friend the Member for Arundel and South Downs (Nick Herbert)—I also have oil production that goes on unnoticed and uncomplained about by my constituents—so this is a matter of extreme importance to me.

I emphasise that no final decision has been made on whether to bring these proposals forward. The consultations have now closed and the Government are currently considering the representations made and will issue a response in due course. These consultations are part of a range of measures to make planning decisions faster and fairer for all those affected by new shale gas development and to ensure that local communities are fully involved in the planning decisions that affect them.

As right hon. and hon. Members will know, my remit as Housing Minister in relation to shale gas development is focused on planning policy and delivering the related manifesto commitments. Given that hon. Members have raised matters beyond my remit, including energy policy and reported seismic events, I will refer those matters to the Minister for Energy and Clean Growth, my right hon. Friend the Member for Devizes (Claire Perry), for a response.

Mr Betts: The Minister has talked about having faster applications. Can he explain how precisely that would be done in a way that allows communities to be fully consulted? Furthermore, as I understand it, the Government have done no impact assessment on their proposals. Does he intend to do one at any stage?

Kit Malthouse: I will come to those exact issues, if the esteemed Chair of the Select Committee will give me a moment.

In summer 2018, we consulted on whether permitted development rights should be expanded to include shale gas exploration development, including the circumstances in which this might be appropriate. I would like to make it clear that any potential permitted development right granted for shale gas exploration would not apply to hydraulic-fracturing operations or the production stage of shale gas extraction.

I should also emphasise that any permitted development right would cover only the planning aspects of the development and would not remove requirements under other regulatory regimes from the three regulators: the Environment Agency, the Health and Safety Executive and the Oil and Gas Authority. It is important to note that all permitted development rights contain specific exemptions, conditions and restrictions to control and mitigate the impact of the development and to protect local amenity, and any potential permitted development right for shale gas exploration would be no exception.

A right could include things such as limits on the height of any structure, areas where a permitted development right would not apply and noise and operation controls. The consultation sought views on this.

Kevin Hollinrake: Would permitted development rights allow a producer to construct a well pad pretty much wherever they wanted to put it?

Kit Malthouse: The consultation asked exactly that question of whether there should be a restriction. I know my hon. Friend suggested—in the last debate and in this one—having density restrictions on well pads in particular areas. We will answer that question when we respond to the consultation.

The permitted development consultation and the NSIP consultation mentioned by my hon. Friend and the shadow Minister ran for 14 weeks and closed on 25 October. The Government are currently analysing the representations to the consultations and will publish a response in due course.

All hon. Members have highlighted the importance of community engagement in the planning process. I reassure the House that we remain profoundly committed to ensuring that local communities are fully involved in the planning decisions that affect them and to making planning decisions faster and fairer. These are long-standing principles that I am adamant we will stick to. However, we understand that communities feel that they are often not consulted closely enough before planning applications are submitted by developers to the local planning authority. That can lead to opposition to developments and a longer application process.

Engagement with communities at the pre-application stage gives local people an earlier say in the planning process and makes developers aware of issues of importance to the community that may need to be resolved. The planning system in the UK already provides an extensive legislative framework for community involvement. However, there is scope to do more. That is why we published a separate consultation—sadly, unmentioned this afternoon—on whether applicants should be required to conduct a pre-application consultation with the local community prior to submitting a planning application for shale gas development, which could further strengthen the role that local people play in the planning process. The consultation closed on 7 January. We are currently analysing the representations that we have received and will publish a response in due course.

We also welcome the Housing, Communities and Local Government Committee’s report of its inquiry on planning guidance relating to hydraulic fracturing and shale exploration. The report was published on 5 July 2018. We are considering its conclusions and recommendations, and will respond—to use a well-utilised word in this House—shortly.

[Kit Malthouse]

I thank all hon. Members who have participated in this interesting and fascinating debate. Domestic onshore gas production, including shale gas, has the potential to play a major role in further securing our energy supplies. The UK must have safe, secure and affordable supplies of energy with carbon emission levels that are consistent with the carbon budgets defined in the Climate Change Act 2008 and our international obligations. The written ministerial statements on energy and planning policy made by the Secretaries of State for Business, Energy and Industrial Strategy, and for Housing, Communities and Local Government on 17 May 2018 reiterated the Government's view that there could be substantial benefits from the safe and sustainable exploration and development of our onshore shale gas resources.

We remain expressly committed to ensuring that local communities are fully involved in planning decisions that affect them and to making planning decisions faster and fairer at the same time. We have now delivered on our promise to consult on how best to develop our planning processes for both the exploration and production of shale gas development, while ensuring that communities remain fully involved. We are currently considering the responses from those consultations and will respond in due course.

4.57 pm

Wera Hobhouse: I thank all hon. Members from across the House for their powerful contributions to this important debate. There is real anger across the board about the Government riding roughshod over local communities, and not allowing local people a voice on shale gas exploration sites. Across the board,

there are concerns about the environmental impacts, particularly the industrialisation of the countryside, water contamination and seismic activity. But most of all—I wish the Minister would listen—there is a concern that fracked fuel is a fossil fuel. The Government should entirely change direction and invest in renewables instead. Let us change direction, take some action on climate change and ditch fracking.

Question put and agreed to.

Resolved,

That this House has considered use of permitted development and the nationally significant infrastructure project regime for shale gas exploration and production.

Mr Speaker: Order. Colleagues, I have to inform the House of some corrections to yesterday's recorded votes. In respect of Mr Nicholas Edward Coleridge Boles's motion (D) on Common Market 2.0, the Ayes were 189, not 188. In respect of Mr George Eustice's motion (H) on EFTA and EEA, the Ayes were 64, not 65. In respect of Mr Kenneth Clarke's motion (J) for Jemima on customs union, the Ayes were 265, not 264, and the Noes were 271, not 272. The published lists of how Members voted will be amended. The decision on the Question in each case is unchanged.

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, proceedings on the Motion in the name of the Prime Minister relating to Sitings of the House (Friday) may be proceeded with, though opposed, until any hour, and Standing Order No. 41A (Deferred divisions) shall not apply.—
(Mike Freer.)

Speaker's Statement

Mr Speaker: I am pleased to report to the House that the Government's motion for tomorrow's debate complies with the test set out on page 397 of the 24th edition of "Erskine May" that motions that are the same, or substantially the same, must not be put to the House more than once in a parliamentary Session. The previous meaningful vote motion encompassed both the withdrawal agreement and the political declaration. This motion covers the former but not the latter. I am glad that the principle of the House determining a motion definitively once and for all in each Session has been accepted and upheld, and that that principle cannot be circumvented by the assertion of a notwithstanding clause or even a paving motion. In short, the motion is new, substantially different, and in conformity with the requirements of my ruling of 18 March, reiterated on 25 and 27 March.

Sittings of the House (29 March)

5 pm

The Leader of the House of Commons (Andrea Leadsom): I beg to move,

That this House shall sit on Friday 29 March 2019.

May I start by saying that I recognise that changes to the sittings of the House agreed at short notice can create inconvenience to Members and their constituents? I know how important constituency work is to all of us, and I regret not being able to give more notice. I do, however, believe that all of our constituents expect the House to continue to make progress at this crucial time. To be of assistance to the House, I can again confirm that, should the House agree to this motion, it is intended that the sitting hours tomorrow will be the same as for a normal sitting Friday, with the House sitting from 9.30 am and the moment of interruption at 2.30 pm. Should any urgent questions be allowed, these would take place from 11 am and the debate would resume following those urgent questions in the usual way. As I said earlier today in my business statement, I join those who recognise the hard work and dedication of the staff of the House and of our civil servants. I thank them for their support to us in this place, and I am very grateful to them in advance for their work tomorrow should this motion be agreed.

As I said to the House during my business statement earlier today, the motion tabled by the Government this afternoon has been prepared in order that it complies with your ruling, Mr Speaker, while also reflecting that the European Union will agree an extension to article 50 until 22 May only if the withdrawal agreement is approved by 11 pm on 29 March. It is crucial, therefore, that we make every effort to give effect to the Council's decision, and tomorrow's motion gives Parliament the opportunity to secure that extension. I think we can all agree that we do not want to be in the situation of asking for another extension and facing the potential requirement of participating in European Parliament elections.

Chris Bryant (Rhondda) (Lab): Could the Leader of the House read out the motion, so that we know what we will be debating tomorrow?

Andrea Leadsom: The motion has been tabled, and the hon. Gentleman will be able to find it in the Table Office. *[Interruption.]* I am happy to read it out. It is quite lengthy, so I hope Members will bear with me. It reads:

"That this House notes the European Council Decision of 22 March 2019 taken in agreement with the United Kingdom extending the period under Article 50(3) of the Treaty on European Union, which provides for an extension to the Article 50 period to 22 May 2019 only if the House of Commons approves the Withdrawal Agreement by 29 March 2019; notes that if the House does not do so by that date the Article 50 period will only as a matter of law be extended to 12 April 2019 and that any extension beyond 22 May 2019 would require the UK to bring forward the necessary Day of Poll Order to hold elections to the European Parliament; notes that Article 184 of the Withdrawal Agreement refers to the Political Declaration between the UK and EU agreed on 25 November 2018, but that the EU has stated it remains open to negotiating changes to the Political Declaration; notes that the House is currently undertaking deliberations to identify whether there is a design for the future relationship that

[*Andrea Leadsom*]

commands its support; notes that even should changes be sought to the Political Declaration, leaving the European Union with a deal still requires the Withdrawal Agreement; declares that it wishes to leave the EU with an agreement as soon as possible and does not wish to have a longer extension; therefore approves the Withdrawal Agreement, the Joint Instrument and the Unilateral Declaration laid before the House on 11 March 2019 so that the UK can leave the EU on 22 May 2019; notes that this approval does not by itself meet the requirements of section 13(1)(b) of the European Union (Withdrawal) Act 2018; and resolves that it is content to proceed to the next steps of this process, including fulfilling section 13 of this Act.”

Kevin Brennan (Cardiff West) (Lab): I note that the motion talks solely about the withdrawal agreement and not the political declaration. Has the Leader of the House had any thoughts or information on whether an amendment that included the political declaration would be acceptable or in order?

Andrea Leadsom: The hon. Gentleman will be aware that motions are amendable, and the selection of amendments is a matter for the Speaker.

Chris Bryant: I am grateful to the Leader of the House for reading out the motion; that is helpful for the House. So far as I understand it, if the motion were carried tomorrow, the Government would not be able to ratify the withdrawal agreement treaty. Is that correct?

Andrea Leadsom: No. It would mean that the withdrawal agreement Bill would then be before the House.

I think we can all agree that we do not want to be in the situation of asking for another extension and facing the potential requirement of participating in European Parliament elections.

Mary Creagh (Wakefield) (Lab): I am at a loss to understand how this House can put into law section 13 of the European Union (Withdrawal) Act 2018 and then the Government can offer us only one part of that. What advice has the Leader of the House had on whether what the Government are doing is legal?

Andrea Leadsom: The hon. Lady will appreciate that Mr Speaker’s ruling ensured that this would not be a meaningful vote. She will also appreciate that, since it is for this Parliament to decide on the laws and amendments to them, it will be a matter for discussion tomorrow, followed by the discussion on the withdrawal agreement Bill, should that be approved, to rectify any outstanding matters. I encourage all hon. and right hon. Members to support this motion, so that we can leave the EU in an orderly way that gives businesses and people the certainty they need.

I turn to the amendment tabled by the shadow Leader of the House, the hon. Member for Walsall South (Valerie Vaz), and the Opposition Chief Whip, the right hon. Member for Newcastle upon Tyne East (Mr Brown). It may help the House and provide some reassurance to the shadow Leader of the House if I confirm that we will be sitting tomorrow with a very clear purpose in mind: so that the House has time to debate the motion tabled by the Government this afternoon. That is our only intention for tomorrow’s sitting.

Sir William Cash (Stone) (Con): Article 184 of the withdrawal agreement refers to the political declaration and they cannot be separated, so if the political declaration is changed later, the withdrawal agreement would need re-approval. I accept the ruling of the Speaker with regard to this question, but I just make that point about the substance of the question, because it is going to be very important for the debate tomorrow.

Andrea Leadsom: I can assure my hon. Friend that the motion seeks to ensure that we can meet the requirements of the EU Council for the extension that will enable us to consider these matters further.

In conclusion, I very much hope that the House can support this motion, and that it will agree to sit tomorrow so that we can make the important decisions the country expects us to take in its interests. I commend this motion to the House.

Several hon. Members *rose*—

Mr Speaker: Order. The Leader of the House has moved the sittings motion, and I have selected amendment (a) to it in the name of Valerie Vaz. I just thought I would get that on the record.

Ian Murray (Edinburgh South) (Lab): On a point of order, Mr Speaker. I appreciate that the Leader of the House has given us the business for tomorrow—it is helpful not only that she has read out the motion, but that it has now been circulated—but has there been any indication whether the Attorney General’s legal advice on whether what the Government are doing tomorrow is actually legal could be placed in the House of Commons Library or published for Members before the debate starts at 9.30 am tomorrow?

Mr Speaker: The Attorney General can offer an assurance on that front. I know that he is satisfied, but it is for him to say.

The Attorney General (Mr Geoffrey Cox): Further to that point of order, Mr Speaker. May I say on the proposal the Government are making that when the House listens to the rationale behind it and hears the full context of it, I am sure the House will accept that it is not only perfectly lawful and perfectly sensible, but designed to give this House the opportunity of availing itself of a right that the European Union has given us to avail ourselves of an extension until 22 May. The view of the Government is simply that we could not let the time limit expire at 11 pm tomorrow without allowing this House the opportunity to avail itself of that right, and it is perfectly reasonable and perfectly lawful.

Several hon. Members *rose*—

Mr Speaker: Order. I will happily take points of order. People sought the judgment of the Attorney General, and the Attorney General has provided it. I would not dream of pronouncing on the matter of law—that is not something with which I need to preoccupy myself—or on the matter of the desirability or otherwise of the motion, which is a matter for the House. My concern was solely with the propriety of the convention and the importance of its being upheld and asserted. I am satisfied that the propriety of the convention has been upheld and asserted. Colleagues must make their own judgment on the political substance of the matter.

John Redwood (Wokingham) (Con): On a point of order, Mr Speaker.

Mr Speaker: Of course I will take a point of order from the right hon. Gentleman before we proceed with the debate on the sittings motion.

John Redwood: Given that the Government now say that, if the motion passes, we will go straight on to the Bill, can we insist on the Bill being part of the documents for tomorrow's debate, because it would be very important to know what we were in for before being asked to vote for it?

Mr Speaker: I say to the right hon. Gentleman that whether the Government intend to tag—using the term that is commonly used in relation to House of Commons motions—the withdrawal and implementation Bill to the motion is a matter for their determination. My understanding is that that Bill was drafted some time ago. I do not think that hot wet towels over officials' heads or any burning of the midnight oil will be required. The document exists, but whether it is the Government's intention to table it tomorrow for the benefit of colleagues conducting the debate is a matter for them.

Sir William Cash: On a point of order, Mr Speaker. You have very kindly referred to the withdrawal and implementation Bill, which I have raised on a number of occasions over the last few weeks. In its most recent report, the European Scrutiny Committee has insisted that that Bill be made available, because it is quite unfair on the House to be making decisions about a Bill that it has not seen, and I understand that other Committees take a similar view. Will you be good enough perhaps to give the Government a firm nudge in order to produce that Bill forthwith?

Mr Speaker: Yes is the short answer. It is a matter for their judgment; it is not a matter of a ruling. However, in light of the fact that colleagues are expressing a desire to see the Bill, I think it would be out of keeping, shall we say, with the legendary—some would say exemplary—courtesy of the Attorney General for the debate that might well be opened by him to be staged without the benefit of that important document. Knowing the hon. Member for Stone (Sir William Cash) as well I do and for as long as I have, I have a feeling that if the Bill does not appear tomorrow, in time for the debate, this will not be the last we will hear of the matter.

Mr Mark Francois (Rayleigh and Wickford) (Con): On a point of order, Mr Speaker. It seems that, as so often in this whole saga over the last couple of years or so, the Government have got themselves into a bit of a procedural mess. It is plain that tomorrow's motion will not be a section 13 motion under the European Union (Withdrawal) Act 2018. But the motion does state very clearly—I am reading the operative bit—that this House “therefore approves the Withdrawal Agreement, the Joint Instrument and the Unilateral Declaration laid before the house on 11 March 2019”,

so even though it is not a section 13 motion under the 2018 Act, it is absolutely plain from the Government's own wording that this is a decision in principle on whether or not the House “approves”—the operative word—the withdrawal agreement. Have I understood that correctly, Sir?

Mr Speaker: Yes, and that decision would be followed by consideration of the relevant legislation.

Mary Creagh: On a point of order, Mr Speaker. Section 13 is in front of me, and it is extremely clear. Paragraph (1) says:

“The withdrawal agreement may be ratified only if...the negotiated withdrawal agreement and the framework for the future relationship have been approved by a resolution of the House of Commons on a motion moved by a Minister of the Crown”.

That is the original legislation that we fought for—the right for this sovereign Parliament to have its say on both things together. As I put it earlier, these are two horns on the same goat. The goat's head cannot be divided as the Government are seeking to do. This is an extraordinary and unprecedented reverse-ferret of the commitments that have been given by Ministers to this place: that we should have our say on both items together. Is it not extraordinary, Mr Speaker, that this comes right on the day when we know that far-right demonstrators will be gathering in Parliament Square?

Mr Speaker: The hon. Lady has made her point with considerable force, educating me in the process—I am grateful for that—with the use of the expression “reverse-ferret”: apparently one with which the hon. Member for Cheltenham (Alex Chalk) is well familiar, but of which I was previously unaware.

I do not seek to trivialise the hon. Lady's point. She has made her point, but there is not a procedural issue for the Chair. There is a political issue for the judgment of the House, but not a matter for adjudication by the Chair.

Stewart Hosie (Dundee East) (SNP): On a point of order, Mr Speaker. It appears clear that if we pass the withdrawal agreement, that will satisfy the European Union in terms of the extension to 22 May. However, the withdrawal Act requires both the agreement and the political declaration to be passed prior to ratification—that much is clear. May I ask you whether it would be orderly for the Government to bring forward an implementation Bill that sought to knock out the requirement for the political declaration to be passed, therefore bypassing the political difficulty that they found themselves in?

Mr Speaker: The short answer to the hon. Gentleman is that that would be orderly. Whether it would be desirable, whether it would secure the approval of the House, and whether it would cause commotion or earn disfavour, are all separate matters. I am looking narrowly at the question of procedural propriety. We do not know—or at least I do not know, I confess—quite what the withdrawal and implementation Bill currently contains or what, at a point in its passage, it might contain, but it is of course open to the Government to bring forward a piece of legislation that differs from and possibly even changes the provisions of another piece of legislation. The House will have to make a judgment about whether that is something that it accepts. I put the matter, I hope people will agree, entirely neutrally.

Mike Gapes (Ilford South) (Ind): Further to that point of order, Mr Speaker. If the House were to reject the Government motion to approve the withdrawal agreement tomorrow, would that mean that the Government

[Mike Gapes]

were not able to bring back to the House a separate position between the withdrawal agreement and the political declaration in future, but would have to bring back the same position that has already been ruled by you to have been considered in the past?

Mr Speaker: The Government would not be in a position to bring back the same or substantially the same proposition if their proposition tomorrow were defeated. I am very clear in my mind about that.

By the way, reference was made earlier—I think by the hon. Member for Cardiff West (Kevin Brennan)—to amendments. The question he had in his mind was whether an amendment could be tabled to ensure that the motion required both sets of questions to be considered. Of course, the answer is that an amendment could be tabled but the selection of amendments is a matter for the Chair. I am clear that the convention that the same question shall not be put again in the same Session will be asserted and upheld.

Andrea Leadsom: Further to that point of order, Mr Speaker. You have rightly pointed out the same question point. But another point that is very important is that in agreeing tomorrow's motion we will trigger the automatic extension to article 50 to 22 May, and if we do not agree the withdrawal agreement tomorrow, we will not. That leaves in doubt the future of the arrangements with the European Council.

Mr Speaker: Thank you.

Joanna Cherry (Edinburgh South West) (SNP): Further to that point of order, Mr Speaker. I am sure that, like me, you will have looked closely at section 13 of the withdrawal Act which has been mentioned by other hon. Members, as well as at section 20, which interprets various phrases used in the Act. I wonder if the fact that neither “political declaration” nor “future framework” is defined in section 20, but that the “withdrawal agreement” is defined in section 20, may have something to do with the Attorney General's thinking.

Mr Speaker: Well, I fear that the hon. and learned Lady invests the Chair with powers that he does not possess. I am well familiar with the notable and widely observed oratorical style of the Attorney General and that, to some extent, I can comfortably and with enthusiasm predict: what I cannot do is say what is in his mind. That is not known to me. It may be known to a great many people in Torridge and West Devon, and it will be known to the right hon. and learned Gentleman, but it is not known to me.

Jim Shannon (Strangford) (DUP): On a point of order, Mr Speaker. On the business for tomorrow, the Leader of the House mentioned the tabling of amendments. Can you please indicate whether amendments will be taken in a singular fashion, as they have been in the past, or will they be taken in a multiple fashion, as they were on one sheet of paper last night?

Mr Speaker: There will be a business of the House motion in the standard form governing the proceedings. I would hope that that would offer the hon. Gentleman the comfort that he seeks. Amendments can be considered to it.

Geraint Davies (Swansea West) (Lab/Co-op): On a point of order, Mr Speaker. The House will be asked to agree the withdrawal agreement on the presumption that it will subsequently agree the political declaration, yet it is clear that the House has not agreed the political declaration in the past, by 230 and 149 votes. How is it in order to ask us to agree the withdrawal agreement on that assumption?

Mr Speaker: The responsibility is that of the Government to table the motion that the Government wish to table, subject to the overriding constraint of procedural propriety. The hon. Gentleman asks how it can be orderly; it can certainly be orderly, and it is for the House to decide whether it endorses it. The motion that it is proposed by the Government to have debated tomorrow is not the same, or substantially the same, as that which has previously been disposed of by the House—for the benefit of those observing our proceedings from beyond the Chamber, I use the term “disposed of by the House” in the sense in which we use that term in Parliament, meaning treating of, decided by.

Mr Alistair Carmichael (Orkney and Shetland) (LD): On a point of order, Mr Speaker. Can you clarify—or perhaps somebody on the Treasury Bench can—whether the Prime Minister resigns if she wins tomorrow or whether she has to get both parts before we see the back of her?

Mr Speaker: I have no knowledge of that matter, which is on a very different pay grade.

Kevin Brennan: On a point of order, Mr Speaker. The Government now having tabled the motion for tomorrow, is it possible that you could give us an indication at this time—I realise that this session could proceed until any hour—as to how you intend to treat possible amendments and any time limit for the submission of amendments, including manuscript amendments?

Mr Speaker: Ordinarily, as the hon. Gentleman will know, the attitude would be that amendments should be submitted before the rise of the House. There is, however, a degree of unpredictability as to how long this session will run today on the sittings of the House motion, and therefore I am open to the possibility of manuscript amendments.

Forgive me, my response to the hon. Member for Strangford (Jim Shannon) was perhaps not entirely self-contained. He was quizzical about the matter of amendments, and I said that the business of the House motion governing the proceedings tomorrow was a relatively standard business of the House motion, but it might be worth while my opening that envelope and explaining what that means.

Because there is a business of the House motion, after the moment of interruption, the questions will be able to be put, and that means that such amendments as have been selected, if there is more than one, will be able to be voted upon by the House, so there is no danger of our running out of time for deciding upon amendments. I have, at this stage, no way of knowing whether I will select one amendment or multiple amendments, but the hon. Gentleman need not be concerned on that front.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): On a point of order, Mr Speaker. Probably like many people following this—or trying to follow this—I am having great difficulty understanding how the motion, which says itself that it does not meet the requirements of the withdrawal Act, can actually lead to us approving the withdrawal Act. My understanding now is that it seems to be saying that, for the purposes of the European Union, we will have approved the withdrawal Act, but for the purposes of British law, we will not have approved the withdrawal Act. Can such a position have any basis in reality? Can it be orderly for it not to have any basis in reality?

Mr Speaker: I genuinely do not want to cavil at what the hon. Lady is saying, because she is asking me a perfectly fair and reasonable question, but the way I would characterise it for colleagues, and I hope carry them with me in doing so, is as follows. It may seem a fine line, but there is a clear distinction between procedural propriety, with which the Chair has to be concerned, and legal exegesis, with which the Chair need not be concerned. Those matters are separate and distinct. Many right hon. and hon. Members of the House will be well versed in and have opinions about both those things, but my concern is with procedural propriety and the orderly conduct of business. Whether something makes sense in law and satisfies the hon. Lady's palate in that regard is another matter.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): On a point of order, Mr Speaker. This is being done late in the day, and many Members are just getting news of this provision, as they have been involved in meetings and other parliamentary proceedings. Will you ensure that this information is widely disseminated and that the Library provides some independent advice? This looks to me like trickery of the highest order. Can we ensure that all Members are fully briefed and fully understand what is going on here, and what the Government are trying to do?

Mr Speaker: Certainly the Library can be asked to provide information and a note on this matter, copies of which can be made available, and I have every expectation that something will be provided. I had earlier discussions with and have just spoken to the senior Clerk at the Table, whose professionalism will be universally respected across the House. Those who serve us will do all they can to ensure that all possible material is available to colleagues as they undertake this deliberation. That is a very reasonable request, and I hope the answer suffices.

Wayne David (Caerphilly) (Lab): On a point of order, Mr Speaker. Given that the withdrawal agreement and political declaration are intrinsically linked, could we be getting into a situation where we could comply with European law, but not with our own legislation?

Mr Speaker: That is conceivable. Is that outwith the bounds of reality? No, it is not.

Christine Jardine (Edinburgh West) (LD): On a point of order, Mr Speaker. Can we be reassured by the Attorney General that if we approve the motion to the satisfaction of the European Union, whatever we do in this House will become irrelevant because the European Union would regard us as having approved a motion that we have not in fact approved using our own purposes?

The Attorney General indicated dissent.

Mr Speaker: For the record I can say that the Attorney General is shaking his head, and he dissents from the hon. Lady's proposition. Forgive me, because I think the House will want to move on, but I hope she will accept it if I say that that is a political point. It is an important point, and I am not knocking it in any way, but it is not germane to the remit of the Chair, nor—if I may politely say so—is it material to the sittings of the House motion with which we are now dealing.

Hilary Benn (Leeds Central) (Lab): On a point of order, Mr Speaker. Having just read the motion, I wonder whether an opportunity might be given for the Government to clarify a really important point. If the EU agrees that, if the motion is passed tomorrow, the UK will be granted an extension until 22 May, at that point it will no longer be possible for the United Kingdom to apply for a further extension, because we would have failed to make the arrangements necessary to take part in the European elections. Therefore, to pass this motion will preclude the United Kingdom from asking for any further extension. It would be helpful to the House if a Minister could come to the Dispatch Box and clarify that point.

Mr Speaker: I must say to people listening that I am mightily glad that the right hon. Gentleman was not asking me to adjudicate on that. It is very helpful that he has excused me from any responsibility. I do not sense that the Attorney General, who is comfortably seated on the Government Front Bench, is looking to come to the Dispatch Box, or indeed that the Leader of the House is inclined to do so. I think I can safely say—I do not think I will be accused of disclosing a state secret—that as things stand the Attorney General is intending to declaim from the Dispatch Box tomorrow.

The Attorney General: Further to that point of order, Mr Speaker. I rise out of respect for the right hon. Member for Leeds Central (Hilary Benn). This is clearly a matter that I shall address tomorrow morning in full. It requires serious consideration, as virtually everything the right hon. Gentleman says in this House is entitled to. I will address that point in full tomorrow.

Mr Speaker: Colleagues, the motion has been tabled, moved and spoken to in a perfectly orderly way. I suggest that we now hear from the shadow Leader of the House.

5.35 pm

Valerie Vaz (Walsall South) (Lab): I beg to move amendment (a), at end, to add

"but that sitting shall not be used for proceedings on consideration of the Overseas Electors Bill."

I thank the Leader of the House for the statement, the second business statement we have had today. Mr Speaker, you say that the public are watching up there in the Gallery. They are watching our proceedings throughout the world. They should know that none of us on the Opposition Benches—not a single hon. Member—received a copy of the motion. I came into the Chamber 10 minutes before these proceedings were due to start and it still was not in the Table Office, so it is

[Valerie Vaz]

right that my hon. Friend the Member for Rhondda (Chris Bryant) has asked for it to be read out as though it were a bedtime story.

The treatment of this House is absolutely disgraceful. Members are going about their business, but have now been told that they have to come back for tomorrow's motion. This underlines the Government's disrespect for the House of Commons and for Parliament.

I have had the chance to look at the motion while sitting here on the shadow Front Bench. [Interruption.] I am not going to say anything until this exchange is over. Is that okay for the hon. Member for South Derbyshire (Mrs Wheeler)? [Interruption.] Good. I need to know whether you, Mr Speaker, are content to see that the law is actually being broken. The motion states that the House approves what was put before the House "on 11 March 2019 so that the UK can leave the EU on 22 May 2019; notes that this approval"—

the House is going to note this—

"does not by itself meet the requirements of section 13(l)(b) of the European Union (Withdrawal) Act 2018; and resolves that it is content"—

hon. Members need to know that they are signifying their content—

"to proceed to the next steps of this process, including fulfilling section 13 of this Act",

even though it does not comply with that section of the Act. Is that in order? Is the motion in order? On the face of it, it does not comply with the Act.

The shadow Secretary of State for Exiting the EU, my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer), has made it consistently clear that he does not want the separation of the withdrawal agreement and the political declaration. That is not just his view; it is the view of the Prime Minister. I just wonder whether asking the Prime Minister to resign to get the withdrawal agreement through is the price that the Government are paying. On 14 January, she told the House that there was

"absolute clarity on the explicit linkage between the withdrawal agreement and the political declaration."

She added that

"the link between them"—

the two documents—

"means that the commitments of one cannot be banked without the commitments of the other. The EU has been clear that they come as a package."—[Official Report, 14 January 2019; Vol. 652, c. 826.]

The Prime Minister was right then. It seems that she is wrong now. That is why we on the Labour Benches will not be supporting the motion.

This is no way to run a Government. I do not know whether the Prime Minister will come back here, but she has a duty to tell the truth to the House. She has made it clear, on that basis, that the two documents are linked together. We are now presented with a motion that breaks that link. On the face of it, that breaks the law: it breaks the European Union withdrawal law. This is the Government playing games. Parliament, our constituents, future trading partners and the country will not countenance this.

Mr Speaker: I am sorry, because other colleagues will want to speak, but I want to make this very simple point: it is not for the Chair—and I absolutely respect what the shadow Leader of the House said—to pronounce on whether a motion, in terms of its effect, is lawful or not. The House makes a judgment on the merits or demerits of a motion and the law is ultimately interpreted by a court if there is a challenge. I am making no assertion of lawfulness or unlawfulness. The Attorney General is entirely comfortable in his own mind and will doubtless articulate that tomorrow. My concern is with the narrow confines of order and procedural propriety. I make no assertion beyond that.

Ms Nadine Dorries (Mid Bedfordshire) (Con): On a point of order, Mr Speaker. In one breath, the shadow Leader of the House complained that she had not seen the motion until she walked into the Chamber, and in the next, she said that the Opposition would not be supporting the motion. Until they have heard the arguments that can be made to support the motion, how can they so quickly come to a point of view unless they are playing political games with the future of this country and this deal, which delivers on the vote of 17.4 million people? It is game playing, Mr Speaker, and it has to stop.

Mr Speaker: The hon. Lady has made her own points with conviction, but it is not a matter for the Chair.

Mr George Howarth (Knowsley) (Lab): On a point of order, Mr Speaker. In view of the question raised by my right hon. Friend the Member for Leeds Central (Hilary Benn) a few moments ago and either the Attorney General's unwillingness or inability to respond to him, would it be in order for my right hon. Friend or somebody else to put in an urgent question to be answered tonight so that we can get a proper answer to what are very important questions?

Mr Speaker: I think that matter is governed by Standing Orders, so the short answer to the right hon. Gentleman is no, that is not possible. It is perfectly possible for there to be urgent questions tomorrow. He may say that that is too late and that it does not fit with his timetable, but I am simply making the point that there is no bar to urgent questions on a Friday. Typically, if there are such, they would come on at 11 o'clock—there were three, in fact, last Friday, if memory serves me correctly—but obviously, urgent questions interrupt a debate without changing the time of the end of the debate. That is the factual position. The opportunity is there, but there is a time consequence.

Mrs Anne Main (St Albans) (Con): On a point of order, Mr Speaker. I think the hon. Member for Walsall South (Valerie Vaz) might have inadvertently misled the House when she said that she had only just got sight of the motion. I have been having quite detailed discussions with the deputy Clerk of the House about procedures for the next few days. Indeed, he took me to the Table Office, and there was the motion for me to have a copy of at 4 o'clock, so I am surprised that the hon. Lady took an hour and a half to find this out.

Mr Speaker: The shadow Leader of the House can answer for herself, but I simply say to the hon. Lady that if she is referring to the motion for tomorrow's debate, that motion certainly was not in the Table Office

at 4 o'clock, as far as I am aware. I discussed the matter with the Attorney General, and I can assure her that it certainly was not there at that time, or absolutely not in anywhere near its final form. I think I am quite clear about that. As to the sittings motion, that is a different matter.

The Attorney General: Further to that point of order, Mr Speaker. I rise out of respect to those asking questions about why the motion was late. I do apologise to the hon. Member for Walsall South (Valerie Vaz)—I was anxious to get it to her and to others as soon as I could—but I was particularly concerned that the motion should comply with your ruling, Mr Speaker. Therefore—I hope you will permit me to divulge this—as a result of some discussion with you, I am afraid that it was concluded only shortly before the time we came into the House. *[Interruption.]* Well, I cannot speak for that, but I say to the House that I am sorry it was late, but it was a matter that needed to comply with your important ruling, Mr Speaker.

Mr Speaker: These things are subject to change. There was a version of the motion earlier this afternoon. The Attorney General and I met, as is perfectly reasonable and proper, and then there was a later version. However, I am quite certain in my own mind that the motion was not in the Table Office at 4 o'clock, and I think that the shadow Leader of the House has been misrepresented, if I may politely say so.

Mrs Main: I believe that. Thank you very much.

Mr Speaker: I thank the hon. Lady for withdrawing what she said earlier, although I think the shadow Leader of the House would have liked an apology. *[Interruption.]* The hon. Lady has withdrawn what she said. *[Interruption.]* I am happy with that. We will leave it there.

Valerie Vaz: On a point of order, Mr Speaker. I am really sorry, but I am not happy with that. The hon. Lady called me a liar. She effectively said—*[Interruption.]* Let me just explain. I am in front of the Attorney General. I can get an affidavit or a written statement from the very nice person in the Table Office. I went in at 10 to 5 and I asked for a copy of the motion. I walked round to your office, Mr Speaker, to ask for a copy, and I have not received it. So I think that the hon. Lady does owe me an apology.

Mr Speaker: I think that the hon. Member for St Albans (Mrs Main) said that she thought that the shadow Leader had inadvertently misled the House. The simple point is that, as we now know, the shadow Leader did not mislead the House. That is a matter of fact.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab) *rose*—

Mr Speaker: Are we returning to the motion? Does the hon. Gentleman wish to speak on the motion, or is he seeking to raise a point of order?

Hugh Gaffney: On a point of order, Mr Speaker. Perhaps you can help me. We have been accused of playing political games. At what time did you meet the Attorney General to talk about the motion?

Mr Speaker: I saw the Attorney General a number of times during the day. I would just say to the hon. Gentleman—I do not mean to be discourteous to him—that I think colleagues will recognise the Speaker regularly meets the Leader of the House, the shadow Leader of the House, the Government Chief Whip, the Opposition Chief Whip and a variety of other people. There is nothing particularly unusual about that. I met the Attorney General at half-past eight this morning; I then met him at 2.30 this afternoon, and then again at—if memory serves me correctly—approximately 4 o'clock, 4.15, or thereabouts. So we had three meetings during the day, and in the course of the three meetings I supplied the Attorney General with just one cup of tea.

Who else wishes to speak in the debate? I call Mr Christopher Bryant.

5.47 pm

Chris Bryant (Rhondda) (Lab): Who would have thought that a debate on whether we should sit tomorrow would get everyone so wound up?

In one sense, this is very simple. We are simply deciding, at a moment of national crisis, whether or not we should sit tomorrow, notwithstanding the normal practice of the House, which is that we only sit on Fridays for private Members' business. I do not think that a single Member of the House would resent the Government's motion proposing that we should sit tomorrow, because we know that this is a very important moment for our country, and we need to get this right. However, as every good architect will tell you, form must always follow function. My anxiety is that when the Government announced that we were going to sit tomorrow, they should have told us what we were going to sit for. We should have had plenty of prior notice, not the negligible notice that we have had.

I understand, and take in good faith, the difficulties that the Government have had in trying to get to this moment, but I think that the motion that we will debate tomorrow is problematic in many ways, and I think that that gives us reason to ask whether we should really be sitting to consider this matter tomorrow. *[Interruption.]* No, this is not a point of order. I am taking part in the debate. This is a debate on a motion which is before the House.

I have a problem with the function that we are being asked to address tomorrow. First, the motion expressly does not meet the requirements of our own law, passed in this House, namely section 13 of the European Union (Withdrawal) Act 2018, which clearly binds together the withdrawal agreement and the political declaration. Indeed the Prime Minister herself had repeatedly said the two things could not be separated out, and for that matter senior members of other Governments elsewhere in Europe have also said the two things go together. Indeed the Prime Minister's express point was that if they were separated out, we in the UK would be losing the benefits we gained. So I have an anxiety about that element.

Martin Whitfield (East Lothian) (Lab): Will my hon. Friend give way on that point?

Chris Bryant: May I finish the point? The second problem I have is that the motion, to my mind and according to what the Leader of the House herself

[Chris Bryant]

said earlier, is only there to appease the EU's desires. Well isn't that an irony; this is not exactly taking back—

Mr Speaker: Order. I have the highest regard for the hon. Gentleman, but we are in danger of eliding into tomorrow's debate. I am not casting aspersions on the hon. Gentleman, who is a consummate parliamentarian, but the issue before the House now is the motion moved by the Leader of the House, which is a sittings motion: the issue is whether we should sit tomorrow for the period specified. A very occasional reference to what we would be meeting to discuss is one thing, but to devote a speech to the merits or demerits of tomorrow's motion goes way beyond that, and I do not want this debate to be the debate we are proposing to have, and that the Leader of the House is advocating having, tomorrow.

Chris Bryant: Mr Speaker, if you had just told me to shut up I probably would have done so; you could have done it a bit more briefly, if I might say. [HON. MEMBERS: "Hear, hear."]

Mr Speaker: Order. Let me just say to the hon. Gentleman that although I always profit by his counsels he has already devoted some minutes to the substance of tomorrow so it ill behoves him to lecture me on brevity. He has spoken for quite a long time, not on the sittings motion but on the substance of tomorrow. Wrap it up, man.

Chris Bryant: I could say the same, Mr Speaker.

Mr Speaker: Resume your seat. I say very gently to the hon. Gentleman, let it go, make your point—which we always enjoy hearing—finish the speech, and let others take part. I do not need any backchat from the hon. Gentleman.

Chris Bryant: What the Leader of the House is proposing in this motion is that we should adopt a new precedent. There has been much talk of precedent in the last few days in terms of the way we proceed here, and I believe in precedent, which is why I believe we should very rarely set the precedent we are setting for tomorrow. I think for instance we should abide by the precedent that when a Government lose a major policy they fall, and that when a Government Minister proposes a motion they vote for it. All of these are precedents that have been abandoned.

I am happy for us to sit tomorrow, but I would just say that if it is absolutely clear, as has already been stated, that tomorrow's motion is not a meaningful vote, it is then a meaningless vote and consequently there is little point to us sitting. And the one precedent that I am absolutely sure the House will always have abided by in the past and will probably abide by tomorrow is that when the Government come up with a policy—a change of mood, a change of style, a different way of doing business—that is too clever by half, they always lose.

5.53 pm

Pete Wishart (Perth and North Perthshire) (SNP): I will confine my remarks exclusively to the motion before us this afternoon—I am sure you will be

pleased about that, Mr Speaker—and I will leave it to others to continue to debate the merits of the motion tomorrow.

I do not think I have ever seen in the last 18 years a start of a business motion which has been preceded by endless points of order. That more than anything demonstrates the mess this place is in—the absolute guddle we have in procedure and process. All these points of order are trying to examine and define and find out exactly what is going on. I am pretty certain all of our constituents, who are taking a great deal of interest in our proceedings just now, are absolutely bemused and mystified, frustrated and increasingly angry about the way we do our business in this House, with all these issues trying to come to the front of our attention. It has almost got to the point in this House where it is so broken and the debate is so corrupted that we are now having debates through points of order. I can barely imagine that we have reached that stage just now; it demonstrates how badly broken things are.

The sitting tomorrow is all about the Government's latest wheeze to get their doomed Brexit deal through. They are inviting us to consider the withdrawal agreement without the political declaration attached. It is a meaningful vote, but it is a sort of Schrödinger's meaningful vote: it is both alive and dead at the same time. After three years without any attempt to create any sort of secure consensus on the way forward, and after two months of defeats and this House taking control yesterday, this is the last throw of the dice for the Government tomorrow. It seems that even the Prime Minister offering herself as a sacrifice to the Brexiteers this week was not good enough for them. As the First Minister put it so elegantly in the Scottish Parliament today, this is a Prime Minister who threw herself on her sword and missed. It cannot get any more calamitous than that.

There is just one more issue about tomorrow. As Scottish National party Members, we are all, as you would expect, Scottish Members of Parliament. That means that there are particular issues when it comes to our travel arrangements. We spend more than half a day getting to this House and half a day getting back—that is one full day of travelling just to be able to come down here and do our business. This Government have so disrespected all of us who have to travel great distances. Confirming only this morning that the House will be sitting tomorrow is totally unacceptable—

Simon Hoare (North Dorset) (Con) *rose*—

Pete Wishart: And I look forward to the hon. Gentleman agreeing with me.

Simon Hoare: Nobody is forcing the hon. Gentleman to be here.

Pete Wishart: This is just part of the pattern that we expect from some hon. Members. "Just go home!" "Go away!" That is what they feel about us. I would be happy to oblige the hon. Gentleman, and the way that we can elegantly achieve that is to secure independence for our nation.

Luke Graham (Ochil and South Perthshire) (Con): The hon. Gentleman is making a point about travel. I say to him, my constituency neighbour, that our constituents

in North Perthshire and South Perthshire will be plenty happy for us to be here making some of the biggest and most important decisions in this Parliament in modern political history. These decisions cannot wait any longer.

Pete Wishart: I am pretty sure that the electors of Perthshire would be delighted if we were here making decisions, but that is the exact opposite of what we are doing. We have probably not made any decisions in this House for the past few months, and he is responsible for that.

Lastly, I totally and utterly support the shadow Leader of the House when she said that it is absolutely disgraceful that we were presented with tomorrow's motion only 10 minutes before this debate was supposed to start.

Martin Whitfield: Does the hon. Gentleman agree that the business of the House motion makes reference to complying with Acts and the European Union documents, yet the motion that we are debating tomorrow acknowledges that we are not going to follow UK legislation and that we will catch up at some point in the future?

Pete Wishart: Absolutely, and I raised the question this morning with the Speaker about what exactly we are doing about section 13 of the European Union (Withdrawal) Act 2018. The hon. Gentleman is right. We have not seen the withdrawal and implementation Bill. We are expected to make critical decisions about the future of this country and about how we should progress Brexit without knowing what the Bill is. The Government are offering the ultimate blind Brexit. We are expected to give them a blank cheque to negotiate the political agreement as they see fit. This is the last throw of the dice for them. This is the only place they have left. The meaningful vote is dead, but they have tried to resurrect it by splitting it into two parts.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): The hon. Gentleman is making an important point about a blind Brexit. Does he agree that the way in which the motion has been tabled goes against the spirit of this House, where we have been trying to expand and understand where there is consensus, and that it instead contracts the debate by trying to separate the debate about the future? That is at the very core of the debate, and this is why we do not want to leave without knowing where we are going to. It is like moving house and leaving your home without knowing where you are going to be living.

Pete Wishart: I have heard that analogy before, and the hon. Lady is absolutely right.

We can compare what happened yesterday when this House was able to consider all sorts of measures and ways forward in order to see whether there was any sort of consensus across the House on how we should determine and progress these ideas. Tomorrow, on the other hand, is all about trying to satisfy Conservative Back Benchers, with no attempt to reach out to the rest of the House. That is why I believe that tomorrow's motion will ultimately fail. This is the last chance for the Government to bring it back, and the hon. Member for North Dorset (Simon Hoare) can be certain that the Scottish National party will be here to take part in

tomorrow's debate even though we have hundreds of miles to travel. We will ensure that the motion fails tomorrow and that the interests of our country are maintained and progressed, and we will look forward to that. As an exercise, this is totally and utterly consistent with the chaotic cluelessness that lies at the heart of this Tory Brexit. This Tory Government have divided that nation and taken us to the brink. The SNP will be here tomorrow, and we will be voting the motion down.

6 pm

Vicky Ford (Chelmsford) (Con): I have learned to read the details of European Council conclusions. Last Wednesday night, Donald Tusk sent out a message that an extension—

Mr Speaker: Order. I am sorry, but I said it before to the hon. Member for Rhondda (Chris Bryant), who took it in pretty good spirit—[*Laughter.*] Well, reasonable spirit. With the greatest of respect to the hon. Lady, whose experience of the European Parliament is well known, this is not a debate about tomorrow's motion. I have said this before and I will say it again: this is a debate on the sittings motion. That is all we are debating now. If the hon. Lady would like to make a few remarks—[*Interruption.*] No, I am telling the hon. Lady what the situation is. The debate is on the sittings motion. If she would like to make a speech on that motion, she can do so, but this is not about tomorrow's debate.

Vicky Ford: Thank you, Mr Speaker. Some of the points of order that have already been made this evening suggested that we should be voting on both the withdrawal agreement and other parts of the agreement, but Europe has made it clear that it needs a decision tomorrow on the withdrawal agreement. Let us agree that that is what we need to do tomorrow, and I will be here to do that.

6.2 pm

Mr George Howarth (Knowsley) (Lab): In a point of order a few moments ago, Mr Speaker, I asked you whether there was any mechanism by way of an urgent question that we could get a response from the Attorney General to the point made earlier by my right hon. Friend the Member for Leeds Central (Hilary Benn). It is important that we get an answer before we conclude this evening's proceedings, because how we vote tomorrow could, as my right hon. Friend said, have an effect on any further delay that the European Commission might consider. Can we ask the Attorney General to make a statement on that during the course of this debate?

Mr Speaker: In so far as it is germane to the right hon. Gentleman's view as to whether the sittings motion should pass, it is a reasonable point for him to raise. I can say only that the Attorney General can respond now, but I think it became clear in earlier exchanges that he was minded to address such matters tomorrow.

Mr Howarth: Not good enough.

Mr Speaker: If the right hon. Gentleman concludes that that is not good enough, that may inform his view of the sittings motion. I explained the situation on the sittings motion to the hon. Member for Chelmsford (Vicky Ford) and I say the same to the right hon. Gentleman, but I thank him for what he said.

6.3 pm

Jim McMahon (Oldham West and Royton) (Lab/Co-op): There are plenty of people in the Gallery today who will be here to see the magnificent historical features of this building. They should pay particular attention to the parts that are currently held up with scaffolding, which represent the places where MPs have been banging their heads against the walls for nearly three years in trying to make sense of the chaos that the Government have created. No MP resents coming into this place, because it is a pleasure and a privilege to be here to represent our constituents, but it is extremely disruptive when the Government are so chaotic and when they refuse to plan ahead and to communicate well in advance so that we can make proper arrangements. We saw that in the February half-term, when MPs with childcare responsibilities and other responsibilities were disrupted, and we are likely to see it in the Easter recess as well. Again, no MP has an issue with being here—it is a privilege to be here—but we have arrangements to make, so clarity would be appreciated.

When the Leader of the House returns to the Dispatch Box, it would be helpful if she could help me to understand something. Currently, the local government elections are due to take place on 2 May. If, for whatever reason, the business is not passed tomorrow, we might be heading towards a position in which we have to elect Members to the European Parliament. The European elections are currently scheduled for the end of May. Would the Government intend to reschedule the date of the local government elections to coincide with the European elections that take place 21 days later?

6.5 pm

Chi Onwurah (Newcastle upon Tyne Central) (Lab): I shall not speak for long. Like my hon. Friend the Member for Rhondda (Chris Bryant), I am very happy to sit tomorrow, even though it means a day not spent in the glorious city of Newcastle, but I am concerned that in effect the sitting tomorrow has been designed purely to circumvent British law—not to pass new laws, because the Leader of the House knows that she does not have the numbers to do that, but to circumvent laws that we have already passed. I hope she will address my final point. It seems to me that, for the House to sit in order to cede control of the process to the European Union goes against not only the spirit of the 17.4 million who voted for Brexit but the spirit and intention of the House.

6.6 pm

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): Tomorrow, 29 March, had long been trailed as the Brexiteers' brilliant independence day. It was the day that they had trumpeted for two and half long years, but it turns out that, actually, on 29 March we are going to be here in the House of Commons because the European Union demands it. The humiliation of Brexit will soon be very complete indeed. Rather than all that they promised, we have now seen, at the edge of the cliff, the horrors of Brexit and the disaster that is coming our way.

Patrick Grady (Glasgow North) (SNP): Does my hon. Friend agree that it seems the Government's tactics have gone from, "Vote for the deal or it is no deal," to

"Vote for the deal or it is no Brexit," to "Vote for the deal or there is no recess," and now it is "Vote for the deal or there is just no going home at all"? The solution for those of us from Scotland who are stuck in the big Brexit house is to become independent and get out of here.

Hon. Members: Hooray!

Angus Brendan MacNeil: I hear cheers from the Tory Benches for Scottish independence. Is that a first? Are the benefits of Brexit finally coming to us?

Pete Wishart: My hon. Friend will, like me, remember that tomorrow was also supposed to signal the start of the festival of Brexit, at which the Attorney General, doing his best Gilbert and Sullivan, was going to be out there as the compere, talking about all the wonderful achievements of post-Brexit Britain? What happened to that?

Angus Brendan MacNeil: The humiliation for the Brexiteers is greater and deeper than any single Scottish nationalist could have imagined. Not only are they here because the European Union demands that they be here, but they have to put off their festivals as a result of the European Union's demand. It is humiliation for them.

Stewart Malcolm McDonald (Glasgow South) (SNP): As this is a debate on a sittings of the House motion, might it be in order for my hon. Friend to list the things that we could debate instead of this fixed-up motion that the Government have introduced with 10 minutes' notice? I am sure my hon. Friend would like to adumbrate a great many things that could be on tomorrow's Order Paper; would he care to give the House a bit of that?

Angus Brendan MacNeil: Absolutely. My hon. Friend makes a good point. In a number of business questions sessions, I and other Members have asked the Leader of the House for time to make progress on the Refugees (Family Reunion) (No. 2) Bill—

Mr Speaker: Order. The hon. Gentleman was led astray from the path of virtue when his hon. Friend exhorted him to list matters that it would be worthy to debate tomorrow. I can advise the hon. Gentleman on that matter: the sittings of the House motion specifies the purpose for which the House will meet, and an amendment to it specifies a purpose for which it should not meet. It is clear from the motion what it is about, and this debate is not an opportunity to dilate on a vast range of other matters, which may be of interest to the hon. Gentleman but which are not consistent with the terms of the motion. If I have somewhat truncated the hon. Gentleman's speech as a result, I am sure he is sad, but that is the reality.

Angus Brendan MacNeil: I was rather enjoying your own speech there, Mr Speaker.

To finish, I want to underline the humiliation that is the House of Commons turning up at the demand of the EU. I wonder if the 50ps might get melted down tomorrow and turned into something a little more useful. God bless ya.

Amendment (a) agreed to.

Main Question, as amended, put and agreed to.

Resolved,

That this House shall sit on Friday 29 March 2019 but that sitting shall not be used for proceedings on consideration of the Overseas Electors Bill.

Vernon Coaker (Gedling) (Lab): On a point of order, Mr Speaker. Is there any way to emphasise a point you made earlier concerning tomorrow's motion, where it says the House

"resolves that it is content to proceed to the next steps of this process"?

Given that the next steps of the process very much depend on the EU withdrawal and implementation Bill, is there any way we can emphasise to the Government the importance of that Bill, which exists in draft form, being published so that, in resolving to move to the next steps, we can know what those steps are, particularly as some of us are of the view that we might see in that Bill the introduction of retrospective legislation to change certain parts of the European Union (Withdrawal) Act 2018?

Mr Speaker: This matter was touched on earlier. Whether the Bill will be published in time for the debate I do not know—it remains to be seen—but the very strong wish of the hon. Gentleman and some others that it should be has been noted.

I note in passing to colleagues that 29 March is itself Brexit neutral. I say that because, if memory serves me correctly, tomorrow, 29 March, is the birthday of the noble Lord Tebbit of Chingford and of Sir John Major.

Anna McMorris (Cardiff North) (Lab): And my daughter.

Mr Speaker: And, very importantly, it is the birthday of the hon. Lady's daughter, and doubtless of a great many other people to boot, Brexiteer and remainer alike. *[Interruption.]* I cannot name them all, I am afraid. I am grateful to the right hon. Member for Don Valley (Caroline Flint), but I am afraid that my knowledge is not that great. It was a good try.

Housing

Motion made, and Question proposed, That this House do now adjourn.—(Mike Freer.)

6.13 pm

Mr Richard Bacon (South Norfolk) (Con): I am sorry to see Members leaving the Chamber, because we are about to discuss the Government's top domestic priority, which is of far more concern to many people up and down the country than our endless talk of Brexit. I have entitled this debate "Housing" because I did not want to be confined to any specific part of the housing debate and wanted to give the Minister the opportunity to address any question within the housing space.

It is absolutely clear that we have a very big housing problem, and have had a very big problem, for some years. I have been attending seminars, roundtables and conferences on housing for at least seven years. I first went to the QEII Centre to hear Adri Duivesteyn, the godfather of the self-build and custom house building movement in the Netherlands—a former Dutch Member of Parliament who then became the mayor of Almere, a community in the Netherlands that I think I am right in saying the Minister has visited. Since then, I have been to many events of various kinds, and everyone has their own diagnosis of the problems and their own solutions, but generally they all mention land, planning or finance. They often mention the role of the volume house builders, the way in which local council planning authorities are stretched and the difficulty in getting access to land.

Many of these points have a great deal of truth about them, but the issue can be encapsulated much more simply in the following sentence: the supply of housing does not rise to meet the demand for housing. In many other areas of life, it is true that supply generally does rise to meet demand. In what I would call orthodox, rather than classical, economics, if someone is making what economists call supernormal profits—profits that are in excess of what one might expect—two factors generally combine to bring those profits down to normal levels. One factor is that other actors in the marketplace will see the opportunity of those high profits and will move in. In other words, new suppliers will move in, with competition, increasing choice for consumers and driving down the profit margins. But that is not the situation that we have in the United Kingdom. In fact, over the last 30 years, the situation has steadily become the reverse of that. We effectively have permanent supernormal profits.

Some 30 years ago, in 1988, 66% of houses in this country—a large fraction of the total—were built by SME builders, which were represented by excellent organisations such as the Federation of Master Builders. The situation now is that less than 20%—perhaps 15% or 17%—of houses are built by SME builders, with all kinds of extra problems that make it more difficult for them to engage. Now a very small number of very large companies build most of the houses; for the most part, they are the members of the Home Builders Federation.

The strange thing is that if one asks consumers what they think and what they want, as has been done several times by independent, authoritative opinion pollster organisations that have been commissioned for the purpose, they will come up with the following result. Somewhere between two thirds and three quarters of people do not want to buy the products of volume house builders.

[Mr Richard Bacon]

The figure of 75% comes from a YouGov survey conducted by the National Custom and Self Build Association, which is a trade body for, as the name suggests, self-building and custom house building, whereby houses are manufactured offsite—perhaps a better way of putting it is “high-tech offsite construction”—and then delivered to a site where they are constructed. The figure of 67%—the two thirds of people who do not want to, or would prefer not to, buy the product of the volume house builders—comes from the volume house builders themselves. Their own research tells us that most people do not want to buy their product. Now, in a vaguely competitive ecosystem where there was choice for consumers, that would be corrected by new suppliers coming in and providing something that consumers did want.

Let me be very clear that the numbers themselves suggest that between a third and a quarter of consumers do want to buy the product of volume house builders. If they wish to do so, they should be free to do so, as long as those products are built to the right standards in terms of health and safety and building regulations. I have no issue with that at all. It is true that, over the last 30 to 40 years, houses have got smaller and more expensive than they were in the not-that-distant past. However, if people wish to buy the product of a volume house builder, they should certainly be free to do so, as long as those volume house builders operate within the law; I do not object to that at all. But fundamentally, the two things required for this ecosystem to function are low barriers to entry and consumer choice, and those are the two things that are fundamentally absent.

We all know what the consequence is. I have tested this with nine-year-olds in primary schools in my constituency. I say, “What happens to the price of something if there is not enough of it?”, and every hand goes up and they say, “It goes up.” Then, just to make the point really clearly, I say, “And what happens to the price of something if there is too much of it?”, and every hand goes up and they say, “It goes down.” It is not difficult to understand—it is intuitive to the point where a nine-year-old can grasp it. That is what has happened to the housing market, if one can call it a market, in the UK. I suppose that an economist might say that of course it is a market, but a very oligopolistic one—in other words, something approaching, but not quite, a monopoly.

That means that the suppliers making supernormal profits can keep on doing this for a very long time without let or hindrance. At the same time, the average price of an average dwelling has gone from three and half to four times income a generation ago to about eight times income now. That depends on where one is in the country, of course. For South Norfolk, the last figures I saw from the National Housing Federation—admittedly slightly out of date now, but they will not have changed that much—were about 8.2 times average income. The same numbers suggested 8.2 times average income in Harlow in Essex, 13 times average income in Hertfordshire, and 17 times average income in Oxford—and in some of the really hot boroughs in London, it was completely off the charts. Even in the poorer parts of the country where incomes are lower and properties are less desirable, it is now five and half to six times average income in many cases.

I pumped my parliamentary salary into one of the websites just to see what a lender would lend, and I was quite horrified that the first number that came out was five and half times income. That would not have been possible a generation ago. We have had more money chasing roughly the same amount of houses, and, not surprisingly, the price has gone up. That has a number of consequences.

Anna McMorris (Cardiff North) (Lab): Does the hon. Gentleman agree that house builders need to be looking at the cost of living in a property over the time that residents would own that property and meeting carbon reduction or zero-carbon targets, so that when the house is sold the cost of living in that house has changed?

Mr Bacon: Yes, I do, although if one went on a sales course, one would be told “Benefits, not features.” One does not explain that a vacuum cleaner does 3,000 revolutions per minute rather than 1,500, as nobody cares—one explains that it cleans one’s house better. In the same light, I would not bang on about carbon, making people feel kind of morally inferior—I would explain that one could have the choice of having a house that would cost nothing to heat, and ask why anyone would want one that cost a lot to heat.

I had this out very specifically at the Policy Exchange think-tank with the land use and planning director of Barratt. I asked about what it did for its customers in this regard. I said, “Is it really true that you have a conversation with your customers in which you say, ‘Now madam, we’ve got a variety of houses available for you, this one over here that will cost you roughly £1,400 a year for heat and hot water, and this one over here that is insulated to, or nearly at, passive house standards that will cost you almost nothing to heat—perhaps, with mechanical ventilation with heat recovery, £80 or £150 a year. Which one would madam prefer?’ Do you really offer them that choice?” Of course, he turned his back on me and stomped off rather than answer the question.

Anna McMorris: Does the hon. Gentleman agree, though, that we need to change our building regulations in England, and also in Wales, where this is devolved, to make sure that housing is built to low-carbon or zero-carbon standards to ensure that this happens across the board? We have house builders that are really taking advantage by putting up houses that come at a ridiculous cost to our climate.

Mr Bacon: Yes. I do not want to be building houses that we will be knocking down in 30 or 40 years’ time because they are so dreadful. That is utterly pointless. The hon. Lady mentioned building regulations. At the Local Authority Building Control conference, where I gave an address, I needed only to say the word “Persimmon” and people fell around laughing as if I was as funny as Tommy Cooper—perhaps there are people who think I am—because it is a byword for poor practice in the building industry.

I have heard the chief executives of volume house builders criticise Persimmon for its bad practice. We all know what happened to the sainted Jeff Fairburn. Because of his compensation scheme, he was being paid—I will say this slowly—£130 million in emoluments

by the shareholders of Persimmon. So egregious a scandal was it that he got so sick of being followed round by someone from the BBC with a microphone asking him to justify it that he eventually resigned, which was a red letter day for many of us who are campaigning for higher quality. In a competitive environment where the company could not afford to pay one chief executive that much money, that money should have been going into larger spaces, better quality material and better thermal performance. There is a huge distortion.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Gentleman on securing the debate. He and I have discussed on a number of occasions how houses should be built in the future. Modern house building should ensure better air quality, better insulation, better heating, better windows and better doors. It is also about the location—for example, the green areas around the house and access to shops. A house has to be a home. I declare an interest, as chair of the all-party parliamentary group for healthy homes and buildings. I know that the Minister and the hon. Gentleman have read the APPG's report and are aware of its recommendations. Does he feel that those are a way forward for housing?

Mr Bacon: I do, and I am grateful to the hon. Gentleman for reminding me of that. There is a lot of evidence that if people live in better, more spacious, healthier homes, there are lower costs for the NHS and lower sickness rates; it is better for employees and employers. There are lots of other ancillary benefits of having better homes, as well as their being good in themselves.

I am keeping a close eye on the clock, Madam Deputy Speaker. I planned to start with a preamble, which I seem to be doing without too much trouble, and then get into the specifics of what I want to say to the Minister about the Right to Build Task Force, but I will say one or two more things before I do that.

The situation we face is one in which an entire generation have basically given up on the chance of either owning a property or even being able to afford to rent one. In general, and especially in the big cities like London, Birmingham and Manchester, people spend an absurd proportion of their income on rent. When it is costing people over 50% of their net monthly salary to rent a ghastly little bedsit where the mattress is hanging over the sink—I do not exaggerate; I saw such an example on a Channel 4 documentary a while ago—we obviously have a big problem.

I was at a dinner at the London School of Economics where a professor was talking about a graduate student of his who was about to start working in the Bank of England on a not inconsiderable salary, but he was going to be living at home with his mum. The chap from KPMG around the table said, "Well, that's nothing. We start our graduates on £45,000, and they can't afford to buy anywhere." Then the chap from BlackRock said, "Well, that's nothing. We start our graduates on £75,000, and they can't afford to buy anywhere, certainly not within a decent distance of our office." It has got completely out of sync, and the Government have to fix it.

There is, of course, a political problem for our own party. I will address that later, but it is perfectly obvious that if people cannot get somewhere to live at a price they can afford, they will not vote for a party that

cannot provide that for them. We need a fundamental change. We have dug ourselves a big hole over the last 20 to 25 years, and it will take us 20 to 25 years to dig ourselves out of it. If we are not careful, we will be in the same position in 20 to 25 years, only worse, unless we have the right policy proposals for fixing it. That is what I want to come to.

When I came off the Public Accounts Committee in 2017, it was to spend time on the Right to Build Task Force, an initiative set up by the National Custom and Self Build Association to help local councils, developers, community groups and landowners who want to bring forward self-build and custom house building projects on serviced plots of land—that is to say, where all the difficult bits such as fresh water, sewage, electricity, broadband and so on are already dealt with—in order to increase supply and give people more choice. That is what I have spent most of the last two years in this place doing.

Alex Chalk (Cheltenham) (Con): In Cheltenham, the overwhelming majority of the house building taking place in the town centre is for retirement apartments. Does my hon. Friend agree that if we want to maintain the culture, vitality and vibrancy, we have to ensure that young people can afford to live there as well? Will he join me in congratulating the Government on providing, through the home improvement fund, millions of pounds for a Portland Place development in Cheltenham that subsidises marginal viability schemes, to ensure that young people can truly live in the town centre and contribute to its vibrancy?

Mr Bacon: Yes, I do, although I could easily get into a long discussion about viability that would consume the rest of this debate, which I cannot do. There are big problems with the whole concept of the way in which we calculate viability. However, I congratulate the Government on helping Cheltenham bring forward what sounds like a very important scheme.

The Right to Build Task Force has been going for two years. We have scraped together £300,000, courtesy of the Nationwide building society's charitable foundation, the Nationwide Foundation. Over 50 organisations have been helped, of which 60% are local councils, with the rest being community groups, landowners and developers. There is a whole range of examples of its work. Aylesbury Woodlands in Buckinghamshire will have a project where 15% of all the new homes are custom and self-build. Cornwall has an ambition to bring forward up to 1,000 serviced plots across the county. I am looking around for my hon. Friend the Member for North Cornwall (Scott Mann), who arranged the meeting we had with the Prime Minister on this very subject and who is a passionate believer in more serviced plots. North Northamptonshire has a plan whereby as many as 10% of homes could be custom and self-built across several different local authorities. There are rural areas such as Eden in Cumbria, which is looking at a range of opportunities for affordable homes for local people. King's Lynn and North Norfolk, in my own county of Norfolk, has agreed an action plan to drive up delivery across the area with landowners and smaller builders. A lot is going on already, but the thing is that there could be very much more going on.

This is the fundamental point. It is a quote from Andrew Baddeley-Chappell, a former director of Nationwide building society, who is now the chief executive

[Mr Bacon]

of NaCSBA, while still chairing the Bank of England residential property forum. He has said:

“Custom and Self-build can deliver more and better homes that more people aspire to live in and that communities are happier to see built.”

An exegesis of that would basically cover most of what I want to say.

If we want more homes, we have to build them in a way that people want. At the moment, the problem is that most local people feel they have no say or voice in what gets built, where it gets built, what it looks like, how it performs—its thermal performance and therefore what it costs to run—and, absolutely crucially, who gets the chance to live there. If we change all that, we change the conversation. As the right hon. Member for Leeds Central (Hilary Benn), the former shadow Secretary of State said, we need to turn NIMBYs into YIMBYs. Prince Charles put it even better when His Royal Highness referred to BIMBYs—beauty in my backyard. We need to create an environment in which people actually welcome housing. We have reached the tipping point now in that more people want it than do not, because people have begun to realise how serious the crisis is.

As the Minister would expect, I have a small number of specific asks. The first is that we should have more Government support for the taskforce. We have already had some. I persuaded my right hon. Friend the Member for Bromsgrove (Sajid Javid), when he was the Housing Secretary, to lend us a civil servant—a qualified planner and career civil servant. He would prefer me not to mention his name, but I will because we are so indebted to him. His name is Mario Wolf, and he directs the work of the taskforce. We are very grateful for the loan of Mario Wolf from the Ministry of Housing, Communities and Local Government. He has done an enormous amount with very little in the way of resources. I mentioned some of the work earlier.

It is of course true that if we had more Government support, we could do more. The Help to Buy programme, which I will come on to in a moment, has so far spent £10.6 billion, and plans to have spent £22 billion by 2021. In other words, 35,000 times more is spent on subsidising demand than on a scheme to subsidise supply, albeit indirectly by helping to facilitate and increase choice for consumers—except, of course, that the Government are not actually paying for it; Nationwide building society is paying for it. I hope to have a discussion about that with the Minister at some point, because we are of course implementing Government policy. If hon. Members read the housing White Paper, they can see that we are implementing Government policy. If they read the Homes England strategy, it is very clear that the strategy calls for diversification of housing.

The second thing I would like the Minister to consider is a review of the planning guidance on custom and self-build housing—the guidance that supports the revised national planning policy framework—because at the moment it is outdated. Three things need urgent attention. On land allocation, many councils do not even know if they are allowed to allocate land specifically for custom and self-build housing, even though they are, and councils such as Bristol City Council are already doing so.

We also need clarity about what counts. Some local authorities are gaming the system, and in some cases local authorities are not clear what counts towards their

legal obligations to provide permissioned plots of land. Some councils are allowing the conversion of holiday lets into private dwellings under the happy delusion that that counts towards meeting their legal obligations under the right to build legislation, and some of them may be in for a rude awakening at some point.

There is also the issue of viability. For as long as one has viability assessments, the Government need to look carefully at how they should work in relation to custom and self-build; they will not necessarily be the same as for market housing. I would be grateful if the Minister engaged with the taskforce on updating the guidance generally, so that it is more fit for purpose.

My third request is about the Planning Inspectorate. It is absolutely imperative that Government planning inspectors properly apply the current provisions of the legislation when they determine planning appeals and when they examine local plans. There is clear evidence that that is not happening as it should—mostly because planning inspectors are unfamiliar with the law in this area, which is still quite new. The obvious answer is to have training for inspectors. The Secretary of State has agreed with me at the Dispatch Box that we should do that, although it has not happened yet. I urge the Minister to pursue that and engage with the taskforce in identifying exactly what training is required.

We need something to help raise consumer awareness. Most people would like to commission a project of their own at some point in their lives; 1 million people would like to do that in the next 12 months, yet only 12,000 to 15,000 do. The reason is that it is very difficult to get a serviced plot of land. If getting one were as easy as it is to go into a Ford dealership and buy a Ford Fiesta, far more people would do it.

We are spending a significant amount of public money on housing, but at the moment I am not convinced that we are not simply making the problem worse. Help to Buy will have spent £22 billion by 2021 on helping 360,000 households. If we divide one figure by the other, we get £61,111—that is per household. We should be spending that better. At the moment, we are propping up an oligopoly that performs well financially for itself, with some horrible results, while making itself unpopular with consumers who cannot afford its products.

Matt Western (Warwick and Leamington) (Lab) *rose*—

Mr Bacon: I am sorry, but I will not give way—only because of the lack of time; I need to leave the Minister a couple of seconds.

What did Adam Smith say?

“People of the same trade seldom meet together, even for merriment and diversion, but the conversation ends in a conspiracy against the public, or in some contrivance to raise prices.”

The aim of public expenditure on housing should be to lower barriers to entry and increase choice, so that people can have the houses they want. If we get this right, we can engender a revolution in this country in how housing is done. If we get it wrong, we will pay a high price at the ballot box: almost nobody between the ages of 20 and 40 can easily, at a price a normal person can afford, dream of having their own place, even though 86% of people in this country want to. We need to design and redesign a system that allows them, and everyone else, to achieve their aspirations.

6.37 pm

The Minister for Housing (Kit Malthouse): That was a remarkable example of a combination of encyclopaedic knowledge and conviction about what my hon. Friend rightly says should be not only the Government's top domestic priority but the entire country's primary moral mission: to build the homes that the next generation need and which are currently denied to them.

It is unusual for me to hear strains of my own speeches read back to me. I know that my hon. Friend has not been to listen to many of my speeches, but what he said resonates strongly with me: many of the themes he laid out in his preamble and diagnosis I am myself going around the country promoting—not least the dysfunctionality of the house building market. The one element that he omitted, but that I am sure he is aware of, is that the situation is not helped by the fact that in the crash of 2007-08, 50% of all small house builders were wiped out—removed from the market—having produced, as my hon. Friend said, more than half of all new homes. That proportion has now dropped to about a third, I think.

Both in coalition and since, the Government have done their best to try to push output up from a low of 124,000 in 2012 to 222,000 last year. The forward indicators for next year are looking pretty good as well.

Anna McMorris: Why did the Government scrap the requirement for homes to be carbon neutral, when that would go a long way towards helping with living costs and budgets, as well as meeting climate targets?

Kit Malthouse: I totally acknowledge the role that high environmental standards have to play in a sense of social justice about housing. I went to a factory run by Accord Housing, which produces 1,000 modular homes a year. So good are the environmental standards in those homes that they have lower arrears because people can afford to heat them. That is definitely something on which I want to focus.

I want to address some of the questions that my hon. Friend raised. He is right that we need to do something about the way in which the house building market functions at the moment, and my job is to wander around being disruptive, supporting new entrants and players to create the competitive landscape that he is looking for—competing on quality and type; being disruptive on technology and encouraging modern methods of construction, including off-site manufacture and new techniques, so that new entrants find it easier to overcome the barriers to entry that he mentioned; and being disruptive on finance.

My hon. Friend is a little negative about Help to Buy, but I ask him to take care. Many tens of thousands of young people have accessed homes for the first time

when the market was denied to them before, because of a Government-backed effective bank of mum and dad. While there will be assessments of that scheme, there is no indication at the moment that it has pushed up prices.

Mr Bacon: Of course people who are given cash will be grateful, but if there is a subsidy for demand rather than supply, we will not fundamentally solve the problem. Would it not be a good idea to wean people off Help to Buy and towards Help to Build, so that we subsidised supply? If we subsidise something we get more of it, and what we need more of is supply.

Kit Malthouse: My hon. Friend is right. It is possible—although I know it is strange—for Government to do two things at the same time. Help to Buy affects a very small percentage of housing transactions—about 4%—and the indications are that it has not had a particular impact on prices. We continue to review the policy in the light of its success—some 160,000 people have now accessed homes who otherwise would not have done so.

In the last minute or so I want to return to my hon. Friend's questions. He asked five specific questions. First, will we look at a review for the taskforce? Given that we are going into a spending round, with what may be small amounts of money in the scale of the spending that I have available, I would be more than happy to do so. I am of course also more than happy to look at planning guidance review and particularly land allocation. In particular, we could perhaps think about communicating more widely to local authorities. I would be happy to help him by sponsoring some kind of event to promote the idea and to help local authorities to learn.

On viability, when I was on the Treasury Committee we did a housing inquiry in which I posed the question to Kate Barker and David Orr whether we should do away with the viability test as part of the planning system, and both of them thought that that was a good idea. In the meantime we have standardised the viability test to see where we get to.

On the Planning Inspectorate, my hon. Friend is right. We are trying to talk to staff about how they can be more consistent in their decision making and apply it more regularly across the country.

Finally I would be more than happy to join my hon. Friend in raising consumer awareness, and I congratulate him on what was a tour de force of knowledge of housing policy.

Question put and agreed to.

6.43 pm

House adjourned.

Westminster Hall

Thursday 28 March 2019

[MR CHARLES WALKER *in the Chair*]

Disclosure of Youth Criminal Records

1.30 pm

Robert Neill (Bromley and Chislehurst) (Con): I beg to move,

That this House has considered the First Report of the Justice Committee, Disclosure of youth criminal records, HC 416, and the Government response, Cm 9559.

It is always a pleasure to serve under your chairmanship, Mr Walker. I thank the House for giving us the opportunity to debate the report, and my friends and colleagues on the Select Committee on Justice who contributed to it. I am glad to see such a good turnout when other things are happening today as well.

This is an important issue, and not merely a technical one. Although some of the law and regulations around it are complex, we have concluded that it directly affects people's lives and that the current state of our arrangements is frankly unsatisfactory and unfit for purpose. The gist of what we say is that change is needed, and so far we detect a lack of urgency in addressing that. As a consequence, injustice and, frankly, social harm are being done by the failure to modernise a system that has not kept pace with developments in a number of areas.

I will first address the background to our report. In October 2016, the Justice Committee in the previous Parliament decided to launch an inquiry into disclosure of youth criminal records, partly as a follow-up to the inquiry that we had conducted on the treatment of young adults in the criminal justice system, a substantial report in itself, and partly because of a number of representations that we had received from the non-governmental organisation sector. I refer particularly to the evidence that has been given to us by Unlock and the Standing Committee for Youth Justice, and pay tribute to the work that those organisations do in this field.

In consequence, we had an inquiry in which we took oral and written evidence, but we also held a private seminar with individuals who had been personally affected by this problem. I think many policy makers would benefit from seeing and hearing from those people face to face about the real effects of the system upon them. They were able to talk about the effect on them of their childhood offences—that is the point, as we are often not talking about recent offences, but offences committed when people were children—being disclosed when they were adults, often some time down the track.

One of the many unforeseen consequences of the dissolution of Parliament in May 2017 was that the Committee was unable to produce its report, so one of our first decisions in this Parliament was to revisit it and produce an updated report on what we regard as an important issue, basing it on the evidence that our predecessor Committee had already heard. We published a report on 27 October 2017.

Having set out the chronology, let me give an overview of the background to the system. The criminal records disclosure regime, as I am sure many hon. Members know, is operated by the Disclosure and Barring Service, or DBS. For certain professional jobs, and certainly for work involving contact with children or vulnerable adults, the DBS has, for perfectly good reasons, to provide a standard or enhanced disclosure certificate, which can disclose all criminal records. That includes criminal records that otherwise would be regarded as spent.

There is a so-called filtering system, which allows some spent criminal records to be filtered out of disclosure so that they will not be revealed on the standard or enhanced DBS certificates. The idea behind the filtering system was that it was supposed to allow the disclosure regime to operate in a more proportionate manner, but the evidence that we have heard drives us to the conclusion that, in practice, the filtering system incorporates some significant exceptions, meaning that many offences are not filterable throughout the lifetime of an offender.

Theresa Villiers (Chipping Barnet) (Con): Does my hon. Friend share my concern that the UK system for disclosure of childhood criminal records is among the harshest in the world when compared with equivalent developed countries? Although I am a believer in a firm justice system that punishes crimes appropriately, I do not think it is fair for people to have to live for the rest of their lives with the consequences of terrible mistakes they may have made in childhood.

Robert Neill: I entirely agree with my right hon. Friend; that is precisely the problem. The disclosure system is an immensely blunt instrument and forgets that, as well as being a punishment, any sensible criminal justice system must encourage reform and rehabilitation. Whatever the no doubt good intentions behind it, the way the system operates is counterproductive in that regard.

Alex Chalk (Cheltenham) (Con): For people who perhaps did not have the most advantaged background, let us suppose there is a fight in a school playground that leads to the police being called. That might lead to a conviction for actual bodily harm that is non-filterable. Yet, if they had been born in more affluent circumstances, I am quite sure the police would never have been called and that person would never have gone on to have their life blighted in the same way. Does my hon. Friend agree that we must ensure that this fact is not an impediment to social mobility?

Robert Neill: My hon. Friend makes a characteristically significant and thoughtful point. I can think of instances both from my constituency casebook and from childhood friends of mine who got into exactly that situation. That is not what the system was intended for. He is right that it is without doubt discriminatory in a number of regards.

Mr David Lammy (Tottenham) (Lab): The hon. Gentleman is recalling childhood friends of his own, but will he also reflect on childhood today? There is a whole suite of crimes and temptations resulting from social media—let us think of sexting, where someone might get a criminal offence aged 15 or 16 for inappropriate behaviour with a girlfriend or whoever. Can it really be

[Mr David Lammy]

right that an employer, years later when the person is into their early 30s, should need or want that information? If the employer gets that information, what exactly are they expected to do about it? I am thinking of us, employing young people; do we really want to know that that happened 10 years ago?

Robert Neill: That is, again, an entirely fair and perceptive point, and it is quite true. One of the other issues that we have not yet touched on, but that I hope we will in the course of the debate, is the way that the system no longer reflects modern technology and the ability to Google to find out other things about people. None of that was there when this scheme was set in place. Surely the objective is to be proportionate and to be relevant, but that is not the case at the moment.

Robert Courts (Witney) (Con): I am grateful to my hon. Friend for this impactful debate. He has mentioned the impact of new technology, particularly Google, and it is a matter for great concern that everything that has happened in an individual's past is stored in perpetuity on the internet. Does he agree that the fact that information is easily available for so long can render the Rehabilitation of Offenders Act 1974 essentially toothless, and that that is something we ought to look further at in this place?

Robert Neill: Again, my hon. Friend raises a fair point—it is not the immediate subject of our inquiry, but it is a good point. Perhaps, in our joint work on the Select Committee, that is something we could look at taking forward, because there is no doubt that that legislation has also failed to keep in touch with changes in science and technology.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Further to exactly that point, although it is not directly relevant to the discussion here, we must all accept the fact that that information is held independently and above that which we can legislate for in this place. I am aware that work is coming forward from the Department for Digital, Culture, Media and Sport to address that, but, in all honesty, although we can tamper at the edges and change things in ways that make us feel better and directly make the lives of young offenders better, unless we can control how information about private individuals is used, we can have very little effect on the future.

Robert Neill: That is certainly true, and it indicates the need for a much more joined-up and holistic approach to dealing with this matter. I am sure it is something we need to return to and address. Although it can only deal with a part of that problem, disclosure and barring needs to be resolved itself. The updating of the whole approach to dealing with criminal records, disclosure of information and the regulation of social media is important, because all of them can get in the way of helping people to turn their lives around.

The point made by my right hon. Friend the Member for Chipping Barnet (Theresa Villiers) about examples from other countries is significant. Our criminal justice system has some of the worst reoffending results among our comparators, and one reason for that is the difficulty of getting people back into employment, education,

homes, work and relationships. To a greater or lesser degree, the mechanistic operation of the current disclosure and barring system can be a bar to people moving on in those directions, all of which, the evidence overwhelmingly shows, make people less likely to reoffend. We are getting in the way of that.

Bambos Charalambous (Enfield, Southgate) (Lab): Does the hon. Gentleman agree that the cumulative impact of disclosing youth criminal records is an avoidable barrier to employment, education and housing, which can be devastating for a young person and can lead to long-term adverse effects way into adulthood?

Robert Neill: Yes it is, and the evidence, as I will perhaps demonstrate if I make a bit more progress, shows exactly that. That is entirely the problem that we find. The particular difficulty is that the system is not only mechanistic but is in practice arbitrary—there is no real discretion—and has no right of appeal to speak of. None of those can be just.

As my hon. Friend the Member for Cheltenham (Alex Chalk) and others pointed out, certain things can be filtered out, but that is arbitrary. A single conviction can be filtered out, provided it did not result in a custodial sentence, was not for a listed offence—broadly, a serious offence, although that is probably not the issue most of us would take, as other bits come into it later—and that more than 11 years have elapsed since the date of the convictions. All the evidence suggests that, nowadays, for young men in particular, maturity and desisting from criminal behaviour kick in around the age of 25. Eleven years back from that, they could have been convicted as a teenager for exactly the sort of stupid incident that my hon. Friend referred to, which would then not be filterable at a time when they sought to move into education and work. That is an obstacle, as the evidence clearly shows, and it is no longer realistic, in our submission.

Single offences can be filtered provided that the sentence was non-custodial and was not a listed offence, as well as that more than 11 years have elapsed since the date of the conviction, or more than five and a half years if the person was under 18. That could still be within a key time when they were moving into their mid-20s and getting jobs.

John Spellar (Warley) (Lab): Are there not two further problems? First, the Government's response seems to be that employers should exercise discretion, but many small employers play safety first, do not exercise discretion and just treat any disclosure as a bar to employment. A second area that causes considerable problems for many people is that if they move between police areas, that can cause considerable delays as their case moves between those areas, and again they lose out on those opportunities. That is economically inefficient, and it is also devastating on their lives in the way that the hon. Gentleman describes.

Robert Neill: That is absolutely right, and it tallies with some of the examples given to us directly by people who have been through the system. I agree entirely that it does not make sense.

Let us look at the remaining bits of the system. We have filtering for single convictions. Single or multiple cautions for lesser offences can be filtered out once

six years have elapsed, or two years if the person was under 18 at the time. That structure is complicated enough, frankly, but we then get to what we cannot filter, including convictions and cautions for listed offences and multiple convictions for lesser offences, no matter how long ago they happened and regardless of the circumstances.

Those of us who have practised criminal law can think of many instances in which it is perfectly possible to charge more than one offence arising out of the same set of facts. For example, actual bodily harm and a theft, both of which ended up in a conditional discharge or a fine; two offences of theft; or two assaults, because more than one person was involved in a stupid fight. Those are multiple and cannot be filtered, however much time has gone by. That, to us, seems to be nonsense. The view of many witnesses to our inquiry is that the system is complex and arbitrary. It is a blunt instrument, it is restrictive and it is disproportionate. It has exactly the problems that the right hon. Member for Warley (John Spellar) mentioned.

John Howell (Henley) (Con): I completely agree on the need for flexibility in the system. If we are interested in rehabilitation and support for offenders, there is an argument that, for example, schools should be told something of the past activity of an individual, particularly if mental health issues were involved, so that they could provide the necessary support to make sure that the individual was looked after.

Robert Neill: It is ironic. At the moment we have a box-ticking exercise in which a conviction can be disclosed. As the right hon. Member for Warley rightly said, an employer may well have 200 applicants for a post so will simply play safe and delete anybody who has ticked the conviction box, regardless of how relevant that is for the job that they seek to employ a person to do. That is a burden for a small employer.

However, frequently when people apply for jobs through large employment agencies, it is almost as if an algorithm exists and that anyone who ticks the box is automatically filtered out by the computer system before their application gets any farther. None of those show the level of discretion that was perhaps anticipated when the scheme was drawn up. But it is not fair to push the burden on to employers. There is an obligation on the state and Government to set up a fair and appropriate regime that gives them comfort that they can make appropriate checks and that equally helps people to rehabilitate themselves.

The other point is the disproportionate impact on young people. That may seem obvious, but I do not think it is really recognised by those who run the system. The qualifying period of five and a half years is a great proportion of a child's life, and is perhaps one of the most critical portions of a young person's life as they grow up, mature and move into the employment, work and qualification phase. To have this hanging over them then, rather than further down the track, could not come at a worse time. There is not enough recognition of that.

The Law Commission gave compelling evidence to us, observing that the filtering regime might be well regarded as disproportionately harsh on young offenders. Our report concluded that too many childhood offences

are unfiltered, undermining rehabilitation and denying children—which is what they were at the time they committed the offences—a second chance. We urge the Government to revise that as a matter of urgency. We also heard powerful evidence on the adverse effect that childhood criminal records have on employment, education and housing, as well as on insurance and visas for travel—everyday things, not the obvious things that we think about. We heard clear evidence of the discriminatory and adverse impact of that.

John Howell: My hon. Friend mentioned insurance, which includes car insurance. We rely on cars for our jobs, for pleasure and for all sorts of things. The way that insurance companies look out for these people is not very helpful at all and can leave people in difficult situations.

Robert Neill: Absolutely. Because it is blunt, employers and insurers will inevitably take the risk-averse approach. I do not entirely blame them for doing that; the system does not help them to be proportionate and more careful in their judgment than would otherwise have been the case. We also concluded that there is clear evidence of particular impacts on black and minority ethnic children and those who came through the care system, as I think my hon. Friend the Member for Cheltenham hinted.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): The hon. Gentleman is making extremely good points. This is a thorough and excellent report on changing things for young people in the justice system. He mentioned young people in the justice and care systems. Does he agree that many issues arising at that time in a young person's life are almost a cry for help because of adverse childhood experiences, particularly trauma? We need to do more within the system on help and remediation rather than directly on punishment.

Robert Neill: That, too, is a fair point. Certainly my experience as a lawyer representing people coming through the system was that there were instances of serious behaviour that had to be punished, but very often—this was particularly the case with younger offenders—offenders are also victims of other offending and there are underlying causes that too blunt an approach, such as that which we have, does not help.

We made a number of recommendations. Rehabilitation periods under the 1974 Act should be reduced. There should be an urgent review of the filtering regime, for the reasons we have set out. There should be a presumption against disclosure of so-called non-conviction intelligence, which is held on the police national database. That is legitimate for intelligence purposes, but there should not be arbitrary disclosure of it in the way that happens at the moment, particularly where the allegations on the database were made during someone's childhood. Individuals should have a right to apply for a review prior to disclosure of their criminal record. That exists in Scotland and Northern Ireland, but not in England and Wales, and we see no reason for that distinction.

The Ban the Box approach, which has been pioneered under recent Governments and is used by some employers, delays the point at which a job applicant discloses criminal records to a prospective employer. That is

[Robert Neill]

sensible because it allows the employer, first, to look at the application on its merits and then, if disclosure is appropriate, to see whether the conviction makes any difference to the person's employability.

John Spellar: The hon. Gentleman is rightly and very ably identifying all the issues that the current system causes for individuals and their families and therefore the impact on society if they fail to be rehabilitated. Is not there also an overall, macroeconomic issue, particularly as a number of employers are expressing concerns about shortfalls in labour either leading up to or following Brexit? Artificially restricting people from working and, indeed, from advancing is not just bad for those individuals, shocking though that is, but very bad for society and the economy.

Robert Neill: That is an unanswerable point, because we can see that people who are kept unwillingly in economic inactivity—

John Spellar: Or low-paid jobs.

Robert Neill: Low-paid and unsatisfactory jobs create burdens at every level, so the point is entirely true.

Mr Lammy *rose*—

Liz Saville Roberts *rose*—

Robert Neill: Let me just make one more point and then I will give way. I want to deal with the Government response to our report and then I will happily give way again.

Those were the guts, to put it inelegantly, of our recommendations. The Ban the Box approach should be extended to all public sector vacancies, with a view to that becoming in due course mandatory for all employers. That would be the right response. We pointed out also that the disclosure regime may well fall short of the UK's obligations under the UN convention on the rights of the child, which prioritises the best interests of the child and requires states parties to promote the establishment of penal laws and procedures "specifically applicable to children". The broad-brush approach here does not seem to us to meet that test.

Mr Lammy: The hon. Gentleman rightly mentioned Ban the Box in a positive light, and I am sure everyone in the Chamber would welcome it, but does he acknowledge that the problem with that initiative is, first, that it is voluntary and, secondly, that it is about the recruitment stage? The fundamental point about the work by the Select Committee and others who have raised this issue is that, beyond recruitment, there are questions about whether things should be disclosed to employers in the first place. It would be important for the Government not to lose that principle, which is rightly being raised by the hon. Gentleman and the Select Committee.

Robert Neill: That is true. We do not see Ban the Box as a silver bullet; there is no single silver bullet. It is a sensible initiative and one that has been started, but we see it as a base on which to build rather than a solution itself. However, it would not be too difficult for the Government to extend it eventually along the lines that the right hon. Gentleman suggests.

Liz Saville Roberts: The hon. Gentleman is being very generous with his time. It is of course to be welcomed that Ban the Box has, as I understand it, been adopted in principle for civil servant recruitment, but I wonder how many people who are former offenders the Ministry of Justice would be able to employ in its own Department. This is just a proposition: to what degree within procurement could there be concomitant employment of ex-offenders in, say, maintenance contracts and other contracts that the Department releases?

Robert Neill: We talked about extending the initiative to all public sector vacancies, and I can see the logic of making this a condition of public procurement more generally. It is an interesting point that the right hon. Lady fairly raises. Like her, I would be interested to hear the Minister's response. These levers are within the Government's gift and there would be no requirement for primary legislation or anything of that kind.

Against that background, we were disappointed in the Government's response. It was not entirely negative, but it did seem to us to lack a degree of urgency. It cited the litigation on criminal records that was ongoing at that time in the Supreme Court as a reason not to go into too much detail on most of our important recommendations. There was almost a predictive text response of, "It would not be appropriate to consider these matters until there has been an authoritative judgment from the Supreme Court." That has now changed, as I will come to.

I recognise and welcome the positives in the Government response. The Government accepted parts of the report, in particular the commitment to improving information and guidance and exploring options for promoting Ban the Box—one of those has been suggested by the right hon. Member for Dwyfor Meirionnydd (Liz Saville Roberts)—and there is willingness to work with the insurance industry to ensure that it operates more fairly in relation to spent convictions. I say to the Minister that that is all good, but we need more.

A concern for us was how policy is difficult to drive forward because it sits uneasily between the Ministry of Justice and the Home Office. That is a classic case of a desirable change falling through the gap between two Departments. If we are committed to more cross-governmental working, more could and should be done.

Alex Chalk: My hon. Friend is making a powerful speech, and I pay tribute to his leadership of the Select Committee. He has not touched so much on the conclusions in the report about people aged between 18 and 25. The report said that consideration should be given to extending the filtering to young people. My view is that that is a bridge too far and we should focus purely on under-18s, but does he want to say anything about whether he thinks we should look at a filtering system for young people in that category?

Robert Neill: As my hon. Friend will remember from his time on the Committee, that is linked to earlier work in relation to young adults in the criminal justice system. I made the point earlier that we now know from overwhelming evidence that maturity and desistance from crime tend to kick in, particularly among young males, at age 25 or so. That is where that suggestion comes from. I agree. Rome was not built in a day, and

we have to operate the system in a way that maintains public confidence and the confidence of employers where there are legitimate grounds for caution. Let us be honest: sometimes there are, and there always will be. We put the point in the report as part of the broader context. I hope that when, in due course, we get time to debate important issues of domestic legislation, rather than having the groundhog approach that we seem to have on other matters at the moment, perhaps that more holistic approach to young offenders will be appropriate, but it is not a reason to hold back the specific recommendations that we make about younger people, which we suggest should be moved urgently.

The Supreme Court judgment was cited as a reason for the Government not wishing to commit themselves. I understand that, but the Supreme Court has given its judgment, so the Government can move forward with a clear conscience. That judgment was of course in the joined cases of P, G and W and Lorraine Gallagher, who, being overage, could be named in that context. All the cases challenged various aspects of the filtering regime and dealt with a number of the issues to which we have referred. They all involved people who had been convicted of or reprimanded for relatively minor offending, and the disclosure of their criminal records had created barriers to employment, or there was a reasonable expectation that they would do so in the future.

The Court of Appeal concluded that the multiple conviction rule and the serious offence rule, without a mechanism for refinement, were not

“in accordance with the law”

as required by paragraph 2 of article 8 of the European convention on human rights, which protects the right to respect for private life, as they did not allow proportionality to be considered in any particular case. It is that bluntness and lack of proportionality that we think now need to be addressed urgently.

The Government, to our regret, appealed against that decision rather than acting on the Court of Appeal suggestions. They lost in the Supreme Court on the principal matters. The legal approach was somewhat different. They succeeded in one appeal but, broadly, the Supreme Court agreed that there should be a declaration of incompatibility under the Human Rights Act 1998 against the multiple convictions rule. We call upon the Government to deal with that declaration of incompatibility and reform the law accordingly to bring it into accordance with our convention obligations and, frankly, the requirements of the 1998 Act.

Similarly, the mandatory disclosure of childhood reprimands was upheld in the Supreme Court, but on different grounds. Lord Sumption, who gave the Supreme Court’s lead judgment, looked at the second part of the test for lawfulness under article 8(2) of the convention, on whether the measure is

“necessary in a democratic society”.

In other words, he looked at whether the measure is proportionate. It failed that test.

Lord Sumption found that the legislation involving strict, predefined categories could in principle be proportionate, and that most of these could pass the test. However, he went on to decide that two features of the regime were disproportionate: the blunt instrument effect of the multiple conviction rule, and allowing the

disclosure of reprimands for serious offences when they were given to children. Those are two specific areas where it seems to us that there is no excuse at all for the Government not acting to fall into line with the judgment of the Court. We believe there is good reason for them going beyond that, too.

Since then, we have been in correspondence with the Government, drawing attention to these facts and the incompatibility, as we see it, of the Government’s current stance with the Supreme Court judgment. We urge the Government to deal with our outstanding recommendations and, in particular, to set out what steps are being taken to ensure that the DBS suspends the unlawful elements of the current regime without delay. We seek from the Government—perhaps the Minister can help us today—an update on how they now intend to address those elements of the regime to ensure that it fits the legal proportionality test in a meaningful and workable way.

The debate comes against that background. The Secretary of State replied, as always, in courteous terms, but mentioning the need to balance giving employers necessary information, which I concede, with respect to the individual’s right to private life. The Government said they will consider the Committee’s recommendations, but need to fully consider the implications of any change. They said that they are not able to respond formally at this time. When will they be able to respond formally? Lives are being damaged at the present time by this needless failure to comply.

That is why we are pressing for urgent action. The Government can deal with this very easily, it seems to us. They can use section 10 of the Human Rights Act to present to Parliament a remedial order to amend those parts of the disclosure regime that are incompatible with article 8 according to the Court’s judgments. Remedial orders to amend legislation and remove any incompatibilities can be statutory instruments. That does not, therefore, involve primary legislation and the time that that would involve. There is precedent for statutory instruments having been used on a number of occasions.

If the Government do not take that step, they cannot really expect anything other than further legal challenge, and I do not want to see the Government putting themselves in that position. I hope they will take those remedial orders to bring our law into compliance, and that they use the opportunity to make an urgent and comprehensive review of the whole regime, particularly the impacts on those who offend as young children or young adults. That is long-overdue for all the reasons that a number of right hon. and hon. Members gave in interventions. I hope that sets the scene and enables colleagues to participate and raise their points, which may even shorten things as the debate goes along.

2.4 pm

Mr David Lammy (Tottenham) (Lab): I am hugely grateful to the Justice Committee for this excellent work and the way in which the hon. Member for Bromley and Chislehurst (Robert Neill) outlined the importance of this area.

My concern with criminal records arose from the review that I did for the Government on the disproportionality of black, Asian and minority ethnic individuals within the criminal justice system. When I

[Mr David Lammy]

began that work, I did not really understand the effect that our criminal records regime was having on disproportionality.

It is important to fully understand that while this is an issue for all young people, whatever their backgrounds in the criminal justice system, we also know—following work done by the Department for Work and Pensions over the past two decades and a range of other research—that we are unfortunately still living in a society where people from black, Asian and minority ethnic backgrounds have a penalty in the public sphere, in relation to employment. That penalty, unfortunately, is that there are still aspects of discrimination when ethnic minorities apply for employment, particularly for those who have a criminal record.

That is why this issue came under the purview of the report that I was asked to do by the then Prime Minister, David Cameron, and that I was pleased to present to Theresa May when she took over as Prime Minister. It is important to emphasise that I conducted that review in a cross-party spirit, as did the advisers to the review. I am pleased that the issue of disproportionality in our criminal justice system remains an issue that concerns all political parties in this House. It is above the day to day of politics.

Reoffending is estimated to cost the taxpayer between £9.5 billion and £13 billion per year. A third of those on jobseeker's allowance in our country have previous convictions. We note very sadly that recidivism rates among black men in our country are the highest in the system, with 45% going on to reoffend within two years. That is extremely concerning.

However, this issue really came across to me when I met the Trident team of police officers in the Metropolitan police, who deal with gang violence day to day. They were the ones who said to me, "Could you put this into your review? We are aware of a group of offenders who reach about 25 or 26 years old and want to move away from their criminal past but continue to reoffend because, as they grow up, they cannot get a job due to the regime that we have." That testimony of police officers dealing with those young men day to day persuaded me that this cohort get trapped into a life of crime at the point at which they want to get out of it.

I therefore did some further research. Sarah-Jayne Blakemore, a quite well known child psychologist on Radio 4, Professor Peter Jones, Dr Aamodt and many others have now established that the brain continues developing well into a person's 20s before it concludes—perhaps not concludes, because I hope we are all still learning. It is now understood that adulthood really kicks in somewhere between 25 and 30, so for all those reasons it is important to think about the age of maturity.

Theresa Villiers: Does the right hon. Gentleman agree that there is medical evidence that, up to the age of about 25, the brain's development indicates that young men in particular are prone to an inappropriate attitude to risk? The research is clear about that, which reflects the experience of my hon. Friend the Member for Bromley and Chislehurst (Robert Neill) with the criminal justice system. That is another reason that we should frame disclosure rules on youth criminal records differently from those related to offences committed later in life.

Mr Lammy: Absolutely. Those of us with teenage children—I had a firm word with my 13-year-old son yesterday, who had got into trouble at school—know that the assessment of risk and risky behaviour is important.

Alex Chalk: The right hon. Gentleman is making an excellent speech, as is his wont, but we need to keep our feet on the ground. I understand the point when it comes to 13 and 14-year-olds, but does he agree that there has to be a cut-off point for any measure, which we traditionally think of as 18? I say that because the brain may still be developing in a 24-year-old, but it would not garner public confidence in the system, and might undermine it, if such people were able to have their serious conviction for violence, or whatever, filtered.

Mr Lammy: I disagree with the hon. Gentleman and I will explain why. In my review, I talk about the German system, which makes an assessment of maturity and particularly focuses on the years between 18 and 21. He will probably recognise that in a previous era, and for some hon. Members present, the age of maturity in this country was 21; it fell down to 18. If we are to make evidence-based policy, it is important to keep that live, because of what the science suggests, although it may be that social media and other things are taking the age of maturity in the other direction.

Why does that become important? It was particularly important in my review because we should be very concerned that immature 18-year-olds are sitting in adult prisons with hardened criminals, being seriously groomed to commit more serious crimes. That is why, in Germany, they have gone in a different direction, and why I suggested that we could look harder at the psychological evidence for where the age of maturity lies.

To return squarely to the issue of criminal records, that is also why other regimes allow the young person, as they get into maturity—most often at the end of their 20s and the beginning of their 30s—to come back before a public official, such as a judge or a parole board, to make the case that they have been out of crime for several years, and that they have a wife and children, and have that record expunged or sealed. I recommended the Massachusetts system, because it allows the flexibility for responsible adults to make the judgment. For some young people, I am afraid that the judgment would be that it would not be sealed.

Let me be clear: a record is never sealed from the criminal justice system, the police or the courts. It is about whether it should be sealed from employers and where the burden is. If it is not to be sealed from employers, we must understand clearly that we are asking the taxpayer to pick up the bill. I repeat that one third of people on jobseeker's allowance have committed criminal offences. That was my concern.

I ask the Government to reflect hard on the Taylor review, which looked at youth justice. The Government will be aware that he said:

"As a point of principle, I believe that rehabilitation periods for childhood offending should be far shorter than for adult offenders. My proposals"

are

"to replace existing court sentences with tailored Plans developed by Children's Panels".

He coined the phrase that our system is tougher than Texas—it is one of the toughest regimes in the world.

The Select Committee report is really about balance, where the judgment should lie and whether it is out of kilter. The Supreme Court decision could be interpreted narrowly by the Government, but from reading the report, the Committee's mood suggests that it is an opportunity, notwithstanding all that is going on in Parliament, for the Government to take a broader view and to review our criminal records regime.

My view is that there should be a balance between a rules-based system, which is largely what we have, and which is clearly cheaper—that is effectively why we have it, because there is time and one makes a judgment about spent convictions and disclosure—and a system that is slightly more sophisticated and might cost slightly more. There is a question about who pays. In the Canadian jurisdiction, the individuals seeking to get their criminal records looked at again pay for the system. In my view, a parole board, a magistrate or a judge could make the assessment.

I remind hon. Members that a 12-year-old child convicted of shoplifting two items of make-up on the same day will have to disclose that for life to work as a traffic warden; a 14-year-old reported to the police for sending naked pictures of themselves to a classmate, about which the police take no further action, could have to disclose that for life to work as a teacher; a 16-year-old cautioned for having sex with a 15-year-old partner will have to disclose that for life to work as a vet; and a 17-year-old given a four-month custodial sentence for breaching an order will have to disclose that for a year and a half when seeking to work in most supermarkets. The question is whether that balance is right.

I urge the Government to reflect hard on what we see of the job market, the double penalty that exists for minorities, and why recidivism rates are so high—because people are effectively trapped in unemployment. I want to make the case clearly that we have to give our young people from urban communities hope. The challenge of getting employment when someone reaches the age of maturity is a fundamental part of that. I urge the Minister to think hard about this area.

2.17 pm

John Howell (Henley) (Con): It is a pleasure to serve under your chairmanship, Mr Walker. I will make a few comments about the impact of what we looked at in the report on education, housing and the insurance market. Those issues are adequately set out in the report, so I will just bring out a few points.

My starting point is the need to provide proper rehabilitation and support for people who have obtained a conviction, however they obtained it. If we do not come from that position when we discuss the subject, we are lost. Therefore, as I mentioned in my intervention, there is a great need to ensure that education institutions are aware of an individual's particular needs. It may be that an individual has an admittedly spent conviction that came about because of mental health capacity needs. It is absolutely appropriate for the education establishment to know about that to provide the necessary support to make sure that he or she can be looked after in the best way.

It should not be possible, however, for an institution to act as in the case of the nurse who, at the age of 15, received a conviction for actual bodily harm for tackling

a school bully. As a result, her place to study nursing at university was revoked and she had to appeal, which meant that she had to go through the process of explaining what had occurred. The decision was reversed, but after that woman had looked for jobs, she said she had found that her career progression was inhibited because of that spent conviction. That is where the unfairness in the system emerges, and it is why we need some of the flexibility that my hon. Friend the Member for Bromley and Chislehurst (Robert Neill) mentioned.

The second area that I will touch on is housing. I need to tread carefully here, being a member of the Ministry concerned. However, there is a great case for making sure that the allocation of housing and the schemes to organise that allocation do not create avoidable barriers when it comes to providing people with accommodation.

We all know that accommodation is one of the best routes to stability and to providing an individual with a job and a good background. We need to encourage individuals to find accommodation. So I will just finish on housing by asking the Minister whether he can explain what conversations have been had with the Ministry of Housing, Communities and Local Government to take this process forward and to make sure that the issue is being addressed.

Lastly, I will look at the issue of insurance, which we have already discussed briefly. In that area, we found a number of examples of avoidable barriers. One of them, which I mentioned in my intervention, related to a complaint involving motor insurance, where the insurer had cancelled an existing customer's policy on discovering that she had a spent conviction. The woman involved complained about that because it was she who had revealed that she had a spent conviction. The ombudsman found that it was unfair and unreasonable for her to be punished for her honesty in making sure that she disclosed that information. I think that the insurer in that case was fined.

Nevertheless, that example is a very good one of how the insurance industry has not been properly managed to tackle this issue. I know that in their report the Government said that they were talking to the Association of British Insurers, for example, about trying to deal with this issue. I would like to know how those discussions are going and what we can look forward to.

Those are just three areas where there is an impact on the lives of individuals, and I think all of us have recognised that this issue is not one for a nice legal discussion but something that affects the lives of individuals in a big way. I am glad that this report has done its job in tackling the issue.

2.23 pm

Ellie Reeves (Lewisham West and Penge) (Lab): It is a pleasure to serve under your chairmanship, Mr Walker.

As a fellow member of the Justice Committee, I congratulate the Chair of the Committee, the hon. Member for Bromley and Chislehurst (Robert Neill), on securing this incredibly important debate. I will speak briefly about the employment prospects of those with youth criminal records.

Over 11 million people in the UK have a criminal record. As we have heard, many of their convictions are disclosed through the Disclosure and Barring Service checks when people seek certain types of employment.

[Ellie Reeves]

In 2014-15—the year that the statistics on which the Committee's report is based were drawn from—around a quarter of all the standard and enhanced DBS checks that flagged up a previous conviction related to people who were under 18 when they had committed an offence.

As my Committee colleagues and I have discussed in recent debates about short sentencing and rehabilitation, a progressive and modern justice system must ensure that those who have committed crimes previously are not unnecessarily punished time and time again, particularly as a result of the disproportionate impact that a conviction can have on their ability to secure employment.

As noted by the charity Unlock, a criminal record acquired by a young person can continue to impact them for the rest of their life. That is not an exaggeration. In the past five years, over 1 million criminal records that related to offences from more than 30 years ago were disclosed through DBS checks. Although a criminal conviction does not necessarily act as a bar to employment, that is still potentially 1 million people unable to pursue the career path of their choice. Of course, those individuals who have committed serious offences need to face restrictions on the jobs that they are able to undertake, but we should consider the implications of the current system for the vast majority of individuals with historical minor offences on their record.

The case studies used in the Committee's report underline that. There was the teacher who had committed two offences 38 years earlier: the first was petty theft, which was described as a silly prank and for which they received a conditional discharge; the second was actual bodily harm after they had got into a scrape and pushed someone to the ground, and for which they had been fined £10. That individual explained that

“since then I've become a teacher. I was a Deputy Head for some 20 years, but now I've started supply teaching, I have to explain these as if I am now a criminal.”

Moreover, the statistics that we have reflect only those people with criminal records who have applied for DBS-compliant jobs. There could be countless other people who have been put off from applying for jobs because of embarrassment or a reluctance to reveal previous convictions.

I fully endorse the Justice Committee's recommendation in the report that suggests that Ban the Box should be extended to all public sector vacancies, and that the Government should consider making it mandatory for all employers. Previously advocated by the Work and Pensions Committee in 2015, the Ban the Box campaign seeks to remove the criminal record tick box from job application forms, and instead candidates would be asked about criminal convictions later. That might seem like a small move and, as others have said, it is not perfect, but it would open up job application opportunities to those who might not otherwise consider making such an application.

Meaningful rehabilitation must be precisely that. It must be holistic, both inside and outside prison environments, and enable people who have offended in their youth to be fully able to pursue careers, rather than leaving them blighted by criminal convictions from decades earlier. The Government's response to the Committee's report acknowledges that, on release

from custody, people are six to nine percentage points less likely to reoffend if they enter employment, and I welcome the steps taken in recent years to roll out Ban the Box across civil service vacancies.

On Tuesday, the Committee took evidence from my right hon. Friend the Member for Tottenham (Mr Lammy), who I see is no longer in his place, following his review of the treatment of and outcomes for black, Asian and minority ethnic individuals in the criminal justice system, and he made a very powerful argument here today. The Ministry of Justice's employment and education plan from 2018 notes that criminal record checks may cause additional stigma for those in the BAME community, and we must do more to address that.

As my fellow Committee members have already referred to, it is often some of the most vulnerable people who have been affected by the rules around the disclosure of criminal convictions. Take the case of Sammy Woodhouse, a woman who was the victim of childhood sexual exploitation but was given a criminal record, and who has painfully had to relive her trauma following the disclosure of her convictions. Sammy has been a tireless campaigner and has undertaken a huge array of admirable work since waiving her anonymity, but the fact remains that no matter how much people such as Sammy want to use their experiences to help others in vulnerable situations, the barriers to employment in those areas still exist for them, because they have that criminal record against their name. But it is precisely people like Sammy whose experiences, no matter how horrifying, could help others in similar situations. By treating people like Sammy as victims rather than criminals, we would give them the opportunities that they rightly deserve.

I agree with the Select Committee report's conclusion that the principles of youth rehabilitation are undermined by the system for disclosure of youth criminal records. We are capable of making significant progress on that issue: the Ban the Box initiative should be rolled out fully across the public and private sectors, combined with an appropriate DBS system that ensures records are disclosed only when the conviction is relevant to the job being applied for and proportionate to the offence. We all need to be able to have faith in a holistic, empathetic, rehabilitative justice system that gives young offenders a chance to move on from past mistakes.

I again thank the Chair of the Committee, the hon. Member for Bromley and Chislehurst, for his work on this issue. I look forward to working with him and other Committee colleagues to further our efforts in this important area.

2.30 pm

Victoria Prentis (Banbury) (Con): I will start by apologising profusely for not having been present at the beginning of the debate, and I apologise to my hon. Friend the Member for Bromley and Chislehurst (Robert Neill), whose speech I missed a great proportion of, and to the Minister. My day job is slightly fraught at the moment, and I was engaged in the Chamber when the debate started.

Were this debate about anything else, I would not have come, but I feel more passionately about this subject than about practically anything else in the criminal justice sphere, and I have campaigned on it for many years. It goes to the heart of what our criminal justice

system is for: yes, it is about punishment, rehabilitation, and keeping the public safe. But is it really about ruining the lives of young people who come before it because they are silly, unwise and have not yet grown up, as the right hon. Member for Tottenham (Mr Lammy) said? Does ruining their lives serve any real, practical purpose for the rest of society? Many years ago, I came to the conclusion that it does not, and that we have the system out of kilter with the rest of the criminal justice system and with all notions of proportionality, so I really wanted to speak in this debate. I am going to go into the way the filtering system works—in some detail, I am afraid.

Of course, the criminal justice system needs to keep a record of what has happened and what crimes have been committed, but as far as I am concerned, unless there is a public safety element, nobody else needs to know. Criminal records are currently disclosed either by an individual—in person or on a declaration form—or via a check. The Disclosure and Barring Service issues official criminal record checks in England and Wales, and there are three levels of check: basic, standard and enhanced. There is a so-called filtering system that allows some spent criminal records to be filtered out, so that they will not be revealed in standard and enhanced checks. That system was supposed to allow the disclosure regime to operate in a more proportionate manner. However, it incorporates some significant exceptions, which means many offences are non-filterable.

Filtering operates in a mechanical fashion with no discretion, and there is no right of appeal. A single conviction can be filtered provided that it does not result in a custodial sentence, that it is not for a listed offence—that is, a serious offence—and that more than 11 years have elapsed since the conviction, or five and a half years if the person was under 18 when convicted. Single or multiple cautions for lesser offences can be filtered once six years have elapsed, or two years if the person was under 18—I hope you are still with me, Mr Walker; it is clear as mud, isn't it? Convictions and cautions for listed offences and multiple convictions for lesser offences cannot be filtered, no matter how long ago they happened and regardless of the circumstances of the offence. Of course, many of the real injustices that Members have highlighted fall into those categories. In 2014-15, there were nearly 60,000 enhanced DBS checks in which cautions were disclosed, of which 8,500 related to under-18s.

Why does this matter? We have heard from many Members, including the hon. Member for Lewisham West and Penge (Ellie Reeves), that employers are very risk averse. They often assume that if there is a flag, they simply cannot hire, and we know that employers do not interview people who have ticked the box. As Lord Kerr has said,

“it is wholly unrealistic not to recognise that many employers, faced with a choice of candidates of roughly similar potential, would automatically rule out the one with a criminal record.”

A criminal record acquired as a youth is, in effect, a life sentence. Although a person can change and learn from their mistakes, their criminal record cannot. In the past five years, more than 1 million criminal records that relate to offences from more than 30 years ago, when the person involved was between 10 and 35, were disclosed through enhanced or standard DBS checks.

We have also heard from the hon. Member for Lewisham West and Penge that people do not apply for jobs, because they are embarrassed by their criminal records. We have no method of working out what effect that has had on people's lives—we cannot prove a negative—but it is clear that, in many ways, it is affecting people's employment possibilities. The DBS system anchors people to their past and serves as a second and continuing sentence. The system affects people with a criminal record more profoundly, and for longer, than elsewhere in Europe—or the world, as we have heard.

Our predecessor Committee held a private seminar with eight individuals who had been personally affected by the disclosure of criminal records. All had found that their employment prospects were adversely affected by their childhood criminal records, and they told us heartbreaking stories of repeated rejection before they succeeded in getting a job, frequently one that was well below their level of ability. It is not only employment that is affected by criminal record checks: most social housing providers ask about criminal convictions, and since 2011 have had the right to apply blanket bans. Croydon Council states that if a person has

“been involved in relevant criminal behaviour”

they

“will be disqualified from going on the housing register... Relevant criminal behaviour includes conviction of an arrestable offence in, but not restricted to, the locality of the dwelling.”

In addition to a criminal conviction, failure to prevent others from committing crime can be used as a reason to refuse housing. Bromford has said that

“where the unacceptable behaviour is committed by a member of the household other than the applicant or any person living with them”

it

“will rely on the failure of the applicant or person living with them to prevent or deter the unacceptable behaviour as a reason to treat this as unacceptable behaviour.”

University and college admissions are severely impacted. Although I am pleased to say that the criminal conviction box has now been removed from UCAS applications, many universities continue to ask all applicants for any criminal records, regardless of the course they are applying for. We have heard extensive evidence about how criminal records can affect insurance for cars, housing and travel, which can restrict self-employment opportunities. People with unspent convictions also pay disproportionately more for the insurance that they are able to obtain, and we have heard compelling evidence that it is often difficult for them to rent a house, as well. These young people are leaving the criminal justice system, and money and rehabilitation hours will have been spent on them. The last thing we want to do is cut off their opportunities to retrain, get a job, a house or a car, go on holiday or travel for work. We are ruining every aspect of their life, so it is important that we look at this issue holistically.

I was pleased that the right hon. Member for Tottenham was able to speak about his report—which I was intending to quote from extensively, but given that he has done so, I will skip that section of my speech. However, I will say that I was having an informal chat with a group of staffers recently, who were in their early 20s. As we would expect, they were well-spoken, well-educated young people who had had many opportunities in life and done well for themselves. I was talking about this subject, which I talk about quite often, and I asked them,

[Victoria Prentis]

“When you were a teenager, did you ever get into trouble with the police? Did you ever do something on the edge of what you should have been doing?” Every single one of the male staffers to whom I spoke recounted an episode that might have landed him in trouble with the police at the time he was involved in this slightly risk-taking and unwise behaviour. Had they been boys who were of a BAME background or were just less advantaged—less able to talk for themselves and less able to get their mum down to the police station to argue on their behalf—they all might have ended up in the criminal justice system, rather than just outside it.

Mr Lammy: I am grateful to the hon. Lady for raising the issue in the manner that she has. It is way more effective than I would be if I raised the same point. Does she know that there is a general statistic that child psychologists have found, which is that 70% of young people have committed a crime at some point? The vast majority were never arrested or caught. It is part of that journey to adulthood. Is she aware of this issue, which I have raised in the context of marijuana? Young people are sitting in a campus university as we speak, probably smoking a joint, and if you called the police, people would think you had gone mad. The same young people walking down Brixton High Road or in Salford will get arrested or a criminal record. That is the hon. Lady’s point.

Victoria Prentis: I could not agree more with the right hon. Gentleman. It is right that young people should be cut some slack generally, but it is not right that some people are cut greater slack than others. That is what I found very disturbing about his report. I was particularly disturbed by his section on Gypsy, Roma and Traveller communities, where the numbers of people in the community as to the numbers in the criminal justice system are truly astonishing. I was also disturbed by the effects on black women in the criminal justice system. I encourage anyone interested in this area to read his report properly, because there are some burning injustices in how the system operates. Like him, I have two teenagers at home at the moment, and how they behave and the risks they take are always a worry. We really do not want silly behaviour to ruin the rest of their lives. I cannot commend his marvellous report highly enough.

I am concerned that over the years, those of us who have campaigned in this sphere have not had big enough asks. I remember getting very cross, when I was first elected to this place, when campaign groups said, “Let’s ask for convictions to not be in boxes or asked about after two years.” I thought, “God, that is two years of a young person’s life when they should be working, going to university, getting car insurance and all the rest of it.” Those are not years or time that they should have to wait. The period when a young person comes out of the criminal justice system is the most important time that we have as a society to set them right and help them into a useful and fulfilling life. We cannot slam them by making box-ticking get in the way of everything they do.

In the report, we made recommendations. One was on consistency with the aims of the youth justice system, and it is important that we view this as part of a holistic

whole. The hon. Member for Lewisham West and Penge talked passionately about the impact on employment. Clearly the Ban the Box campaign should be extended to all public sector vacancies. The Government should consider making it mandatory for all employers. Why do we have boxes? What are they for?

We made a recommendation on the impact on education, housing, insurance and travel, stating:

“We recommend that educational providers do not automatically use information about spent criminal records to deny access to courses... We urge providers to do everything they can to support students with childhood criminal records”.

Local government guidance for housing authorities should be amended as a matter of urgency. Guidance from the Association of British Insurers could easily be strengthened to leave insurers in absolutely no doubt that they must not expressly or implicitly request customers to disclose spent offences. With travel, we recommend that where there really are safety concerns, the Foreign and Commonwealth Office should raise them with relevant Governments. If there are safety issues, that is different, but that is not the case in the vast majority of cases. The 2014 revisions on rehabilitation periods do not go nearly far enough. For some detention training orders and youth rehabilitation orders, the rehabilitation periods have increased to a completely disproportionate level.

The Committee concluded that the operation of the filtering system is wholly inappropriate for the records and should be radically revised. The Law Commission’s detailed and authoritative report on non-filterable offences is excellent and we endorse its conclusions. We discussed the potential advantage of allowing an application to have a record sealed, and I suspect the Chair of the Committee mentioned it at the beginning. I am sure the Minister will talk to us later about his plans for revising the filtration system. We hope that the recommendations of the right hon. Member for Tottenham in the Lammy review will be taken into account in the production of a new and more appropriate system.

Our final recommendations were about the disclosure of police intelligence and the discriminatory impact of the disclosure regime. I endorse those recommendations absolutely. I have trespassed a long time on this debate, and I thank you for your indulgence, Mr Walker, given I arrived late. This report is one of the best pieces of work that has been done by the Justice Committee. I very much hope that the recommendations are taken into account. Next week, I am going with a group of concerned colleagues who span the whole political spectrum to see the Home Secretary about this issue. I very much hope that the Ministry of Justice and the Home Office are able to work together at the pace of the faster, not the slower, of those two great Departments and that we will sort this out once and for all.

2.47 pm

David Hanson (Delyn) (Lab): It is a pleasure to serve under your chairmanship, Mr Walker. I begin by thanking the Chair of the Justice Committee, the hon. Member for Bromley and Chislehurst (Robert Neill)—he is my hon. Friend in this circumstance—not only for his chairing, but for his contribution today. We work as a very strong team on the Justice Committee, and it is good to focus on key issues. I am sure the Minister will respond to them in a positive way in due course. I also thank those who contributed with oral or written evidence

or who were involved in the informal seminar, as has been mentioned, where we met people who had committed offences that had impacted on their lives for a considerable period in terms of employment, housing and other services.

I want to focus on one simple issue: employment, which is central because work is one of the key planks for preventing reoffending. There are key issues to do with housing, drug and alcohol rehabilitation and maturity, as my right hon. Friend the Member for Tottenham (Mr Lammy) said, but ultimately the ability to get and keep work, to have self-worth in doing that work, and to progress through work, is critical.

We focus in the report on training, employment and through-the-gate services, including prison and youth offender institution training and community rehabilitation companies in adult prisons and elsewhere. Those are critical in helping people to get into work, but whatever the system does with that training, someone ultimately has to get a job with a public sector body or an employer. When an individual goes before a public sector body or employer, it might see that they have a criminal conviction that may be 10, 15 or 20 years old, and an initial value judgment may be made on that basis. That will stop someone accessing employment. Whether it is earlier or later in their life, that may lead to reoffending or stop them contributing in a way that is important to society as a whole.

The key question that I will focus on is one that a number of Members have touched on: banning the box. The Disclosure and Barring Service, which we have discussed, is important in relation to a series of jobs, but it does not relate to all jobs. Ban the Box is a simple idea that could, if adopted through Government and the private sector, help to ensure that we gave people an opportunity to show what they were worth prior to judging them for what they may have done 10, 15 or 20 years ago.

The simple idea, which my hon. Friend the Member for Lewisham West and Penge (Ellie Reeves) mentioned, is that disclosure happens after the job interview and job offer. The right to refuse is still there, but the judgments are made on the merits of the application and the individual in front of the employer—not on a conviction that may have happened some years ago. In his review, my right hon. Friend the Member for Tottenham emphasised the difficulties that BME individuals face, because those who have convictions will also encounter other prejudices. It is important that we tackle those head on and up front.

Ban the Box is an initiative of Business in the Community, which is a branch of the Prince's Trust. It had the support of the then Prime Minister, David Cameron, in February 2016, and was taken forward by the current Prime Minister. It has had significant success with, according to my latest figures, 120 employers signing up and some 828,000 roles being taken forward. Many private sector companies, such as Adnams Brewery, Barclays Bank, Boots, Cambridge University Press and Fujitsu, as well as Bristol City Council and Nacro, have taken people on, and operate the Ban the Box scheme to ensure that they do not discriminate at the point of application and interview of individuals.

We made key recommendations in conclusions 1 and 2 of the report. As my hon. Friends mentioned earlier, we agreed

“with the recommendation of the 2015 Parliament Work and Pensions Committee that Ban the Box, which applies to all criminal records, should be extended to all public sector vacancies, and that the Government consider making it a mandatory requirement for all employers.”

That is important, because we identified in conclusion 1 that

“the laudable principles of the youth justice system, to prevent offending by children and young people and to have regard to their welfare, are undermined by the system for disclosure of youth criminal records”

and by discriminatory practices that stop people getting employment, and which banning the box will address.

Those are the key recommendations. I have four or five fairly straightforward questions, which will give us an indication of the Minister's thinking, and of whether the Government's response and rhetoric match the aspirations that they have set themselves—it is important that they do. The first is simply this: how many employers do the Government believe to be operating a Ban the Box principle for their employment practices? Does the Minister keep a record of, or have access to, the number of employers who have that scheme in place? What is he doing to ensure that we expand and progress the scheme? What initiatives has he taken, or does he have planned, with major trade organisations, the CBI, perhaps the Trades Union Congress, businesses, the British Retail Consortium and a range of agencies to promote the idea of banning the box?

The Government's response to the Committee helpfully said:

“The Ministry of Justice...will continue to explore options for promoting Ban the Box across both the public and private sectors, primarily by ensuring we lead by example.”

When I held a ministerial job, I may well have signed off such words, but I am interested in what they mean in practice. What initiatives are planned? What effort has gone in? Is it something that the Government have said in response to the Committee, and perhaps even—dare I say it?—to get through a debate such as today's, but will file away tomorrow and not worry about? What is the plan for the future on those issues?

Great play was made in the response that in

“early 2018, we will publish an employment and education plan” to promote Ban the Box. Early 2018 is a year ago. What has happened in the past 12 months? What progress has been made in Government? Does the Minister know? Could he tell me—not today, but perhaps in writing afterwards—how many of the Departments before us in this great House of Commons operate Ban the Box principles? Do any not operate those principles?

Government is not just the Home Office, the Ministry of Justice, the Department for Environment, Food and Rural Affairs and other Departments; it is also health trusts, health boards, arts councils and a plethora of quangos. Has that been pushed by the Minister? Has he brought together the chairs of quangos to ask what they are doing about Ban the Box, and whether they have extended it to their organisations?

What about local government? That is a big issue and part of the public sector. The Government have said that they will look to encourage the public sector to ensure that Ban the Box is adopted. What has the Minister done to encourage local councils to undertake that policy? The issue of procurement was also mentioned.

[David Hanson]

The Government remain the biggest spender in the private sector across the country, commissioning builders, construction firms and purchasers. Have they checked with their suppliers about banning the box?

The simplest thing of all may be just to make this mandatory. Then the Minister would not have to worry about extending it, and trying to push it forward and promote it—he would simply have to find a mechanism to check those who do not do it. If discriminatory practice emerges, the possibility of its being an offence could be explored, or at least the possibility of naming and shaming. As we recommended in our report, that might be the simplest way to make it a mandatory requirement for employers. I am interested, in a helpful way, in the progress the Minister has made, and what other progress there will be. Does he accept that it should be a mandatory requirement for employers as a whole?

I was asked by the Welsh Government last summer to undertake a review of prison, education and employment issues centrally. I undertook that review during the latter part of last year. The review was submitted to the Welsh Government in October of last year, and they helpfully published it last Thursday. One of the recommendations in my review of the Welsh Government's responsibilities was that they should support the Ban the Box campaign in their own operation, procurement proposals and suppliers. I hope they will do that in Wales as a whole in response to my recommendations.

That review was commissioned by Baroness Morgan of Ely, an Assembly Member and Minister in the Welsh Government. It is now being taken forward by Kirsty Williams, who is also a member of the Welsh Government. I am very hopeful that my recommendations on Ban the Box will be adopted by the devolved Administration. However, the Minister has responsibility within the prison system and the youth justice system in England and Wales. Has he discussed that with his colleagues in Scotland, or with officials in Northern Ireland pending the resumption of the Assembly? Can we get a co-ordinated response across the United Kingdom on this issue?

As my hon. Friend the Member for Lewisham West and Penge, the hon. Member for Banbury (Victoria Prentis), my right hon. Friend the Member for Tottenham, the Chair of the Justice Committee and the hon. Member for Henley (John Howell) have all pointed out, this is about people's lives. We have an opportunity to make people's lives better by judging them not on the offences that they have committed, but on the people they are and the skills they bring when they apply for the job.

[SIR DAVID AMESS *in the Chair*]

Welcome to the Chair, Sir David. You may have a shorter stint than you imagined, but I am sure it will be a productive and helpful one.

The key thing is the important Ban the Box recommendation, which is based on evidence and has cross-party support. I hope the Minister will respond to my questions by giving an indication of how the Government will take matters forward in a positive way.

3 pm

Ms Marie Rimmer (St Helens South and Whiston) (Lab): It is a pleasure to serve under your chairmanship, Sir David.

Let me begin by emphasising two guiding principles for the United Kingdom's judiciary. The first is:

"It shall be the principal aim of the youth justice system to prevent offending by children and young persons."

The second is:

"Every court in dealing with a child...shall have regard to the welfare of the child."

I do not believe that a single hon. Member present would disagree with those principles.

The Government's response to the Justice Committee's report acknowledges the over-representation of BAME and looked-after children. Since my right hon. Friend the Member for Tottenham (Mr Lammy), who has superior knowledge, has already spoken about the incredibly important issue of the over-representation of BAME children in the youth justice system, I will focus on the issues that the Committee raised about discrimination against looked-after children in the judicial system. The sum of the Government's response to the discrimination against those children is acknowledgment but nothing else. As for children with mental health issues or issues such as autism, they appear, sadly, to have been forgotten in the Government's response, as they have been in the Government's justice policy. I do not believe that that is acceptable.

Looked-after children in care are some of the most vulnerable people in our society. They have been removed from their homes because life there is no longer beneficial or safe for them, and many have been abused physically or mentally—often both. It is difficult for adults to come to terms with abuse, but for children it can often be impossible to understand what has happened to them and how they feel. It is often those who are closest and most trusted by these children who commit these abuses. These young people deserve care and understanding, but unfortunately the current system of disclosure of youth criminal records does not deliver that.

Mr Lammy: I am grateful to my hon. Friend for raising such an important point. I declare an interest as the father of a formerly looked-after child. Does my hon. Friend agree that the phrase "looked-after" is one of the biggest oxymorons in our language? Of all the cohorts of young people we have discussed this afternoon, none makes as great a case for changing the criminal records regime as those children, who have been let down the most often—not just by their original parents, but by the state.

Ms Rimmer: I agree absolutely. I feel very passionate about this. "Looked-after children" are the most abused and ignored in our society, and they continue to suffer throughout life.

The Criminal Justice Alliance told our Committee that children in care are far more often criminalised than those in family homes. In family homes, minor infringements and indiscretions are dealt with in the home, but children in care do not have such a readily available support system. The records system does not provide context for the young person's actions, nor does it distinguish between severity of crimes. Just for Kids

Law cited the case of a nine-year-old who had been physically abused and transferred to a care home, where he would frequently react badly and assault members of staff because of the high levels of abuse that he had suffered as a child. With help, he managed to do well at the home and when he was moved into foster care, but the charges of common assault against staff that he received during that traumatic time will follow him for years—a constant reminder of the abuse that he suffered and an additional barrier to flourishing as an adult, along with the many other barriers that looked-after children face. He is likely to face difficulties in work, education and social housing applications because of his record.

The impact that a caution can have in later life is often not explained to children. Convictions are often for offences that sound relatively serious, even when the behaviour is at a relatively low level. Just for Kids Law told us that children often focus on the fact that they are receiving a caution rather than on the category of offence. In some cases, for example, children have accepted cautions for non-filterable offences of assault occasioning actual bodily harm, whereas if their case had gone to court, it would have received greater scrutiny and they would have been far more likely to face a charge of common assault. Such cautions will limit people's access to the job market, because a simple yes/no tick-box is often all the opportunity they will have to state their case in an application, and DBS checks will not provide the full context of their conviction. Barred from employment, many will find their options limited and may be pushed into reoffending in adulthood.

The issue extends to children with mental health issues or issues such as autism or post-traumatic stress disorder, who can struggle to understand what is being said to them or the ramifications of what they are agreeing to. Children with dyslexia may struggle even to read the documents placed in front of them. The director of CRB Problems gave us the example of a person who suffered from autism and entered the judicial system at a time when we did not provide the help or care that we do today and when support was hardly available at all. He received two convictions that cannot be filtered under current rules—a failure of our past system and a failure in how the disclosure of youth criminal records works today.

That example highlights a key problem with the disclosure of youth criminal records: it holds people prisoner to the understanding that we had in the past. People who might be treated with more compassion and understanding as a child today are held to a different standard as adults. I am not talking just about people charged five to 10 years ago, but about people who were charged as far back as the '50s, '60s or '70s. In those days, our understanding of the issues that children with mental health issues face was miles behind what it is today, as we know from the National Police Chiefs' Council's evidence on the policing of children and young people.

For all those reasons, it is important for the Government not just to acknowledge the findings and recommendations in the Justice Committee's report on the disclosure of youth criminal records, but to act on them. I am sure that Ministers will stand up and argue that they have taken action, but I will pre-emptively respond by quoting from the written evidence submitted by the Greater

Manchester Youth Justice University Partnership. Statement 3, on "The effects of reforms made in 2013 and 2014", reads:

"Available evidence suggests that recent reforms have not had a significant impact."

To put it plainly, we need to be doing far more.

I conclude by going back to the two guiding principles in our judicial system that I set out at the beginning of my speech: that the principal aim of the youth justice system is to prevent offending by children and young people, and that every court that deals with a child must have regard to the child's welfare. Along with our report and with the many people and organisations that provided evidence, I argue that we are not meeting those two principles in how our youth disclosure system works, particularly for children with mental health issues and for children who are or have been looked after. Like other hon. Members who have spoken, I am not saying that to accuse the Government or score political points, but to implore the Government to work with us and other key organisations to deliver the reforms that are needed now, not in a few years' time—reforms that would bring dramatic and meaningful change for some of the most vulnerable people in society.

3.10 pm

Yasmin Qureshi (Bolton South East) (Lab): It is a pleasure to serve under your chairmanship, Sir David. I thank the Justice Committee, its Chair and the hon. and right hon. Members who serve on it for the excellent report they have published. I also thank the Committee and House staff who do the painstaking work of writing the report and the recommendations. I was a member of the Committee from 2010 to 2015. I can honestly and sincerely say that today's debate has been one of the best I have attended in the nine years that I have been in Parliament. Every Member of Parliament who has spoken today has spoken with real passion, conviction and sincerity and with a real desire to change a very important aspect of people's lives. It will be a pleasure to be able to say that we were in the debate today.

Before I go into the details of my speech, I want to acknowledge all the Members who have contributed. The hon. Member for Bromley and Chislehurst (Robert Neill) eloquently went through the whole report and explained in detail for us, and those watching, what the report said. I thank my right hon. Friend the Member for Tottenham (Mr Lammy) for his review, which I will refer to later in my speech, and for the work that he has done. The report emphasises the high proportion of BAME children in the criminal justice system. The hon. Member for Henley (John Howell) talked about the impact of housing. Let's face it: to have a decent life you need a decent home to live in. That is such an important factor.

My hon. Friend the Member for Lewisham West and Penge (Ellie Reeves) talked about the importance of employment and jobs, without which it is difficult to survive in life. I am so pleased that the hon. Member for Banbury (Victoria Prentis) was able to hotfoot it from the Chamber. Clearly, with the work that she does, she is in the thick of it, as they say. Her contribution was absolutely brilliant. She went through the whole system and what needs to change. Like my right hon. Friend the Member for Tottenham, she eloquently put the case

[Yasmin Qureshi]

for race and class and the effect that it has on whether people end up in the criminal justice system. The hon. Member for Cheltenham (Alex Chalk) alluded to the issue of class and he also made a succinct point. I understand that everybody has commitments and I want to acknowledge their contributions.

My right hon. Friend the Member for Delyn (David Hanson), a former Justice Minister, talked about education and employment, which are crucial. He touched on whether a conviction should be disclosed when someone applies for a job or whether it should be left to the end of the process, after someone has been considered on merit. That is an important point. Last but not least, my hon. Friend the Member for St Helens South and Whiston (Ms Rimmer) rightly talked about children in care. A lot of the children also have mental health issues and autism. We know that the child and adolescent mental health services in our local authorities have long waiting lists for children to be assessed. As she was speaking, I was reminded of a case that I had when I was a prosecutor many moons ago.

A young man of 14 or 15 was in a care home. He attended court to give evidence against his mother's ex-boyfriend, who had been charged with indecent assault on his younger sister. He turned up at the court and, on seeing him, his mother went over to him and punched him in the stomach twice, and he burst into tears. He went back to the care home and set light to a curtain. He quickly realised what he had done and tried to put it out, but the fire brigade was called. That goes to exactly the point that my hon. Friend the Member for St Helens South and Whiston talked about. Because the young man was in a care home, the police and prosecuting authorities got involved. I wanted to recommend no further action on the grounds of public interest. Sadly, my boss overruled me and said that we must proceed, so we came to a compromise and she at least agreed to a caution. That illustrates the point that if that incident had happened at home, the outcome would have been different; sometimes when children do things in anger at home, nothing happens.

For me, listening to all the speeches today has been important, and I hope the Minister and the civil servants are paying attention. I will now return to my scripted speech.

At the heart of any proper youth justice system is an attempt to rehabilitate an offending young person while protecting their fellow members of society. Although those two aims do not need to be opposed to each other, a knotty issue they throw up is deciding what information those with convictions and cautions must disclose later in life. In many cases some disclosure is essential to ensure that offenders are not exposed to vulnerable people in dangerous circumstances. Unfortunately, it is increasingly clear that our balancing act between personal rehabilitation and societal protection is worryingly skewed in favour of the latter. In fact, our wrong-headed, punitive approach means that we might be shooting ourselves in the foot, as forcing people to disclose largely irrelevant information years after a crime often deepens pre-existing social divides, as we have heard.

As was noted in both the 2017 Justice Committee report and the Government's response last year, forcing people to disclose their criminal record is a power that

needs to be carefully applied. Past convictions can have an impact on a person's capacity to find housing or to take up a place at an educational institution, and can have an impact on finding work. Sadly, by forcing people to reveal past convictions years after they have served their time, we throw up barriers and prevent them from becoming fully integrated members of society. For some, it leads to long periods on benefits, at significant cost to the state. Even worse, many return to the kinds of criminal activity that we should have provided every opportunity for them to escape, and end up in prison, at even greater cost to the national purse. Locking individuals into negative patterns is particularly foolish and cruel when they committed crimes as young people.

We are well out of line with other countries internationally. A 2016 report by the Standing Committee for Youth Justice compared the treatment of childhood criminal records across Europe and America and found that the system in England and Wales was distinctly more punitive. A criminal record acquired by a child in England affects them longer and in more restrictive ways than in any of the other jurisdictions studied. Not only do we criminalise an unusually high proportion of children, but the processes by which those criminal records can be hidden from employers are arcane and inflexible.

The 2017 Justice Committee review provided persuasive justification for wide-scale reform, listing 21 conclusions and recommendations. Although the Government's response addressed each of the recommendations, I am afraid that in too many areas they chose to kick the can down the road. One justification for that was that they chose to take their case to the Supreme Court to defend our system of disclosures, but, as my right hon. Friend the Member for Tottenham said, the Government or the MOJ should have followed the Court of Appeal and dealt with the issue and not pursued it to the highest courts. It comes as no surprise to those of us who agreed with the findings of the original Select Committee report that a Supreme Court judgment this year found that our disclosure scheme is contrary to article 8 of the European convention on human rights on two key fronts: the rule that requires the automatic disclosure of all convictions where a person has more than one conviction, and the requirement that some childhood cautions be disclosed indefinitely. Importantly, we have a mechanism by which previous offences can be taken off DBS checks—a process termed “filtering”. However, that process also has major flaws. The current filtering will remove a spent childhood conviction from a DBS standard or enhanced certificate only when five and a half years has elapsed since the date of the conviction. It must also be the individual's only offence and it must not appear on the list of exempt offences that will never be removed from a certificate.

I—and clearly, going by what they have said today, other right hon. and hon. Members—urge reform on all three counts. Although five and a half years is significantly less than would be required for an adult—there is an 11-year wait before filtering can take place—that is still an incredibly long and pretty much arbitrary period. It means that it is difficult for 19-year-olds to get jobs because of offences—often minor—committed at the age of 14. That makes no sense, especially when they have not committed other offences. During those years,

most of us are growing, changing and maturing, and the law should be flexible and forgiving enough to recognise that.

The fact that convictions remain unfiltered if there has been more than one conviction or when the conviction is on the exempt offences list also holds back young people at a crucial time in their lives. The offences include those involving a degree of violence, drugs, and some sexual offences. That is a broad range of offence categories, and putting them on an unfilterable list prevents individual discretion and creates a single rule totally at odds with the need to achieve personalised restorative justice for young people. We need a child-specific system that recognises that the offences in the list are diverse and complex.

Robert Neill: I very much agree with the hon. Lady. Does she agree that her point about the need for a different approach for younger people is strongly reinforced by the conclusions in the February 2017 Law Commission report, which states precisely that the system bears disproportionately harshly on young offenders, and argues that some offences that might justifiably be non-filterable for adult offenders should be filterable for young offenders? She says that a different approach is needed, and the commission also said so.

Yasmin Qureshi: I entirely agree with the hon. Gentleman and with the Law Commission's recommendation. I hope that the Minister and Ministry of Justice civil servants will also be listening, and will be reminded of what the Law Commission said. I hope they will take those things on board and that we will not find that, as my right hon. Friend the Member for Delyn said happened when he was a Minister, civil service-speak means we do not quite know what will happen.

My right hon. Friend the Member for Tottenham has spoken about the Lammy review, which he carried out. I will touch on it, because it is important. I am worried that its findings, which are relevant to the issue that we are discussing, are being ignored, as many other recommendations have been ignored. When we look at how unequal outcomes are for BAME children and for those in care when they pass through the criminal justice system at a young age, it is clear that there is something particularly wrong about tying them for the rest of their lives to crimes that they committed as children—worsening pre-existing inequalities. I hope that the Minister will be able to throw some light on that, and suggest what actions the Department is taking on issues set out in the Lammy review.

Another issue emphasised by the Select Committee was the need to recognise that young people mature at different rates up to their mid-20s—a point made by my right hon. Friend the Member for Tottenham. The right hon. Member for Chipping Barnet (Theresa Villiers), who is not in her place at the moment, concurred and reinforced the point. While I welcome the Government's acceptance of that basic fact, will the Minister clarify what concrete steps are being taken to enshrine that recognition in law? Further, now that we have received confirmation that the Government's disclosure rules are in breach of international law, can we have some clarity on the timescales on which the Government hope to bring their regulations up to date? Scrapping the current exempt list and the two-offence rule would be great first

steps and I should like to know whether the Minister recognises that the Government need to make up their mind, make up for their inaction and move quickly. Finally, do the Government plan to take steps to introduce a review mechanism by which individuals can apply to have their convictions filtered? That would allow for a genuinely case-by-case approach to justice.

3.26 pm

The Parliamentary Under-Secretary of State for Justice (Edward Argar): It is a pleasure to serve under your chairmanship, as ever, Sir David. I thank my hon. Friend the Member for Bromley and Chislehurst (Robert Neill), the Chairman of the Justice Committee, for securing a debate on an important report. I pay tribute to all the Members who have spoken today and, indeed, all members of his Committee for their work. It is a pleasure as always to serve opposite the shadow Minister, the hon. Member for Bolton South East (Yasmin Qureshi). I know and welcome her commitment to this area of work, and to working collaboratively and in a bipartisan way when we have a common goal to achieve.

The Chairman of the Select Committee and many others present today have worked hard to champion the potential of children who offend, and their capability to move on from their previous behaviour to live rich and fulfilled lives—and, indeed, to make our shared commitment to rehabilitation a reality. My hon. Friend is right to say that although the issue is technical and legal, it is about more than that. It affects real lives and, as hon. Members have said, continues to affect them for years after the offence is committed. We are grateful for the Committee's recommendations.

My hon. Friend set out with his typical eloquence and polite forcefulness how the system operates and what he feels does not work well. As hon. Members have said, at the heart of the debate there is a question of balance—striking the appropriate balance, as the shadow Minister said, between protecting the public and giving young people the opportunity for rehabilitation and to have a second chance and a future.

My right hon. Friend the Secretary of State for Justice recently set out his vision for a criminal justice system and the principles that should be at its heart. I am clear that the criminal justice system must have multiple aims—to deter, to ensure that there is both punishment and rehabilitation, and to protect society from crime. That means the system must be proportionate and, in the case of disclosures, relevant to those objectives. My right hon. Friend set out the need to move away from debates about soft or hard justice, and to think instead about smart justice that achieves what we would all want for society. That means knowing that, alongside appropriate safeguarding measures for children and vulnerable people, employment for those who have previously offended can support public protection. There are, as the right hon. Member for Delyn (David Hanson) said, few better tools for reducing reoffending than a regular pay cheque. We have made it clear that we want more employers to look past someone's offending history and see their future potential, and I believe that rehabilitating people and getting them into employment is the best outcome for us all.

On taking office in 2016, my right hon. Friend the Prime Minister made a pledge that the Government would fight against social injustice and give people back control of their lives. She set out a vision whereby all

[*Edward Argar*]

British citizens could go as far as their talents took them. Nothing should hinder that, and it should also apply to children who commit crimes or make an error. This must be reflected in the disclosure of criminal records.

I agree with the core position laid out by the Committee: employers should not regard the disclosure of a criminal record as an automatic barrier to employment. A balanced judgment should be exercised, having regard to factors such as a person's age at the time of the offence, how long ago it was, and the relevance to the application or post in question. The Committee's report goes beyond this and rightly highlights the need for proportionality, clarity and fairness, as well as seeking to ensure that the systems designed to protect the public and facilitate rehabilitation keep up to date with the reality of the modern world.

The Secretary of State for Justice has already identified that one of the best ways to help those who have offended to get meaningful employment is by working more closely with employers and expounding the benefits of hiring those with criminal convictions. That is why—to address one of the key themes in hon. Members' speeches—I am happy to see the Government leading by example by rolling out Ban the Box across the civil service in 2016 and continuing to encourage its implementation across both the public and private sectors.

Whenever I see the right hon. Member for Delyn in a debate that I am speaking in, my heart both rises and sinks. It rises because he brings great expertise and knowledge of this subject; it sinks possibly for exactly the same reason, as I know he will ask me various challenging questions. He asked a number of questions, and I will try to answer some of them—if I do not answer them all, I will happily commit to write to him next week with detailed answers.

David Hanson: I am glad to see I serve some purpose, if there is anything wrong with the Minister's heart—rise and/or sink, depending on his mood. He just mentioned the roll-out across Government, and it is important that he puts on record, either now or by letter, whether any Department is not operating Ban the Box.

Edward Argar: I take the right hon. Gentleman's point. I am not aware of any Department not doing it. There may be some roles, perhaps in the policing or security aspects of Government, where there might be more complex considerations. I undertake to write to him with a clarification on that in due course, when I will answer a number of his other questions.

Robert Neill: Further to that point, will the Minister also commit to letting us know whether any of the Ministry of Justice's contractors are not operating Ban the Box? The Ministry has considerable procurement leverage in these matters. Subject to the caveats about security, we would like to know that, too.

Edward Argar: I am happy to include that, if it is appropriate, when I write to the right hon. Member for Delyn—I will copy it to the Chairman of the Justice Committee, who makes a good point. I do not know whether that data exists, but I will endeavour to get it.

The right hon. Member for Delyn also asked, I think, about the direct impact on the Ministry of Justice. My understanding is that of those people with a previous conviction who applied through the approach that has been taken in the civil service since 2016, 92% subsequently secured employment, which is a positive outcome.

Beyond the guidance for employers, I am proud of the rehabilitative support we have offered in the past. As I say, I will write to the right hon. Member for Delyn with some detailed answers to his questions about the specific list of activities undertaken to ensure that responses and commitments went beyond responses and commitments and followed through into actions. One thing that he mentioned, to which I can respond directly now, is about the education and employment strategy, which was published in 2018 and was explicit, as I understand it, in referring to this. I will give him the detailed action plan that sits beneath the strategy.

I am proud of the rehabilitative support we offer to people who have offended in the past. Our education and employment strategy, published in 2018, sets out how we will transform our approach to ensure that those in the adult custodial estate develop the skills they need to secure employment on release. We are giving governors the power to commission education provision and engage with employers to take on ex-prisoners—for example, via the New Futures Network.

A number of hon. Members have mentioned the debate about the age of maturity and its impact on criminal justice. There is a live debate on whether it should be 18, 25 or somewhere in the middle, reflecting different scientific papers that have been put forward. I think that even the Lord Chief Justice has commented on this ongoing debate. It is something of which I am very much aware. A degree of caution needs to be exercised, if only because the age of 18 is when we deem people mature enough to enjoy certain rights and benefits. If we were to look at whether it should be 18 or 25, would that lead to a wider debate? If we are saying that someone is not criminally mature, what other rights and benefits come with a particular age? I am not setting out a particular view on that, but it does lead to a wider debate. We should not be afraid to engage in that, but we should be conscious of the wider implications.

As hon. Members have mentioned, the Supreme Court recently handed down its judgment in the case of *P* and others, which considered the disclosure regime. On the most fundamental point, the Court found—for the Government—that it was proportionate and practicable to make disclosure decisions in accordance with a clearly defined and unambiguous system, through the operation of legislative rules agreed by Parliament. However, as has been set out, the Court went on to find that two key features of the filtering regime are disproportionate as framed: the multiple conviction rule and the disclosure of youth reprimands and warnings. I will not recount the detail of how they operate, because hon. Members have already done so.

My Department is working closely with the Home Office to give proper consideration to the judgment. The Justice Committee's report touched on something that is relevant. It highlighted the fact that responsibility in this area is split between the Ministry of Justice and the Home Office. Indeed, in some of the issues we have touched on, which I will turn to later, other parts of

Government also have a relevant interest, the Ministry of Housing, Communities and Local Government being an obvious example.

I saw the Committee's suggestion that placing responsibility on a single Department could enhance coherence. We did not accept that recommendation for a simple reason: we come back to the balance at the heart of the system, that balance between a focus on rehabilitation—giving people a second chance—and an element of public protection. Part of that sits with the Home Office and part sits with the Ministry of Justice, which can lead to a creative and hopefully positive tension and balance. Where we must strive to avoid problems is when that balance and those counter-positions or counter-interests can lead to things taking a lot longer than they might do otherwise. In a few moments I will turn to the matter of timing, because the Chairman of the Justice Committee is a deeply patient man but does not have infinite patience.

We work closely with the Home Office to give these things proper consideration. Although that judgment has been handed down, the order behind it has not yet been sent over to us. We await that order. When it is received, it is important that we are speedy and timely in addressing it.

Robert Neill: One thing that might be able to speed these matters along is for the issue to be discussed by the Criminal Justice Board, a mechanism that is there precisely to give an overview across the whole criminal justice system, and which involves the two principally concerned Departments and others. Will the Minister undertake to have it raised on the board's agenda?

Edward Argar: I will raise that very good point with the Secretary of State, who sits on that board. Although I cannot go into the details in advance of that order, I can say, and Members can read into this what they will, that I generally find justices to be wise and sensible in their opinions. They consider what they say extremely carefully and open-mindedly. I believe, from my experience in this role so far, that when one receives a judgment from the Supreme Court, there are often opportunities to look at it in broad, rather than narrow, terms. I will endeavour to reflect on that when the order comes through.

We previously committed to considering the Committee's recommendations for reform of the criminal records system on receipt of that judgment, and we remain committed to that, because it is appropriate for us to consider any recommendations about the disclosure regime in the light of that authoritative ruling. The Committee's recommendations sit neatly alongside it, so it makes sense to consider them in the round.

I now turn to a number of issues that came up in the debate. I am grateful to the Committee for highlighting such a wide range of issues in its report, particularly on access to housing, travel and insurance. I recognise the acute impact that lack of access to those things can have, as well as the cumulative impact on children who have offended. I will take each of the points in turn, but before I do so, I pay tribute to the speech made by the hon. Member for St Helens South and Whiston (Ms Rimmer), who rightly highlighted the need for us to understand not just the requirements of a regime but the context for each individual. She highlighted the

impact on the behaviour of young people who have been looked-after children, who have had adverse childhood experiences and who may even have been victims of child sexual abuse or other forms of abuse. That should be a consideration, and she was absolutely right to raise the issue. Those individuals have a passionate advocate in her. She made her point forcefully and well, and I will certainly reflect carefully on what she said.

The Committee's report concluded that the criminal record system undermines the principles of the youth justice system. Although we do not share that view, the Committee's work highlights further opportunities not yet taken that can enhance the principles and the work of the criminal justice system if we reflect on how the disclosure regime operates more broadly. Children who come into contact with the police and youth offending teams are some of the most vulnerable children in our societies, as the hon. Lady highlighted. We all agree that rehabilitation is important in improving their life chances. Society has a right to expect that we will do everything possible to ensure that all people with convictions desist from crime. Those who offended as children are no different. We have a particular responsibility to children who fall into the categories that the hon. Lady highlighted.

We know how important employment, education and other factors raised by the Committee are in enabling rehabilitation. The hon. Member for Lewisham West and Penge (Ellie Reeves) highlighted that issue and touched on some powerful examples. We are committed to supporting children to turn their lives around. In 2013, the coalition Government changed the law so minor offences no longer needed to be disclosed. It takes significantly less time now for offences committed by children, as opposed to those committed by adults, to become spent, after which they no longer need to be disclosed for most purposes. Those features of the disclosure regime all relate to the fact that children who offend are often highly vulnerable and might not be as mature as adults who do so. There has been progress, and the hon. Lady would expect me to say that, but given her comments about pre-emptive action, I will not say, "That's progress. That's job done. We are in the right place," because I believe that there is clearly more to do.

The Committee raised concerns about equality and disproportionality. I am committed to reducing disproportionate outcomes for BAME children in the youth justice system, and I share the concerns voiced by the right hon. Member for Tottenham (Mr Lammy) in his 2017 report. I reassure the shadow Minister that we take that report incredibly seriously. Since I was appointed to this role last summer, I have met the right hon. Gentleman a number of times. We announced last November via the Cabinet Office the cross-Government "one year on" update on the progress that has been made in that area. I have regular roundtables with those with an interest in this issue to chase up progress. We have a director general in the Department who is directly responsible for bringing officials from a range of parts of the Department together to drive forward progress on reducing disproportionality and implementing the recommendations in the right hon. Gentleman's report. That reflects the fact that I recognise the need for systemic change. A key focus is on explaining or changing disproportionate outcomes for BAME children in the justice system.

[Edward Argar]

I am also aware of the over-representation of vulnerable groups with multiple and complex needs—particularly looked-after children, excluded children and those with mental health issues. Again, it is a fundamental priority for the youth justice system to ensure that those children receive the support and intervention they need to fulfil their potential.

A number of Members touched on the disclosure of police evidence. In our response to the Committee's report, we noted that disclosure of police intelligence can be an important aspect of the regime. That was a key finding of the Bichard report after the Soham murders. It plays a vital part in ensuring that children and vulnerable adults are protected. The police cannot automatically disclose all intelligence. Disclosure of non-conviction information is subject to a statutory relevance test, so the chief officer has to consider whether the information is relevant and ought to be disclosed. That includes consideration of the individual's age at the time of the offence, its seriousness and how long ago it occurred, but once again, as hon. Members have emphasised, the key is proportionality and relevance.

My Friend the Member for Henley (John Howell) touched on housing. Social housing is a precious resource, so ensuring that it is allocated fairly, as he set out, is crucial. We recognise the need to understand better how the allocation system is playing out in local areas, so we know whether it is striking the right balance between fairness, support and aspiration. In the social housing Green Paper, the Government propose an evidence collection exercise to help us to understand how the allocations framework is working across the country in different areas. Following that exercise, we will consider whether changes to legislation, regulations or statutory or best practice guidance are necessary, but we believe that making changes prior to having a clear evidence base would be premature. My Department continues to work closely with MHCLG colleagues to ensure that the points that my hon. Friend and others made, which are directly relevant in this space, are considered in that broader piece of work.

Robert Neill: I am grateful to the Minister for the constructive dialogue that we can have. In carrying out that evidence exercise, will he particularly bear in mind the evidence that we received from the Standing Committee for Youth Justice? Like me, the Minister comes from a background in London local government, and that organisation's findings were that some 13 of the 30 London local authorities it looked at had housing policies that tended to have an unreasonable impact on the allocation of housing to former offenders. If, as he said, a pay cheque is one way of stopping offending, secure accommodation is another.

Edward Argar: My hon. Friend alludes to our shared past in London local government, where I first met him many years ago, when I had a little more hair and it was not quite so grey. He is absolutely right: I meet with the Standing Committee on Youth Justice and consider its reports and input with great care. It is for local authorities to ensure that their allocation schemes are lawful, taking account of any relevant decisions made by the courts. No authority may breach section 4 of the Rehabilitation

of Offenders Act, which requires that a person who has a spent conviction be treated as if the offence was not committed.

My hon. Friend the Member for Henley also touched on education. As we set out in our response to the report, most higher education institutions are autonomous, independent organisations, and as such admissions are a matter for each individual institution. They are best placed to decide which applicants are the most suited for their organisations and the courses that they offer. Similarly, further education providers, including colleges, are independent organisations that can set their own entry criteria for qualifications, in line with those published by the qualification owner.

That said, we expect providers to take account of the Committee's recommendation as part of a transparent admissions process. On universities, I am happy to say that for the 2018-19 cycle, UCAS has dropped the automatic requirement for all applicants to declare unspent convictions, regardless of whether they are relevant to the course for which the applicant is applying. The eligibility for Disclosure and Barring Service standard or enhanced certificates applies to work placements in the same way as other paid or voluntary employment. If a course does not involve a work placement that is eligible for a check, the university can only ask about unspent convictions.

Hon. Members raised the matter of insurance, the Association of British Insurers and other matters. The ABI published a good practice guide in 2011—it was updated in 2014—that sets out high-level standards of how insurers should treat people with convictions or related offences. The guide makes it clear that insurers should not ask for spent convictions. When an insurer is unable to provide full or any cover because of a consumer's unspent conviction history, the insurer should provide information about alternative sources of help.

The hon. Member for St Helens South and Whiston touched on the UN convention on the rights of the child and similar. As stated in our response, the Government consider that the disclosure regime is compatible with the convention. It treats convictions and cautions received by those under the age of 18 differently from those incurred by an adult and, although I hear that hon. Members feel that those people should be treated more differently, we believe that we are compliant with the convention. In the light of the Supreme Court judgment, any future changes to the regime will take the convention into account.

I want to touch on the passionate speech of my hon. Friend the Member for Banbury (Victoria Prentis), and her passionate campaigning work. I am very pleased that she was able to dash from the main Chamber to deliver her speech. I know that she is a passionate advocate for the Ban the Box campaign. She speaks with eloquence and with great knowledge and experience, having worked on this issue for some time. I would be very happy to meet her to discuss that campaign more broadly if she feels that that would be helpful. If the right hon. Member for Delyn and others wished to join us, I would be very happy for them to do so.

There is always a balance to be struck between giving the employers the information that they need to make informed recruitment decisions and having a criminal records system that enables rehabilitation. I look forward to our bringing forward proposals both in response to

the Supreme Court judgment and to formally address the issues set out in the Committee's report. As I said, my hon. Friend the Member for Bromley and Chislehurst is a patient man, but not infinitely patient—nor is his Committee. Hon. Members quite rightly highlighted that although words are important, and this place uses an awful lot of them, they must lead to action.

I am clear that we must, and will, act to address the issues raised and the Supreme Court judgment when the order comes forward. I hope that we can all believe and support a system that believes in redemption, rehabilitation and a second chance. More than ever, that should apply to children who, at a young age, make a simple mistake that should not blight the rest of their lives. I commit to working closely with the Committee in the coming months to respond to and address its points as well as those raised by the Supreme Court judgment. I am very grateful to have had the opportunity to speak on this subject.

3.54 pm

Robert Neill: It is a great pleasure to see you in the Chair, Sir David.

This has been an extremely well-informed and constructive debate. I thank all right hon. and hon. Members, Committee members and others, who have spoken. I am particularly grateful for, and warmly welcome the contribution of, the right hon. Member for Tottenham (Mr Lammy), whose work in this field we all pay tribute to and who recently engaged with us as a Select Committee. My colleagues from the Committee spoke powerfully and persuasively in this debate.

This is an area on which there was a good deal of agreement between the two Front Benchers, and so it should be. In such important matters of not only criminal justice policy but social justice policy, we ought to seek and are well able to achieve a broad cross-party consensus in this place.

This welcome the tone of the Minister's response, because I know that he is genuine, and also welcome his constructive engagement with the debate and the

Committee. I look forward to that continuing. There is compliance not just with the letter of the convention but with its spirit and the ability to take that further, and I know that he and the Secretary of State—both genuine reformers—will seek to do that.

I thank all our Committee staff who worked on the report—some of them are in the Public Gallery today. They did an excellent piece of work. I also thank all those witnesses who gave evidence to us, including those who brought their own experience of the system—it is not always easy to talk about—to assist us directly.

There is an opportunity to consider some of these matters in the other place as well. As the Minister knows, the noble Lord Ramsbotham has a private Member's Bill—the Criminal Records Bill—which awaits Committee in the other place. If the Bill progresses further, the Minister's colleague, the noble Lord Keen, will probably deal with it. I hope he will look as favourably as he can at the changes. It is a broader Bill, but includes specific provisions on rehabilitation periods for childhood and young person offences, which I hope that the Ministry will look at constructively. I am sure we would all want to recognise Lord Ramsbotham's work in this field over very many years.

The Minister has been constructive, and I look forward to engaging further with him, as do all the Committee. He is right that I have a measure of patience—you, Sir David, will know more than anyone that a lifelong West Ham supporter has learnt to be patient over many years, although even our patience in that respect is not inexhaustible. However, I take the Minister's comments in the generous and constructive spirit in which they were made. I again thank all Members who have participated in an important and constructive debate.

Question put and agreed to.

Resolved,

That this House has considered the First Report of the Justice Committee, Disclosure of youth criminal records, HC 416, and the Government response, Cm 9559.

3.57 pm

Sitting adjourned.

Written Statements

Thursday 28 March 2019

DIGITAL, CULTURE, MEDIA AND SPORT

Historic England Tailored Review

The Secretary of State for Digital, Culture, Media and Sport (Jeremy Wright): I am today announcing the start of a tailored review of the Historic Buildings and Monuments Commission for England (more commonly known as Historic England). As a non-departmental public body (NDPB), Historic England is required to undergo a tailored review at least once in each Parliament. This is the first review to take place since the organisation was split into two separate, though related, bodies in 2015: an arm's-length body operating under the name Historic England, and a charity called the English Heritage Trust (trading as English Heritage).

The review will be conducted by my officials and will comprise two stages. The first stage will be a robust challenge to the continuing need for the functions performed by Historic England and, if there is a continuing need, whether some or all of these functions should be delivered by alternative delivery models or continued to be delivered by NDPB. It will also assess the current model and relationship with the English Heritage Trust to ensure it remains fit for purpose. This will include assessing the robustness and long-term sustainability of the current financial and governance arrangements following the split of English Heritage from Historic England in 2015.

If the review finds that the functions should continue to be delivered by NDPB, the second stage will review the structure, efficiency and effectiveness of Historic England. It will also consider the organisational control and governance arrangements in place to ensure that they are compliant with the recognised principles of good corporate governance and delivery of good value for money.

The findings of the review will be examined by a challenge panel, chaired by a DCMS non-executive director, which will rigorously and robustly test and challenge the assumptions and conclusions of the review.

In conducting the review, officials will engage with a broad range of stakeholders across the UK from heritage, culture, planning and development sectors as well as a selection of local government authorities.

The review will follow guidance published in 2016 by the Cabinet Office: "Tailored reviews: guidance on reviews of public bodies". The terms of reference for the review and a survey seeking evidence about HE can be found on the DCMS website at <https://www.gov.uk/government/consultations/tailored-review-of-historic-england>

I will inform the House of the outcome of the review when it is completed and copies of the report of the review will be placed in the Libraries of both Houses.

[HCWS1465]

EXITING THE EUROPEAN UNION

General Affairs Council March 2019

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): Lord Callanan, Minister of State for Exiting the European Union, has made the following statement:

The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Mr Lidington), represented the UK at the General Affairs Council (GAC) meeting on 19 March in Brussels. A provisional report of the meeting and the conclusions adopted can be found on the Council of the European Union's website at:

<https://www.consilium.europa.eu/en/meetings/gac/2019/03/19/>

Multiannual financial framework 2021-2027

The presidency presented a progress report outlining the latest developments on MFF-related sectoral proposals, which Ministers agreed to send to the European Parliament.

Ministers discussed the multiannual financial framework (MFF) for 2021-2027. Ministers agreed that funding migration policy should be a priority in the next MFF. However funding for the internal and external aspects of migration policy was still to be decided. Member states broadly agreed the Commission's proposed 25% target of EU expenditure on climate objectives across all programmes. The new proposal aims to build on the last MFF by having 25% of the Union budget expenditures supporting climate objectives, instead of the 20% from the last MFF, in order to implement the Paris agreement and achieve the United Nations sustainable development goals. Some member states stated that higher targets within the common agricultural policy (CAP) and cohesion policy programmes would be more difficult to achieve under proposed cuts for these programmes.

The Commission encouraged member states to be adaptable in their positions in order to reach an agreement on the negotiations in autumn 2019. The shared goal was to provide a simplified draft position in preparation for leaders to discuss at the June European Council.

Instrument for pre-accession assistance

Ministers were presented with the partial general approach on the regulation establishing the instrument for pre-accession in assistance (IPA III). The IPA III is part of the MFF and supports EU enlargement policy by providing funding and support for implementing key political, institutional, social and economic reforms to comply with EU values, rules, standards and policies. The beneficiaries of the IPA III are Albania, Bosnia and Herzegovina, Kosovo, North Macedonia and Turkey. After formal adoption of the mandate at a future Council, discussions are expected to begin between the Council, European Commission and European Parliament under the Finnish presidency.

Preparation of the European Council 21-22 March 2019: Conclusions and European Council follow-up

The Council discussed preparations and draft conclusions for the 21-22 March European Council. These included climate change, the upcoming EU-China summit, tackling disinformation and strengthening the European economic base. Member states were unanimous in calling for a wide-ranging discussion on the single market and industrial policy. As such, there were broad calls from member states for the Commission to produce an integrated 2030 industrial strategy by March 2020.

Member states welcomed the recent Commission - European external action service communication on China. Member states also welcomed the inclusion of an acknowledgement of the fifth anniversary of the annexation of Crimea, and many member states highlighted the need to counter the threat of disinformation, especially in the run up to the European Parliament elections.

The UK welcomed the joint communication on China, supported the addition of language on Crimea and restated our commitment to the policy of non-recognition of Russia's annexation of Crimea. We also welcomed the inclusion of the issue of disinformation on the agenda and highlighted the need to build resilience against hybrid threats.

European semester

The presidency presented a report on the discussions and main political messages from the different Council configurations on 2019 European semester package. The Council noted that although the European economy had entered its sixth year of growth, further action is needed to tackle global instability and economic challenges. The Commission welcomed the presidency's report and the emphasis on country-specific recommendations.

[HCWS1460]

FOREIGN AND COMMONWEALTH OFFICE

Foreign Affairs Council 18 March 2019

The Minister for Europe and the Americas (Sir Alan Duncan): My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs attended the Foreign Affairs Council (FAC) on 18 March. It was chaired by the High Representative of the European Union for Foreign Affairs and Security Policy (HRVP), Federica Mogherini. The meeting was held in Brussels.

Commemoration of the fifth anniversary of the illegal annexation of Crimea

The High Representative and Foreign Ministers marked the fifth anniversary of the illegal annexation of Crimea and Sevastopol by holding a short livestreamed session. The HRVP reiterated the key elements of the EU position; the EU did not, and would not, recognise this violation of international law, and stood in full solidarity with Ukraine, supporting its sovereignty and territorial integrity.

Current affairs

HRVP Mogherini expressed shock and solidarity with New Zealand over the attacks in mosques in Christchurch.

The High Representative and Ministers welcomed the results of the third Brussels conference on supporting the future of Syria and the region, which reaffirmed EU support for the UN-led political process and Syrian people by successfully mobilising aid from the international community

The High Representative briefed Ministers on the international contact group's ongoing work on Venezuela. Foreign Ministers expressed their concern at the continuing deterioration of the humanitarian situation. They reiterated the urgent need to find a way towards a political process.

The High Representative and Ministers also noted the signature of the peace agreement in the Central African Republic and the recently announced US measures on the International Criminal Court.

China

The Council held a wide-ranging and comprehensive exchange of views on China and EU-China relations, ahead of its discussion with Chinese State Councillor and Foreign Minister Wang Yi. The discussion fed into the 21-22 March European Council meeting and EU-China summit on 9 April, in Brussels.

The discussion was informed by the joint communication by the High Representative and the Commission entitled "EU-China: A strategic outlook" which had been adopted on 12 March. Ministers welcomed the assessment made in the joint communication and the proposed actions. While the 2016 China strategy remains the basis for EU co-operation with China, the joint communication provides useful guidelines on how to refine Europe's approach to China to be more realistic, assertive and multi-faceted.

Republic of Moldova

The Council discussed the Republic of Moldova following its 24 February Parliamentary elections.

Foreign Ministers agreed that the formation of a Government should be a transparent and credible process that respected the outcome of the election. EU co-operation with Moldova will continue to be based on the implementation of the 2014 association agreement, with financial support conditional upon Moldova's progress. The Council reaffirmed that the EU would continue to work to provide tangible benefits for the Moldovan people and support for civil society.

Yemen

Ministers recalled that there can be no military solution to the conflict in Yemen and that the only way forward was the full implementation of the Stockholm agreement. They stressed the need to keep up the political momentum and to push the parties to fulfil urgently their commitments, as well as the need to see immediate progress on the ground.

The Council reiterated the EU's full support for the UN special envoy Martin Griffiths and his efforts in finding a lasting, sustainable, enforceable, inclusive and negotiated political solution within a UN-led framework. Foreign Ministers highlighted in particular the importance of fully involving Yemeni women in the political process, and expressed concern at the lack of improvement in the dire humanitarian situation, especially access for humanitarian aid. The Council reiterated that the EU and its member states would continue their humanitarian assistance efforts and lend political support as necessary.

Lunch with Chinese State Councillor and Minister of Foreign Affairs, Wang Yi

Over lunch, Foreign Ministers held an open and wide-ranging discussion with Chinese State Councillor and Foreign Minister Wang Yi.

Council conclusions

The Council agreed a number of measures without discussion:

The Council adopted conclusions on the EU guidelines on non-discrimination in external action.

The Council adopted conclusions on the European Court of Auditors special report 35/2018: "Transparency of EU funds implemented by NGOs: more effort needed".

The Council adopted conclusions on the first European topical peer review for nuclear safety.

The Council reviewed the sanctions regarding the situation in South Sudan, and agreed to maintain the restrictive measures currently in place against one person.

The Council approved the specifications for the 2019 military crisis management exercise (MILEX 19).

The Council established the EU's position for the 15th meeting of the EU-Republic of North Macedonia Stabilisation and Association Council, which will take place on 19 March 2019 in Brussels.

[HCWS1463]

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Leasehold Market Reform

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): The Government are committed to tackling unfair practices in the leasehold market and to promoting transparency and fairness for leaseholders.

It is vital that we have a leasehold market that is transparent, fair and affordable for all those involved; where people know in advance what they are going to have to pay, are not saddled with mounting or unaffordable costs and are able to challenge fees if they feel they are unjustified or unfair.

Today I am announcing a package of measures to further support existing as well as future owners of leasehold homes.

This includes clamping down on unjustified legal costs for leaseholders, an industry pledge to tackle doubling ground rent charges and reforms to provide greater consumer protections and transparency around the use of event fees in retirement leasehold properties.

Under current rules, leaseholders may be liable to pay the legal costs of their landlord regardless of the outcome of a legal challenge. This has led to cases of leaseholders being forced to pay tens of thousands of pounds in legal fees, even when the court or tribunal has found in their favour. This can lead to leaseholders facing higher bills than the charges they were seeking to challenge in the first place. It can also deter leaseholders from taking their concerns to a tribunal.

We will bring forward legislation to close these legal loopholes that allow freeholders to unjustifiably recoup legal costs from leaseholders.

I am also pleased to unveil industry's leaseholder pledge, which we have worked on closely with them. This will mean that developers, freeholders, lawyers and managing agents are committing to taking steps to help leaseholders, especially those who are affected by rapidly doubling ground rents. I would like to take this opportunity to commend all those who have already signed up, and to urge those who have yet to do so to do the right thing. We expect all those who are involved to help put right problems for people who are affected.

Today I am also announcing the Government's response to the Law Commission's 2017 report on "Event Fees in Retirement Properties".

Implementation of these recommendations will help older people and their families to be better protected from hidden costs and unfair fees charged in some leasehold retirement properties, where owners are required to pay an event fee on certain events, such as sale, sub-letting or change of occupancy. A new statutory code of practice will ensure that these fees cannot be charged unexpectedly, while fees that breach it will be regarded as unenforceable. Developers and estate agents will be required to make all such fees crystal clear to people before they buy, so prospective buyers can make an informed decision before forming a financial or emotional attachment to a property.

I am committed to reforming the leasehold market so that it is fit for purpose and works for everyone and today's package of reforms builds on our wider leasehold reform programme to reaffirm this commitment.

[HCWS1466]

Troubled Families Annual Report

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): As required by the Welfare Reform and Work Act 2016, section 3(1), my Department has published the third annual report, setting out how the troubled families programme (2015-2020) has been supporting disadvantaged families. We are laying this report today and will place a copy in the House of Commons Library.

This notice details what the report covers, for the period up to the end of March 2019, as well as for the next financial year, including setting out which families are eligible for the programme and how the progress of families will be measured.

"Building Resilient Families: Third annual report of the troubled families programme 2018-19" details how the programme is spreading whole family working across local services so more families get access to the early, practical and co-ordinated support they need to overcome their complex problems.

This programme of whole family working has achieved significant progress over the past 12 months:

Local authorities have been funded to work in a whole family way with 380,426 families in most need of help as part of the programme. However, we know that local authorities are working in a whole family way with a far greater number of families.

Some 171,890 families have achieved significant and sustained progress against the problems that were identified when they entered the programme. This is up 79,645 on the previous year.

Of all families worked with since the beginning of the programme, in 20,366 families one or more adults have succeeded in moving into continuous employment. An increase of 6,459 since last year.

When compared to a matched comparison group, the programme of targeted intervention was found to have:

reduced the proportion of children on the programme going into care by a third;

reduced the proportion of adults on the programme going to prison by a quarter and juvenile convictions by 15%;

supported more people on the programme back in work with 10% fewer people claiming jobseekers allowance.

Families classed as "relevant households" on the programme, as defined by section 3 of the Welfare Reform and Work Act 2016, are tackling at least two of the following challenges:

Parents or children involved in crime or anti-social behaviour;

Children who are not attending school regularly;

Children who need help; that is children of all ages who need help, are identified as in need or are subject to a child protection plan;

Adults out of work or at risk of financial exclusion or young people at risk of worklessness;

Families affected by domestic violence and abuse;

Parents or children with a range of physical and mental health problems.

The rationale for these eligibility criteria and an explanation of the way in which local authorities should identify families using a range of indicators, suggested referral routes and information sources were set out in the refreshed version of the financial framework, published on 8 December 2017. The financial framework also sets out how the progress of families supported will be measured.

[HCWS1464]

JUSTICE

Fixed Recoverable Costs in Civil Cases

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): The Ministry of Justice is today publishing a consultation paper *Extending Fixed Recoverable Costs in Civil Cases: Implementing Sir Rupert Jackson's proposals*. We are seeking views on implementing the proposals in Sir Rupert Jackson's report on fixed recoverable costs (FRC) in civil cases in England and Wales, published on 31 July 2017.

In civil litigation in England and Wales, the winning party is generally entitled to recover their costs from the losing party. The legal costs of civil cases have, however, been too high and too uncertain for a long time, making litigation riskier and less accessible than it should be and thereby undermining access to justice.

FRC are a way of controlling the legal costs of civil litigation in advance by prescribing the amount of money that can be recovered by the winning party at set stages of litigation. They reduce overall costs, keep them proportionate and enhance access to justice. They are already an important part of our justice system in lower value personal injury cases and the time is right to consider their extension.

The consultation will run until 6 June 2019. I have placed a copy of the consultation in the libraries of both Houses.

[HCWS1462]

TRANSPORT

Maritime and Coastguard Agency Business Plan

The Parliamentary Under-Secretary of State for Transport (Ms Nusrat Ghani): I am proud to announce the publication of the Maritime and Coastguard Agency's (MCA) business plan for 2019-20. The MCA does vital work to save lives at sea, regulate ship standards and protect the marine environment. The agency does not just affect those working on the coast or at sea, it upholds the legacy of our great maritime nation.

The business plan sets out:

- the vision for a future aviation strategy, including the next phase of helicopter contracts;
- improvement to the already first class HM Coastguard; and
- the next phase of the survey and inspection transformation programme.

At the international level, MCA will work alongside the Department and with the input of other Government Departments to represent the UK's interests at the International Maritime Organization, and at other relevant bodies.

Domestically, MCA will continue to work collaboratively to grow the maritime sector in the UK so that it continues to contribute positively to the economy. They will also provide a valuable contribution to the delivery of the ambitions set out in "Maritime 2050" and its accompanying route maps.

This plan allows service users and members of the public the opportunity to see how the agency is developing and using new technologies to improve its services and performance.

The key performance indicators will assess how the agency is performing in operating its key services, managing reforms and the agency's finances throughout the year.

The business plan will be available electronically on gov.uk and copies will be placed in the Libraries of both Houses.

The attachment can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2019-03-28/HCWS1459/>.

[HCWS1459]

Motoring Agencies: Business Plans

The Minister of State, Department for Transport (Jesse Norman): I am pleased to inform the House of the publication of the 2019-20 business plans for the Department for Transport's motoring agencies—the Driver and Vehicle Licensing Agency (DVLA), the Driver and Vehicle Standards Agency (DVSA) and the Vehicle Certification Agency (VCA).

The business plans set out:

- the services each agency will deliver and any significant changes they plan to make;
- the resources they require; and,
- the key performance indicators, by which their performance will be assessed.

These plans allow service users and members of the public to understand the agencies' plans for delivering their key services, implementing their transformation programmes, and managing their finances.

The business plans will be available electronically on gov.uk and copies will be placed in the Libraries of both Houses.

Attachments can be viewed online at <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2019-03-28/HCWS1458/>.

[HCWS1458]

WORK AND PENSIONS

Households Below Average Income Statistics

The Secretary of State for Work and Pensions (Amber Rudd): I will be making an Oral Statement on this subject later today.

[HCWS1461]

Petitions

Thursday 28 March 2019

OBSERVATIONS

TRANSPORT

Closure of the Wellingborough Driving Test Centre

The Humble Petition of the residents of Wellingborough, Northamptonshire and the surrounding areas,

Sheweth,

That the petitioners believe that the closure of the Wellingborough Driving Test Centre should be refused on the grounds of the loss of local access to driving tests, the increase in congestion and emissions in and around Northampton and Kettering, increased lead times for test dates and the increased costs to learner drivers and parents.

Wherefore your Petitioners pray that your Honourable House urges the Secretary of State for Transport and the Driver and Vehicle Standards Agency to take into account the concerns of the petitioners and refuse to grant the closure of the Wellingborough Driving Test Centre.

And your Petitioners, as in duty bound, will ever pray, etc.—[Presented by Mr Peter Bone, Official Report, 12 March 2019; Vol. 656, c. 313.]

[P002436]

Observations from the Minister of State, Department for Transport (Jesse Norman):

The Government wants to keep people safe on Britain's roads by helping everyone through a lifetime of safe driving.

The test centre in Wellingborough is located within the sports centre in Glamis Hall, which over time has changed and expanded its service to the community. The area the Driver and Vehicle Standards Agency (DVSA) uses within the sports centre is no longer suitable for either its customers or its staff. Glamis Hall had also proposed a substantial rent increase.

On 13 March, representatives from the DVSA met local approved driving instructors to discuss the closure of Wellingborough test centre. During the meeting the DVSA was told Glamis Hall was willing to offer the DVSA another facility at low cost. The DVSA has since contacted Glamis Hall and is in discussions about the

possibility of negotiating new lease terms. Once these discussions are concluded the DVSA will make a decision on testing provision in Wellingborough.

Zebra Crossing on the Green, Writtle

The Petition of Ms Clare Biggs.

Declare that a zebra crossing should be installed on The Green, Writtle; further that increased traffic using The Green and the speed at which some of it is travelling means that it is increasingly difficult for villagers to cross the road safely, particularly the most vulnerable: young children, the elderly and disabled; further that the current traffic islands are too slim to accommodate pushchairs, wheelchairs and bicycles and do not provide a safe crossing point; and further notes a petition on this same subject has received over 800 signatures.

The petitioner therefore requests the House of Commons to urge the Government to install a zebra crossing on The Green, Writtle.

And the petitioner remains, etc.—[Presented by Mrs Kemi Badenoch, Official Report, 13 March 2019; Vol. 656, c. 8P.]

[P002440]

Observations from the Minister of State, Department for Transport (Jesse Norman):

The design, installation and maintenance of pedestrian crossings are matters for local highway authorities. They have powers to establish crossings on their roads, as well as a duty under section 122 of the Road Traffic Regulation Act 1984 to “secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians)”.

Local authorities would need to consider local factors such as pedestrian numbers, road layout, traffic flow and speed and accident records in deciding whether a crossing is necessary, and if so what type to provide. The Department for Transport has published guidance on the assessment and design of pedestrian crossings, in two Local Transport Notes (LTNs):

LTN 1/95: The Assessment of Pedestrian Crossings

LTN 2/95: The Design of Pedestrian Crossings

Both publications are available on the Department's website at <https://www.gov.uk/government/publications/local-transport-notes>.

Local authorities are free to make their own decisions about the design of the streets under their care, provided they take account of the relevant legislation. It would be inappropriate for the Government to seek to intervene in the process of local democratic accountability.

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**not later than
Thursday 4 April 2019**

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