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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Tuesday 9 July 2019

House of Commons

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

JUSTICE

The Secretary of State was asked—

Courts Digitisation Programme

1. **Chi Onwurah** (Newcastle upon Tyne Central) (Lab): What recent assessment he has made of the effect on access to justice of the courts digitisation programme. [911797]

The Parliamentary Under-Secretary of State for Justice (Paul Maynard): Enhancing access to justice is at the heart of our £1 billion court reform programme. Our new online district services provide an easily accessible, intuitive route for people to bring cases to court. Her Majesty's Courts and Tribunals Service is testing, learning and inducting online services, based on feedback from the people who use them. More than 150,000 people used our services in 2018 and public feedback has been extremely positive.

Chi Onwurah: Unfortunately, this Government are developing a track record of using digital technology not to improve services and empower people, but to cut costs and exclude people, so will the Minister commit to me now that he will ensure that the digitally excluded, especially the homeless, detainees and prisoners, have special access to support services; that access to legal aid will be clearly signposted online for the digital courts; and that the feedback and performance data—showing who is using these services, where and when—is publicly shared, so that we can measure whether the programme really is a success?

Paul Maynard: I am grateful for the hon. Lady's question. I am intuitively sympathetic to all the points that she makes. I am very clear that there should always remain a telephone service, a paper-based service for those who need it, and the appropriate signposting. Inclusive justice is very important and we should never innovate merely because we can. We do not use new technologies merely because we can, but because they give a better outcome for the people who use our justice system.

Stephen Crabb (Preseli Pembrokeshire) (Con): When it comes to the digitisation of the probate service, the Minister should be aware that constituents are still coming to me, reporting delays of up to 10 or 12 weeks before they receive probate. They are having to negotiate automated email replies and phone lines that are too busy to handle calls. What can he say today to give relief to my constituents and others who are affected, following the death of a loved one?

Paul Maynard: My right hon. Friend has cleverly anticipated Question 15. I have heard from Members across the House the deep frustration they feel regarding the current issues in the probate system. Delays had reached as long as eight weeks last month. We have put in place a number of measures to try to reduce the overall waiting time. It is now back down to roughly six to seven weeks, but that is still not good enough. We are now clearing the number of outstanding cases by about 1,000 a day, and I hope that the backlog can be cleared in around two to three months.

Andy Slaughter (Hammersmith) (Lab): Is not the truth that what is happening at the moment is a restriction on access to justice, because almost half the courts in the country have been closed? Will the Minister follow what the Association of Her Majesty's District Judges has said, and put a moratorium on court closures until the digitisation programme—£200 million over budget, spending £70 million on consultants—is seen to work?

Paul Maynard: I very much hear what the hon. Gentleman is telling me. He will recall a debate that we had in this Chamber a couple of weeks ago on that point. We have no plans to close any further courts at the moment, but he will recognise that there is a need to make sure that our court estate is used appropriately, and he will recognise that where court buildings are not used, or indeed are used for less than half the time for which they could be available, we have to look at making sure that what we do in our courts best meets the needs of our estate and of the people using our courts system.

Yasmin Qureshi (Bolton South East) (Lab): Last year, the Government made a huge fanfare about their female offenders strategy but announced only £5 million for it. Recently, legal aid was increased by £8 million, but that pales into insignificance compared with £67 million spent on consultants to provide cuts to our courts. Instead of throwing money at the consultants, surely there should be a proper debate in this House on the Government's disastrous court closure programme.

Paul Maynard: When I speak to most sensible people across the entire justice system, there is a recognition that our justice system has to modernise. If we do not transform or modernise the system, the service will become increasingly unsustainable and will deliver a progressively worse service for the people for whom I know the hon. Lady wants to get the best outcomes possible—I do too. If we do not modernise, our district system will not be able to maintain that level of service.

Benefit Application Appeal Tribunal Hearings

2. **Mr Philip Hollobone** (Kettering) (Con): What recent estimate he has made of the average waiting time for benefit application appeal tribunal hearings in (a) Northamptonshire and (b) England. [911798]

The Parliamentary Under-Secretary of State for Justice (Paul Maynard): Between January and March 2019, the average waiting time for benefit appeals in Northamptonshire was 21 weeks. In England, it was 33 weeks.

Mr Hollobone: Too many of my Kettering constituents are having to wait far too long for their appeals to be heard when their benefit applications are turned down. The Minister has read out average figures, but some of the waits are over 30 weeks. What can he do to speed up the appeals process in Kettering?

Paul Maynard: I was almost disappointed that my hon. Friend did not phrase his first question better, because I was going to go on to tell him that in Kettering, the waiting time was actually 33 weeks, which is comparable to the England average—12 weeks longer than that in Northamptonshire. If I may anticipate the further follow-up question that he might have liked to ask, in Kettering we are making new venues available, particularly in Wellingborough and Northamptonshire, and we have added three judges, eight disability qualified tribunal panel members and two medically qualified tribunal panel members to try to reduce waiting times in his constituency.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD) *rose*—

Mr Speaker: No, no, no, no, no, no. Caithness, Sutherland and Easter Ross is not only not in Northamptonshire; it is not in England! It really is stretching the point. Oh, very well. If the hon. Gentleman wants to make a pertinent inquiry appertaining to Northamptonshire, in which no doubt he has the deepest interest, or relating to England, I will give him the benefit of the doubt.

Jamie Stone: You are very gracious, Mr Speaker. Benefits actually cover the whole UK and I represent the furthest-away constituency in the UK mainland. Delays in decision making are troublesome to say the very least. The problem as I see it is that the key decision makers are not actually based in Wick, where there are excellent staff, but much further south. Would it not be a good idea if we moved key decision makers closer to people in need?

Mr Speaker: That is a very cheeky piece of shoehorning.

Paul Maynard: I am presuming that the hon. Gentleman is encouraging me to have more tribunals in Wick, as opposed to decision makers. Since I have 3,000 employed in my own constituency making key decisions on personal independence payments, I do not think we should move to Wick. None the less, there is a lack of tribunals in his constituency. We will have to hear further information from him as to how we can improve accessibility there.

Mr Speaker: In relation to the hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone), the hon. Member for Huddersfield (Mr Sheerman) just chuntered from a sedentary position, “Yes, but he’s a nice guy.” Well, I think we can all agree about that.

Prison Staff: Health and Safety

3. **Grahame Morris** (Easington) (Lab): What assessment he has made of the adequacy of health and safety for prison staff. [911799]

10. **Liz Twist** (Blaydon) (Lab): What assessment he has made of the adequacy of health and safety for prison staff. [911806]

The Minister of State, Ministry of Justice (Robert Buckland): Keeping our prisons safe, both for the dedicated staff working in them and for the men and women in our custody, is our top priority. Her Majesty’s Prison and Probation Service continually assesses the risks to staff in our prisons, putting in suitable measures and controls. The effectiveness of those controls is monitored locally and nationally, and through joint audit work with prison unions.

Grahame Morris: I thank the Minister for that reply, but it must be of concern to the whole House when the Ministry of Justice’s own figures show that violence against prison staff is at a record high. There were almost twice as many assaults in 2018 as there were in 2010. Does the Minister agree that everyone working in our prison system, whether as a prison officer, an educator, a nurse or anything else, should have an absolute right to a safe workplace, safe from violent assaults? Will he support the joint trade union “Safer Inside” campaign to secure that objective?

Robert Buckland: The hon. Gentleman raises an important point and he is right to alert us to the day-to-day bravery of prison staff in whatever part of the prison estate they work. A lot of work is going on to improve how prison staff interact with prisoners, and the Assaults on Emergency Workers (Offences) Act 2018 allows the courts to impose greater sentences to deal with assault. I will look very carefully at the proposals that are being set out tomorrow and work with Members across the House to ensure that we rise to the challenge of prison violence.

Liz Twist: Sexual assaults against prison staff have soared by 360% since 2010—a shocking statistic that the Government should be ashamed of. Does the Minister agree that the recent attack that saw a prisoner ejaculate over a female officer should be treated as a sexual assault—and a serious sexual assault at that—and be prosecuted as such?

Robert Buckland: The hon. Lady raises a very interesting point. While I think it would be invidious of me to comment on a particular case, I can see the force of her point. That is quite clearly a very serious assault and there are aggravating features in there, which make it particularly distressing for the worker involved. As I said, a lot of important work is going on with regard to body-worn cameras and we need the roll-out of PAVA spray to help protect prison officers who, let us face it, are doing such an important job that is all too often unheralded.

Robert Courts (Witney) (Con): The use of psychoactive substances is regrettably on the rise in prisons and has an effect on behaviour. What are the Government doing to tackle that?

Robert Buckland: My hon. Friend raises an important point. Indeed, the service has started research on the effects on prison staff of second-hand exposure to psychoactive substances, in particular across 10 prisons.

That testing programme will be extended. We have also established a drugs taskforce, because the best way to deal with the risk is to minimise the use of drugs in prisons. That is a tough challenge, but one that the whole service is working towards.

Imran Hussain (Bradford East) (Lab): Teachers, nurses, cleaners and many others are a vital part of our prison workforce. However, alongside prison officers, they are exposed to the dangers of the prison estate, which the prisons inspector just today has stated contains too much violence, drug use and inactivity, and frankly remains in a state of emergency. Staff have the right to work in a safe environment that is free from violence, abuse and danger, but violence against staff is reaching record highs. Will the Justice Secretary commit today to meeting the teachers I met earlier, and who are in the Gallery to hear his answers, to ensure the safety of all our staff in our prisons?

Robert Buckland: I am always interested in meeting staff from across the prison estate, and that includes the teachers who are here today. The hon. Gentleman is right to highlight Peter Clarke's important report. That report contains significant findings relating to the ongoing challenges, but it also celebrates the professionalism, the caring and the well-run safe, calm parts of our prison estate that exemplify a successful history and pattern of working. I was delighted to be able to attend the prison officer of the year awards last week to acknowledge some of the outstanding service given by prison officers and other employees in HMPPS.

Divorce

4. **Eddie Hughes** (Walsall North) (Con): What steps the Government are taking to encourage divorcing couples to reconcile. [911800]

20. **Sir Desmond Swayne** (New Forest West) (Con): What steps his Department is taking to provide counselling to couples seeking a divorce. [911817]

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): When people make the difficult decision to divorce, the evidence suggests that counselling will often be too late at that stage. Seeking counselling would be a personal choice for those involved. For counselling to bring a change of direction, it would require the willing co-operation of both people in the marriage. We will look at the information available to people who are contemplating divorce to see whether we can strengthen signposting to marriage counselling, and our Bill will provide the opportunity for parties to reflect on the decision to divorce by introducing a minimum timeframe within the legal process. Couples who can reconcile will be able to do so.

Eddie Hughes: Now that divorce is being made easier, with no-fault divorce going on the statute book, should we have parallel provision to help couples to save their marriages? I think the best way to do that would be further investment in services under section 22 of the Family Law Act 1996.

Mr Gauke: I think there is a wider debate to be had about how Government as a whole can address issues that lead to relationship breakdown. Simply funding marriage support services may not address the heart of

the issue or reach the people who need help most at the right time, but I agree that there is a need to test what works to help couples to stay together, and I am happy to listen to the arguments about that.

Sir Desmond Swayne: What mediation services and contact centres are available, and what is their role?

Mr Gauke: Family mediation offers a way to resolve child or financial arrangements without litigation, and child contact centres provide safe, neutral venues where separated couples can build sustainable long-term child arrangements. In reforming the legal process for divorce, we will look to strengthen how couples are signposted to such services. My right hon. Friend refers to counselling, a service for people whose relationships are in trouble. As well as using services such as Relate, many people draw on family, friends and others they can trust. A marriage is more likely to be saveable before the legal process of divorce has begun.

Jim Shannon (Strangford) (DUP): Can the Minister outline what discussions have been held about offering support for counselling through charitable initiatives such as Relate to cut down waiting times from eight weeks? During that time many couples decide that their issues are irrevocable when in fact they might have been salvageable with help and support.

Mr Gauke: As I said earlier, there is a wider debate on this matter. I believe that the earlier such support can be provided, the better. When it comes to reform of divorce law, my argument is that by that stage it is often too late. In any event, the current requirement in our divorce law to attribute blame and fault makes it all the harder for marriages to be reconciled.

Sir Peter Bottomley (Worthing West) (Con): I think my right hon. Friend and the Government have got the approach right. Divorce is not the time to start putting difficulties in people's way. When people get married, they know it is going to end in desertion, divorce or death; on the whole, death is the one we would choose, but preferably not as a result of too active participation by the other half.

May I reinforce what my right hon. Friend said, and ask him whether he will try to make it better known, not just in his Department but in others, that if people can get into stable households, all sorts of things go better? Poverty is reduced, anguish is reduced, life is extended and people have better lives, so times of family formation, reformation and even de-formation can lead to a better life for most people.

Mr Gauke: I do agree with my hon. Friend, and I am interested by the insights into the Bottomley household. The fact that our current divorce laws introduce conflict at the point of divorce can make the break-up of relationships more confrontational than it needs to be in what are already difficult circumstances.

Mr Speaker: I believe that the hon. Gentleman has been married for 52 years.

Sir Peter Bottomley: In sickness and in health.

Mr Speaker: I believe that to be so. [Interruption.]

Mr Speaker: And Lady Bottomley says so as well, as the hon. Gentleman pertinently observes from a sedentary position.

Short Sentences

5. **Patrick Grady** (Glasgow North) (SNP): What assessment his Department has made of the effectiveness of sentences of less than three months in reducing reoffending. [911801]

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): There is persuasive evidence that short custodial sentences do not work for the purposes of rehabilitation and helping some offenders to turn their backs on crime. They are highly disruptive to people's lives, and provide little time for the Prison Service to do any meaningful rehabilitative work. In certain circumstances, community sentences are more effective in reducing reoffending and addressing offenders' needs. Unless we tackle the underlying causes of reoffending, we cannot protect the public from being victims of crime. There is a strong case for abolishing short custodial sentences, with some exceptions, and I shall set out proposals shortly.

Patrick Grady: The Secretary of State will be pleased to know that 85% of those who responded to the Scottish Government's consultation supported the existing presumption against short sentences, and were in favour of extending that beyond the current three-month presumption. Given that that presumption has helped to achieve a 19-year low in reconviction rates, I hope he agrees with the outcome of the consultation. Perhaps he will also tell us exactly what "shortly" means, and exactly when the UK Government intend to follow the Scottish Government's lead on these matters, as they should on so many others.

Mr Gauke: "Shortly" means "shortly". [*Laughter.*] I am not going to elaborate on that, but I will say that in considering sentencing reform it is necessary also to look more broadly at the probation system. That is why I recently announced proposals to reform probation that will inform offender management and strengthen confidence in probation. However, I advise the hon. Gentleman to watch this space.

Robert Neill (Bromley and Chislehurst) (Con): I welcome the link that my right hon. Friend has made between sentencing and probation. Does he agree that one of the compelling arguments in favour of reform is that the vast majority of people who are given short sentences tend to be repeat petty offenders whose behaviour is often driven by a number of factors such as drug addiction, debt, alcoholism and mental health issues—which are not and cannot best be treated in a custodial setting—and that we ought to invest far more in treating those people effectively outside, in the interests of public protection as much as anything else?

Mr Gauke: I entirely agree with the Chairman of the Justice Committee. If we put people inside for a short time—for instance, prolific shoplifters—we want to address that criminality, but all that we actually do is make them more likely to reoffend and continue to be prolific criminals. Evidence shows that when it comes to reoffending rates, community sentences work better, but we need to do everything we can to ensure that they can be improved.

Ellie Reeves (Lewisham West and Penge) (Lab): In the past five years, more than 300,000 prison sentences of less than a year have been handed out, but the reoffending rate among that cohort is a staggering 64.4%. The Justice Committee has repeatedly called for the abolition of short custodial sentences. I appreciate that the Secretary of State is sympathetic to that call—I note his answer to an earlier question—but may we please have swift and urgent action?

Mr Gauke: I agree with the hon. Lady's point about the statistics—we should be led by the evidence—and I hope to make further progress on this matter in the time that is left ahead.

Victoria Prentis (Banbury) (Con): I very much hope that a large amount of time is left to my right hon. Friend, who has been a truly reforming Secretary of State in this area, and I endorse everything said on this question by my fellow members of the Select Committee on Justice. However, does the Secretary of State agree that it is very important that if we do have community sentences they are robust and well enforced? Given that the original question was asked by a Scottish MP, I am conscious of the fact that one in three community payback orders in Scotland are ignored by criminals.

Mr Gauke: My hon. Friend is right to highlight that point, and much though I believe that we should make rapid progress in this area, I think that we should do so in a way that ensures the system works properly, and I do think that the link with, for example, strengthening community sentences and the way the probation system works is very important. I hope that we are moving in a direction whereby we can make progress and we focus on ensuring that these prolific petty offenders do not reoffend and we are led by the evidence on what is the most effective way to achieve that, and my sense is that there is a large cross-party consensus on this point.

Jenny Chapman (Darlington) (Lab): When the Secretary of State decided to bring back 80% of community rehabilitation company activity into the National Probation Service that was welcome news, and I thank him for that, but he has left the community payback and accredited programmes in a different place. If he does not intend to bring that back into the core service, too, will he at least commit to having it commissioned as locally as possible?

Mr Gauke: Again, we have been led by the evidence. Offender management is not working as we need it to work with regard to the CRCs, but some of the other activity CRCs do is done very well: there is good innovation and good measures are taken, and we should recognise that. So I believe the private and voluntary sectors have a significant role to play, but it is different from the role played until now. In terms of commissioning and so on, I believe we need to ensure that reflects local circumstances and that is part of our plans.

Prisoners: Access to Work

6. **Dr Caroline Johnson** (Sleaford and North Hykeham) (Con): What steps the Government are taking to increase opportunities for prisoners to access work before they are released. [911802]

21. **Mark Pawsey** (Rugby) (Con): What steps the Government are taking to increase opportunities for prisoners to access work before they are released.

[911818]

23. **Daniel Kawczynski** (Shrewsbury and Atcham) (Con): What steps the Government are taking to increase opportunities for prisoners to access work before they are released.

[911820]

The Minister of State, Ministry of Justice (Robert Buckland): A year ago, our education and employment strategy set out plans to transform the way prisoners develop the skills they need to secure employment on release, and in addition our new release on temporary licence framework aims to increase the number of people these opportunities are available to by allowing more prisoners to access it sooner and for longer.

Dr Johnson: I pay tribute to companies such as Timpson that are leading the way in employing ex-offenders. Which other companies is my hon. and learned Friend working with on this issue?

Robert Buckland: I am delighted to say that large companies such as Greene King from the catering and hospitality sector and Wates from the construction sector are now working with the new futures network that was set up last year to bring more employers, large and small, into partnerships with prisons.

Mark Pawsey: Futures Unlocked is a charity in my constituency with a community café supported by Warwickshire police and crime commissioner Philip Seccombe. It gives work experience to people who have just completed a prison term and has just been awarded the Queen's award for voluntary service. That is a great example of opportunities that can be offered after release, but what can be done beforehand?

Robert Buckland: I join my hon. Friend in supporting Futures Unlocked and extend my congratulations to it on receiving the Queen's award, and my hon. Friend is right to talk about what can be done beforehand. It is about building confidence, and that is why the new futures network that I mentioned, which brokers partnerships with employers to provide opportunities before release, will be crucial if we are to extend the benefit of this scheme and reduce reoffending.

Daniel Kawczynski: There is still some reticence among certain companies to employ ex-offenders. The Minister has highlighted some of the real success stories in the private sector where companies have specifically hired ex-offenders in a very effective way. What is his Department doing to showcase those success stories, to ensure that more companies follow this important goal?

Robert Buckland: My hon. Friend is right to talk about changing the culture. A number of companies are quite openly employing ex-offenders. Also, the Ban the Box initiative, which is all about encouraging companies to employ people with previous offences and removing the tick-box exercise, is supported within the Government and increasingly in the wider business community. I attended an event with the creative industries only three weeks ago to highlight that important initiative.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): But the Minister will know that what prisoners need is not only to have been prepared and had training while they are in prison but to have the full monty when they leave. They need housing, an opportunity to work and the full support of a good probation service, as was said by the hon. Member for Bromley and Chislehurst (Robert Neill), the Chairman of the Justice Committee. Does the Minister realise, however, that when people who are found not guilty following a miscarriage of justice come out of prison, they get nothing?

Robert Buckland: The hon. Gentleman refers to miscarriages of justice. The prison system is there to deal with the prisoners in front of it, whatever might have happened with the case or proceedings they were involved with. However, he is absolutely right to talk about the need for housing. I am particularly interested in the £6.4 million initiative from the Ministry of Housing, Communities and Local Government, which is working with Bristol, Leeds and Pentonville prisons to support released prisoners into accommodation. I am sad to say that there is a correlation between the lack of secure accommodation and the return to offending.

Mr Gregory Campbell (East Londonderry) (DUP): Does the Minister acknowledge that this sort of practice has been going on for some years in prisons such as Magilligan Prison in my constituency and that it is replicated in other prisons? Does he agree that the practice should be shared right across the United Kingdom and that it will, we hope, lead to a reduction in reoffending rates?

Robert Buckland: I am interested to hear the example that the right hon. Gentleman gives in the Northern Irish prison that he represents. The through-the-gate service, which deals with employment, housing and benefit support, is crucial if we are to reduce reoffending, and the Government are investing an extra £22 million a year in prisons in England and Wales. I am working actively with my colleagues in the Department for Work and Pensions to improve early access to universal credit.

Legal Advice Deserts

7. **Sandy Martin** (Ipswich) (Lab): What steps his Department has taken to tackle legal advice deserts.

[911803]

The Parliamentary Under-Secretary of State for Justice (Paul Maynard): After the latest Legal Aid Agency civil tender, the number of offices providing legal aid services has increased by 7% in the areas of housing and debt. The Legal Aid Agency reviews the access to services on a regular basis and takes any necessary action to maintain access to those services.

Sandy Martin: As the east of England is the region with the highest percentage of population with no providers of housing legal aid, and as Ipswich is in the centre of the housing legal aid desert that covers the whole of Suffolk and most of north Essex, will the Minister agree to meet me and the director of the Suffolk Law Centre to discuss what can be done to address this housing legal aid desert?

Paul Maynard: I anticipated that the hon. Gentleman might ask about his local situation. Although a contract was awarded in Ipswich in the last tender, we are waiting for the provider to advise us that it has managed to recruit staff to provide advice. We are aware that this will be restricting access, and we will shortly consider re-tendering the service. I am more than happy to meet the hon. Gentleman to discuss this further.

Julia Lopez (Hornchurch and Upminster) (Con): Public confidence in the legal aid system is often determined by high-profile cases such as the inquests into the Manchester bombing and the London Bridge attacks, in which the taxpayer funded the legal fees of the public authorities and, in the case of London Bridge, the widow of one of the terrorists, but not the victims of the attack. Many people feel instinctively that this is not right, so what work is the Minister doing to build confidence in the justice of the current system so that the victims of terror do not face their own legal advice desert?

Paul Maynard: I certainly hear what my hon. Friend says. Our thoughts will always be with those who have lost loved ones in any terror attack. Our review of legal aid shows that bereaved families do not need specific legal representation at the vast majority of inquests. It is important to ensure that these inquests remain inquisitorial, but what is known as equality of arms has to be a key consideration, as we know from Dame Elish Angiolini's report. I am therefore working closely with my officials to look at what more can be done to help those families who are in an inquest situation.

Richard Burgon (Leeds East) (Lab): This month marks 70 years since the post-war Labour Government introduced the Legal Aid and Advice Act 1949. Tory cuts have decimated access in recent years, and those cuts alone mean 90,000 families denied legal aid for benefits challenges—a move that the United Nations criticised—and 50,000 families denied housing legal aid, letting rogue landlords off the hook, as well as tens of thousands left facing the hostile environment without legal support. Labour has committed to restoring legal aid for all family law, for housing, for benefits appeals, for judicial review preparation, for inquests and for real action on immigration cases. Will the Minister mark the 70th anniversary of legal aid by committing to return any of those?

Paul Maynard: As we survey the decaying embers of a dying regime reaching its inevitable conclusion, it is good to see the shadow Secretary of State showing that he is waving and not drowning, as he desperately tries to draw attention to the fact he is full of vim and vigour. As he will know, we are currently reviewing legal aid thresholds and exceptional case funding. We are bringing special guardianship orders back within the scope of legal aid, and we are looking at legal support action plans.

I am unclear, the more I listen to Labour Front Benchers, about why they assume that the only way to provide legal support is to fund it through legal aid. We will shortly have a question on law centres and, for me, there have to be a number of ways to provide legal support.

[*Interruption.*] “And for us,” I hear the hon. Gentleman say from a sedentary position, and I am pleased to hear that.

Probation Reform

8. **David Hanson** (Delyn) (Lab): What recent progress he has made on probation reform. [911804]

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): I am pleased to have announced plans to streamline probation delivery, through the National Probation Service, to build on the role of the private and voluntary sectors in driving innovation and to better support skilled probation officers. These changes will allow the public, private and voluntary sectors to play to their strengths and ensure stronger supervision and support for offenders. We are now developing the commercial and operational frameworks that will underlie the future system, and we are planning for the transition. We are undertaking a full programme of market engagement to inform our plans, in addition to engagement with probation staff and trade unions.

David Hanson: By any stretch of the imagination, the changes to the probation service have been a shambles, fragmenting the system and increasing risk to the community at large. A simple “sorry” may also help the Minister's answer, but will he give an indication of the cost of cancelling the current contracts next year? What will be the replacement costs for the state or other providers in taking over those services?

Mr Gauke: First, “Transforming Rehabilitation” introduced bold reforms, and steps have been taken to ensure there is more innovation within our system, but I recognise that significant elements of it are not working as needed, which is why we have made the changes.

On the right hon. Gentleman's point about costs, it is worth bearing in mind that we originally expected to spend £3.1 billion on community rehabilitation companies over a seven-year period, and we now expect to spend £2.7 billion over the same period. In other words, over the lifetime of the contracts, we now expect to spend £405 million less on CRCs than originally forecast.

Sarah Newton (Truro and Falmouth) (Con): Probation works best when working with local partners. A brilliant charity in my constituency is owed £1,800 as a result of Working Links going into administration. This is a significant sum for the Dracaena Centre in Falmouth. Will the Secretary of State intervene to ensure it is paid for its excellent work?

Mr Gauke: We will look at the specific case my hon. Friend raises, but we have already intervened to ensure those charities that have lost out as a consequence of what happened with Working Links receive support. I will make sure I look at her individual case.

Liz Saville Roberts (Gwynfor Meirionnydd) (PC): Considering that many community rehabilitation companies are now discredited for prioritising profit over public safety, how will the Government hold them to account when mismanagement of their contractual responsibility for probation comes to light?

Mr Gauke: To be fair to the CRCs, I am not sure that any of them is taking steps to get profits—but perhaps to reduce their losses. In truth, the shareholders of CRCs have somewhat subsidised probation services in recent years. We will hold the CRCs to their contractual obligations and ensure they deliver what they are contractually obliged to deliver.

Leaving the EU: No Deal

9. **Stuart C. McDonald** (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): What steps his Department has taken to prepare for the UK leaving the EU without a deal; and if he will make a statement. [911805]

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): Our justice system is respected across the world. That was the case before we joined the EU, and it will continue to be the case after we leave. The Department has taken all necessary steps to ensure we are prepared for a deal across MOJ interests and for the possibility of a no-deal exit, to the extent it is possible to do so.

This includes working closely with other Departments to ensure that essential services continue; working with suppliers of key products to ensure essential supplies are in place; providing the courts and judiciary with additional training and resources to enable them to prepare for possible changes; and ensuring that contingencies are in place for any potential traffic disruption in the south-east of England.

Stuart C. McDonald: I thank the Secretary of State for that answer and welcome the strong statements he has made recently on a possible no-deal Brexit. Does he agree that, regardless of how much preparation is done, the implications of no deal for our justice systems would be dire?

Mr Gauke: What I would say to the hon. Gentleman is that leaving the EU without a deal risks some significant impacts across the justice system, including potential disruption to goods and services to our prisons; an increase in case load and case complexity across court jurisdictions; increased pressure on our courts system; the loss of access to several law enforcement tools, including the loss of data exchange tools, making it more difficult to protect the public; and market access impacts on our legal sector, restricting or removing our ability to operate in EU markets. So do I think a no-deal Brexit is a good idea? No, I do not.

Joanna Cherry (Edinburgh South West) (SNP): I commend the Secretary of State for his honesty, but I wonder whether he would pass on his knowledge on this subject to the two candidates to be the next Prime Minister, because, despite their recent and mercifully brief visits to Scotland, they seem unaware of the impact on the safety of people living in Scotland and across the UK if we leave the EU without a deal. Has he spoken to them to explain that if we do not have the use of the European arrest warrant, it will be extremely difficult to apprehend people who commit violent crime in this country and then go back to the continent, whereas at the moment this can be done within a matter of days?

Mr Gauke: Both candidates for the leadership of my party have made it clear that they do not want a no-deal Brexit, and I wish them well—[*Interruption.*] I understand that the chances are “a million to one”, so I wish them well in their endeavours.

Joanna Cherry: It would seem that the Secretary of State and I must be reading different newspapers. In an earlier answer, he mentioned problems of data protection if we leave without a deal. Has he explained to the candidates to be Prime Minister that leaving without a deal means we would lose membership of Europol and, because of data protection rules, that would mean that not only would the police no longer have access to data held by Europol, but information that Police Scotland has currently been providing to Europol will be removed from Europol databases, thus prejudicing ongoing investigations? Does he agree that it is not acceptable for people in Scotland to have their safety so prejudiced?

Mr Gauke: First, I can confirm that I suspect we do read different newspapers, but I agree that the loss of access to various law enforcement tools would make it more difficult to protect the public. I am sure there are ways in which these issues can be addressed, but a much better way forward would be to leave the EU—this is where we disagree—with a deal.

Richard Burgon (Leeds East) (Lab): A no-deal Brexit poses a serious threat to our justice system; ending access to the European arrest warrant and criminal database would leave us all less safe. The Justice Secretary agrees about those no-deal dangers, but I also fear that no deal is a stepping stone to a free trade deal with the United States of America. Labour’s justice spokesperson in the Lords recently asked whether our prisons would be up for grabs for American corporations in any post-Brexit free trade deal with the US, and the Government’s vague answer alarmed me. So will the Justice Secretary clearly state today that our prisons should not be part of any post-Brexit free trade deal with the USA?

Mr Gauke: First, I think I read different newspapers from the hon. Gentleman, although I do read the *Morning Star* when he has an article in it. [*Interruption.*] Which is not quite every day, although it sometimes feels like it. On trade deals with the US, it is the intention of this Government, and, I suspect, of the next Government, to enter into a trade deal with the US, but we would want to do so in a way that protects public services.

Tackling Reoffending: Voluntary Sector

11. **Nigel Huddleston** (Mid Worcestershire) (Con): What assessment the Government have made of the role of the voluntary sector in tackling reoffending. [911807]

The Minister of State, Ministry of Justice (Robert Buckland): The voluntary sector has a pivotal role in supporting rehabilitation and helping offenders to turn their lives around. I want to expand that role, including in the delivery of local and specialist services by smaller organisations. We have committed to tender up to £280 million of contracts for unpaid work, accredited programmes and rehabilitation interventions in the future model.

Nigel Huddleston: There are indeed many brilliant charities and voluntary organisations that help ex-offenders get back on their feet, including in my constituency the likes of Caring Hands in the Vale, which is led by the brilliant Diane Bennett, and other organisations that work throughout the country, such as The Right Course, which is led by Fred Sirieix. What practical help can the Government give to such organisations?

Robert Buckland: My hon. Friend is right to raise the excellent work done by those two organisations. In fact, more than 10,000 people work for voluntary organisations that are involved in criminal justice, and I want to involve them more closely. I have mentioned the dynamic framework, but we will also have a £20 million regional outcomes fund to pilot innovative programmes. The new regional probation model will allow local approaches at a local level.

Support for Veterans

12. **Dan Jarvis** (Barnsley Central) (Lab): What recent steps the Government have taken to support veterans in the criminal justice system. [911808]

The Parliamentary Under-Secretary of State for Justice (Edward Argar): We all owe a great debt to those who serve in our excellent armed forces—including, of course, the hon. and gallant Gentleman—both during and after their service, and that also applies to those former armed forces personnel who enter the criminal justice system. The Government have committed £5.7 million to the support of ex-armed forces personnel in the criminal justice system, and we work in close partnership with a range of service charities to provide the help that they need.

Dan Jarvis: I thank the Minister for his response. I know he understands that veterans can have more complex needs than other offenders, but those needs are not always recognised, meaning that some do not get the support they require. Does he agree that we should have a dedicated veterans support officer in every probation and prison area?

Edward Argar: The hon. and gallant Gentleman raises an important point. He is absolutely right that many veterans have specific needs, which are, for example, often met in the custodial estate by service charities that understand and can relate to those needs. He raises a sensible and interesting suggestion that I am happy to pick up with him after questions.

Law Centres

13. **Marsha De Cordova** (Battersea) (Lab): What his Department's policy is on law centres. [911809]

The Parliamentary Under-Secretary of State for Justice (Paul Maynard): We recognise the valuable work that law centres do in local communities throughout the country and support them in that work through both grant funding and legal aid contracts.

Marsha De Cordova: Law centres such as South West London Law Centres, which has an office in my constituency, provide a significant cost saving to the

public finances by helping to resolve legal issues in the fields of debt, employment, immigration and housing before they spiral out of control. Will the Minister commit to securing Treasury funding to provide a central grant to law centres to ensure their survival?

Paul Maynard: A few weeks ago I visited my local law centre in Blackpool, the Fylde Coast Advice and Legal Centre, and saw the excellent work that it does. The centre that the hon. Lady mentioned is on my "to visit" list, so staff there will be seeing me imminently. She makes the important point that we need to bring early legal advice as close as possible to the individual's front door, and not wait for matters to reach the court door. We are committed in our legal support action plan to looking into how law centres can best be utilised to deliver on that agenda, so I am keen to hear what staff have to say to me when I get to meet them.

Family Courts: Rape and Domestic Abuse Survivors

14. **Preet Kaur Gill** (Birmingham, Edgbaston) (Lab/Co-op): What recent assessment he has made of the adequacy of the service provided by family courts to survivors of rape and domestic abuse and their children. [911810]

The Parliamentary Under-Secretary of State for Justice (Paul Maynard): We are determined to improve the family justice response to vulnerable parents and children, including victims of rape and domestic abuse. An expert panel has been established to help us better to understand victims' experiences in the family courts, and we will hold a public call for evidence to build a more detailed picture of any harm caused during or following proceedings.

Preet Kaur Gill: One of the most senior family court judges has described it as "shaming" to preside over so many cases where individuals are being forced to represent themselves because of the impact of legal aid cuts, especially as we should be minimising harm to children of victims of domestic violence. This really should be a central concern of our justice system. Is the Minister shamed by the effects of his Government's policy?

Paul Maynard: What we are seeking to do with the panel that we have set up is make sure that we reappraise the incremental changes that have occurred over time and understand how that has impacted on practice in the courts. I am very keen to see what the panel has to say. It is independent, and I am not trying to pre-judge its outcomes at all, but I hope that it comes up with a series of short-term changes that we can make immediately. Areas of further work may be required.

Gloria De Piero (Ashfield) (Lab): I wrote to the Minister requesting the removal of automatic entitlement to joint assets from those guilty of attempting to murder their spouse. In his response, he expressed concern that to do so may punish the offender twice. But that is exactly what is happening to the victim: they are subject first to attempted murder and then to continued abuse through the courts and the potential loss of their home. The victims' rights must always come first. Does he support the removal of the presumption of entitlement to joint assets in these cases?

Paul Maynard: I do understand the points that the hon. Lady makes. I am glad that she read my reply carefully, and I understand why it might concern her. Part of the objective of this panel is to make sure that we look across the wide spectrum of practice in the family justice system. I have heard the points that she has made and I am sure that the panel will have, too. I look forward to seeing what advice the panel has.

Topical Questions

T1. [911822] **Marsha De Cordova** (Battersea) (Lab): If he will make a statement on his departmental responsibilities.

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): The Government intend to bring forward legislation when parliamentary time allows to create a Helen's law. We propose to change the life sentence release test to ensure that, in a case where an offender has been sentenced for murder and the remains of the victim have not been found, the Parole Board must take account of any failure or refusal to disclose the location of those remains when assessing whether such an offender is safe to release. Although the Parole Board already considers such a failure or refusal as part of its risk assessment procedures, our proposal will set that out in statute. I pay tribute to Marie McCourt for her tireless work on the Helen's law campaign and the hon. Member for St Helens North (Conor McGinn) for similar such work.

Marsha De Cordova: Last month, in a letter to me, the Secretary of State revealed that more than £26 million of public money has been wasted in a single year fighting and losing personal independence payment appeals. That is a vast sum, in addition to an appeals process that is forcing many disabled people to wait for their decisions. Does he believe that we are getting good value for public money, or does he accept Labour's view that this is not only cruel but wasteful, and that it shows that we need to scrap these unfit-for-purpose assessments?

Mr Gauke: It is important that, where we have a benefit such as personal independence payments, we make an assessment as to whether those payments are going to the right people, and that, if there is an appeal against that, those appeals should be defended unless we believe that a mistake has been made. It is worth bearing in mind that, from memory, something like 4% of PIP assessments are overturned.

Mr Speaker: I call Dr Caroline Johnson.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): Oh—I thought that I had Topical Question 6, Mr Speaker.

Mr Speaker: Well, it is done on an alternating basis. *[Interruption.]* I am just helping the hon. Lady. One alternates between the two sides of the House, and although she has Topical Question 6, she is the first of the Government Back Benchers, so her time is now. During the period in which I have been helpfully prattling away, she will, I feel certain, have conceived of an absolutely brilliant question.

T6. [911827] **Dr Caroline Johnson:** Following the debate in Westminster Hall yesterday, can my hon. and learned Friend the Minister of State tell me when he will be able to bring forward a Bill to increase the penalty for those who are convicted of causing death by dangerous driving?

The Minister of State, Ministry of Justice (Robert Buckland): I thank my hon. Friend for raising that issue. I am grateful to the Petitions Committee and to all hon. and right hon. Members who took part in that important debate yesterday, and to the families of the victims of that dreadful crime. It is my wish, and the wish of the Government, to bring forward the necessary legislation to change the maximum sentence from 14 years to life imprisonment as soon as humanly possible.

Richard Burgon (Leeds East) (Lab): Last week I exposed the fact that the number of homeless women going to prison has almost doubled in the past four years. What is especially shocking is that almost half of all women now going to prison are homeless. This is an appalling indictment of our broken justice system. Prison is all too often the very worst place for people who desperately need help to tackle the underlying problems of homelessness, poverty, mental ill health and substance addiction that led to them being jailed in the first place. Is the Minister concerned that our prison system is targeting the poor, the marginalised and the vulnerable?

Mr Gauke: The hon. Gentleman sets out many of the reasons why we brought in the female offender strategy last year. We are seeking to address the root causes of criminality, which are very often—even more so with women—to do with mental health issues, as well as the fact that a very large proportion of women offenders are victims of domestic abuse. It is right that we have a female offender strategy that focuses on non-custodial measures; part of that will be women's residential centres.

Mr Bob Seely (Isle of Wight) (Con): Will the Minister update us on the sale or transfer to the Isle of Wight Council of Camp Hill prison? Is he aware of the importance of the site to the Island and to public housing on the Island, and does he understand the frustrations of Islanders, who see yet another bit of land being land-banked by either developers or Government Departments?

Robert Buckland: My hon. Friend is right to raise this issue. I am as anxious as him to ensure that that land can be put to good use. I wrote to him last month. We have commissioned a demolition survey of the former Camp Hill prison, and I will meet him when the results are available later this month. I will also visit the Island to see the prison estate and to talk about the matter directly with the Island council.

T2. [911823] **Bambos Charalambous** (Enfield, Southgate) (Lab): Since the Corston review into women in the criminal justice system in 2007, over 100 women have died in prison. INQUEST has recently published an update on its report, "Still Dying on the Inside", which sets out the tragic and often avoidable circumstances around the deaths of women in custody. What concrete actions has the Minister taken to resolve this crisis?

The Parliamentary Under-Secretary of State for Justice (Edward Argar): The hon. Gentleman makes a very important point. Although the female deaths in custody

rate is lower than that of men, every single death is a tragedy that we must do everything we can to prevent; and likewise with self-harm. We have improved the support available to women in prisons. As my right hon. Friend the Secretary of State has said, we believe that in many cases a community sentence or community support is better and more effective than prison. The hon. Gentleman will have seen the announcement we made a few weeks ago about the health and justice plan that we are currently working on to improve health and support for everyone in prison—not just female offenders, but obviously including them.

Neil O'Brien (Harborough) (Con): Recent Ministry of Justice research shows the increasing concentration of crime in the hands of a few prolific criminals, but written answers that I have received in the past few weeks suggest that too few are being jailed. Will my right hon. Friend look to review the sentencing of prolific offenders?

Mr Gauke: This is one of the rare occasions when I have to say that I disagree with my hon. Friend. For prolific offenders of minor crimes, it is my view that a non-custodial approach is the right one, but we need to ensure that that works effectively. That is why I have announced reforms to probation. One problem we have at the moment is that such offenders get a short custodial sentence, which only disrupts lives but does not allow any opportunity to do any work on rehabilitation.

T3. [911824] **David Hanson** (Delyn) (Lab): I agree with the Secretary of State's last point, but in order to achieve that he will need to reverse the trend that has seen a fall in drug and alcohol rehabilitation requirement orders from 170,000 five years ago to 120,000 this year. Will he look at that point?

Mr Gauke: I certainly will. We have recently announced an extension of the community sentence treatment requirement pilots. That is the direction that we need to be going in to address some of the substance abuse and mental health issues that often lie behind these prolific offenders who do cause great difficulties for society. If we want to reduce reoffending, we need to focus on that group and take effective, evidence-led measures.

Stephen Metcalfe (South Basildon and East Thurrock) (Con): On behalf of my constituent Linda Jones, may I thank and congratulate the Justice team, from the bottom of my heart, for bringing forward Helen's law? Let us collectively hope that making parole harder to achieve unless a perpetrator reveals the whereabouts of the body will lead to the discovery of the remains of Danielle Jones—Linda Jones's daughter—as well as those of Helen McCourt and all the other victims of such tragedies.

Mr Gauke: I thank my hon. Friend, who has been tireless on this cause on behalf of his constituent. Having met Marie McCourt, I know the pain that is suffered by those relatives who never get the opportunity to say farewell to their loved one. My hon. Friend has been making that case very, very forcefully, and I thank him for that.

T4. [911825] **Stuart C. McDonald** (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): Contrary to the Government's fairly timid review of the Legal Aid,

Sentencing and Punishment of Offenders Act 2012, Jo Wilding's new report on legal aid for immigration cases warns that urgent policy action is required to avoid catastrophic market failure in England and Wales. Will Ministers read that report and respond with the urgency required?

The Parliamentary Under-Secretary of State for Justice (Paul Maynard): I am always happy to read any report relevant to my brief. We are already reviewing many parts of the legal aid framework, particularly around the thresholds. I will have a look at that report and take it on board.

Tom Pursglove (Corby) (Con): As we head into the comprehensive spending review, what pitch will my right hon. Friend be making to the Treasury relating to prisons and schemes that have been successful in reducing reoffending?

Mr Gauke: My hon. Friend raises a very important point about reducing reoffending. I hope that there can be a focus in the comprehensive spending review on what the evidence leads us to do in reducing reoffending and prioritising areas that are effective in bringing down crime. He hits the nail on the head.

T5. [911826] **Toby Perkins** (Chesterfield) (Lab): I have been in communication with the Under-Secretary, the hon. Member for Blackpool North and Cleveleys (Paul Maynard), about a constituent of mine who is facing an appalling situation with the Legal Aid Agency. The Legal Aid Agency applies a £100,000 disregard to eligibility for legal aid if someone is living in their main dwelling, but because my constituent is fleeing domestic violence and living in a women's refuge, her property is considered to be her second home and she is being asked for the legal aid back. That cannot be the intention of the policy, but the Minister has not been able to do anything for my constituent. Will he urgently look into this and get us to a situation where people fleeing domestic violence are not penalised as a result of living in a refuge?

Paul Maynard: The hon. Gentleman wisely sent his communication to my parliamentary email, so I got to read it. That is a note to other Members around the House as to how to get my attention. I have already asked to speak to officials this afternoon and I hope to be in touch as soon as I can.

Tim Loughton (East Worthing and Shoreham) (Con): The Non-Contentious Probate (Fees) Order 2018 went through Committee at the beginning of the year but has still not been subject to a vote here. Given that the proposed increase, for no additional work, from £215 to potentially £6,000 has been described as an abuse of the Lord Chancellor's fee-levying powers, has he had second thoughts and decided to reject this iniquitous proposal?

Mr Gauke: I think the Government will be responding to that in due course.

Tim Loughton: What does that mean?

Mr Speaker: “What does that mean?”, the hon. Gentleman chunters from a sedentary position. He is not in a minority of one in posing that question, but the Secretary of State’s reply was delphic.

T7. [911828] **Janet Daby** (Lewisham East) (Lab): Youth offending teams are struggling to provide their services for young people and the public as the result of year-on-year cuts to those services. This has meant highly complex case loads for staff, meaning that they can only respond through crisis intervention work. What are the Government going to do to help councils provide the sustained preventive interventions that are desperately needed in this sector?

Edward Argar: We, like the hon. Lady, value the work that youth offending teams do with children who have offended and the work they do to prevent offending. The Youth Justice Board’s total funding this year for frontline services, including youth offending teams, is £72.2 million, which is an increase on last year. We continue to invest in youth offending teams, but it is also important that we encourage innovations such as I saw when I visited Lewisham’s youth offending team earlier this year.

Mr Philip Hollobone (Kettering) (Con): IPP prisoners are those imprisoned indefinitely for public protection who have been found guilty of serious violent and sexual offences. In 2011, 300 were released. In 2017, 616 were released. How can the public feel safe when more than 10 of these people a week are being released on to our streets?

Robert Buckland: My hon. Friend asks an important question about sentences of indeterminate length for public protection. I assure him that the Parole Board applies the most rigorous of tests before release. Indeed, the number of recalls to prison pursuant to that regime is about 1,000 prisoners. We still have 2,500 within the estate subject to that regime. There are counterweights that suggest to me that some prisoners have been there for too long, but I hear what he says.

T8. [911829] **Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): I have an urgent topical question for the Secretary of State. He has always been very good on victim support, and he will be relieved that my question is not about miscarriages of justice. Brake in my constituency works with victims of road crashes and road injuries. It is a very good and unique group, but I have heard that it is losing its grant from the Ministry of Justice. Why would that be?

Mr Gauke: I thank the hon. Gentleman for his kind words. Let me look at that particular issue and, if I may, I will write to him.

Robert Neill (Bromley and Chislehurst) (Con): In his speech at the Mansion House last week, the Secretary of State rightly and powerfully paid tribute to the integrity and value of an independent judiciary to this country. Will he make it possible for that speech to be disseminated to all Members of this House, so that everyone here recognises the responsibility that sits

upon us to treat the judiciary with respect and support its independence from political or other attacks at all times?

Mr Gauke: I thank my hon. Friend for those remarks. I believe it is very important to this country that we respect the independence of the judiciary, and the rule of law is at the heart of what we are about as a country. I can tell him that my speech is available on the gov.uk website—I hope that this announcement will not result in that website crashing, but I assure the House that it can be found there.

Mr Speaker: Well, that sounds an intoxicating read.

T9. [911830] **Alex Norris** (Nottingham North) (Lab/Co-op): I look forward to meeting the Prisons Minister next week to discuss HMP Nottingham. One of the major challenges at the jail is drugs. What is the latest update on the roll-out of body scanners at this prison and others?

Robert Buckland: I am grateful to the hon. Gentleman for his continued interest in and concern for the welfare of prisoners and staff at HMP Nottingham. I look forward to updating him in detail next week. Among the issues we will discuss is that of drugs and how to eradicate them.

Nigel Huddleston (Mid Worcestershire) (Con): I was delighted last Friday to present long-service awards to more than a dozen prison officers and staff at Long Lartin Prison in my constituency. Will the Prisons Minister join me in thanking them for their service, often of more than 20 years? What is being done on the recruitment and retention of prison officers?

Robert Buckland: I am grateful to my hon. Friend for taking such an interest in his local prison and taking part in that scheme. I mentioned the prison officer of the year awards. The importance of those awards is to recognise the outstanding service of prison officers and other staff within the estate. In terms of retention, we are improving the way in which we train and support prison officers, particularly the newest recruits, and the number of prison officers has increased by 1,500 in the year to date.

T10. [911831] **Bridget Phillipson** (Houghton and Sunderland South) (Lab): The work of our youth offending service in Sunderland is vital, yet since 2011 it has lost almost half its funding. If the Secretary of State is serious about diverting young people away from crime, will he look again at the current funding situation? We can and should be doing much more to support our young people, their families and the wider community.

Edward Argar: As I said to the hon. Member for Lewisham East (Janet Daby), we recognise the vital work of youth offending teams across the country. We have increased the funding for frontline services this year. Local authorities also have a role to play. While she is right that the funding has reduced, it is worth remembering that so too has the statutory case load, by a significant amount. That is not the only factor—they do other work, which must be recognised—but it is a factor.

Dr Sarah Wollaston (Totnes) (Ind): What assessment has the Minister made of the delays and errors at the Cardiff probate office, because what used to take a matter of 10 working days for my constituents is now taking months? Can he set out exactly what is causing the delays and, more importantly, what can be done to reduce them?

Paul Maynard: As I said at the start of Question Time, it is wrong that people in a state of bereavement are having to wait so long for these matters to be addressed. In May the average waiting time was eight weeks, and it has now decreased to six or seven weeks. I intend to keep working with Her Majesty's Courts and Tribunals Service to keep that downward trend and bring waiting times back to the traditional two to three weeks.

Thangam Debbonaire (Bristol West) (Lab): The Prisons Minister has been good enough to keep me informed of developments at HMP Bristol in Horfield and of the urgent notification status. Will he agree to visit the prison with me, hopefully in the next couple of months, so that he can see for himself the challenges there are and how we can support the prison and the next governor to provide a safe regime?

Robert Buckland: I am grateful to the hon. Lady for her continuing interest in HMP Bristol. The response to the urgent notification will be issued this week, and I will indeed visit the prison with her in the coming months to ensure that the necessary progress is achieved.

Alex Cunningham (Stockton North) (Lab): In his answers to my hon. Friends the Members for Lewisham East (Janet Daby) and for Houghton and Sunderland South (Bridget Phillipson), the Minister seemed content with youth offending services, yet every day we see the results of the Government's neglect of those services. Assuming that he has learned from that failure, what advice will he offer his successor to sort it out?

Edward Argar: I am grateful to the hon. Gentleman for that question—I am not yet sure whether that will be a matter for me or for a successor, but I assume he meant it kindly. He is right that the central Government grant has been reduced, as I said in answer to the hon. Member for Houghton and Sunderland South (Bridget Phillipson), and so too has that contributed by local authorities. It is important also to recognise the reducing statutory case load to set alongside that, although that is in no way to diminish the absolutely vital work that youth offending teams do. The hon. Gentleman is right to highlight that. I share his concern and will continue to work closely with the Youth Justice Board on it.

Louise Haigh (Sheffield, Heeley) (Lab): Campaigners and I are really pleased that the Government have commissioned a review of the treatment of victims of domestic abuse by the family courts, but we are concerned that survivors' voices are not at the heart of the panel. I am looking forward to meeting the Minister next week, but will he take this opportunity to confirm on the record how victims and survivors of domestic abuse can participate in the review without fear of breaching gagging clauses imposed on them by the family courts?

Paul Maynard: The hon. Lady makes an excellent point. I have already had discussions with the panel's chairs on how to ensure that as broad a spectrum of people as possible can participate in the panel and its evidence taking. I will take away that point and hopefully have a concrete answer for her by the time we meet.

Wera Hobhouse (Bath) (LD): Witnessing domestic abuse, especially as a child, is traumatising and has an impact on life for years to come. In the upcoming domestic violence legislation, will the Minister commit to including children who have witnessed domestic abuse in the statutory definition of a domestic abuse victim?

Edward Argar: The hon. Lady rightly highlights the importance of the draft Domestic Abuse Bill, which we hope to bring forward as soon as we have fully considered the recommendations of the Joint Committee on the draft Bill. I know that is something that came up in evidence and in the Joint Committee, and it is something we will be looking at very carefully.

Mrs Emma Lewell-Buck (South Shields) (Lab): My constituent Claire Ball was sexually abused as a child. She bravely went through the trauma of giving evidence against the perpetrator in court. Throughout that process, Claire was given less support than the perpetrator, had no option for witnesses to support her and, disgustingly, was accused of "leading him on". He was found not guilty—Claire has still not been given a clear reason why—and has remained living close by. Can the Minister explain to me and to Claire, since she must relive the trauma every time she sees the perpetrator, when the Government will redress the inequity faced by child sexual abuse victims in our justice system?

Edward Argar: The hon. Lady makes a powerful point. The issues to which she alludes are likely to fall under the responsibilities of both the Crown Prosecution Service and the court. I am happy to meet her to discuss the specifics of the case and, as appropriate, take them up with the Solicitor General and the Attorney General.

Speaker's Statement

12.44 pm

Mr Speaker: In a moment, we will come to the ten-minute rule motion. However, the House will be aware of the subsequent business appertaining to Northern Ireland. By way of explanation, I wanted to mention the following. Last night, my office received a telephone call from a sadly rather uninitiated tabloid scribbler who seemed much excited by the rumour that “Mr Speaker would not be chairing Committee proceedings”. He was most anxious to decipher the reason for this, because it seemed to him most mysterious. Kindness and generosity of spirit prevent me from naming the said individual. [HON. MEMBERS: “Go on.”] However, perhaps I can be permitted to say on the Floor of the House what is well known to Members: it is a very long established convention that Mr Speaker does not chair the Committee of the whole House. When I say a long established convention I am referring to a convention dating back to the 17th century.

I know that some people are slow learners and others are late developers, but I hope that the chappie has now got the point, and it will be a professional utility to him thereafter not to need to trouble my staff to be educated on this front. There we go, there is hope for us all. The fella has now, I think, probably grasped the point.

Tin Mining Subsidence

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

12.46 pm

George Eustice (Camborne and Redruth) (Con): I beg to move,

That leave be given to bring in a Bill to require the Coal Authority to undertake remedial works on properties with subsidence damage as a result of tin mining; to make provision for the Coal Authority to make compensation payments in lieu of such works; and for connected purposes.

The Cornish tin mining industry left many great legacies. In its heyday, it generated extraordinary wealth for our nation. Between the 15th and 18th centuries, there was even a stannary parliament in Cornwall that had the power to veto certain tax proposals coming from central Government. The industry was also a catalyst for great invention and innovation. Richard Trevithick from Camborne invented the first steam locomotive, and William Murdoch from Redruth invented gas lighting—both inventions that shaped our modern world.

There were companies, too, such as Holman's, which developed extraordinary drilling technology that was exported to mining operations around the world. When the industry declined in the late 19th century, Cornish miners took their expertise around the globe to build mines as far afield as Australia, South Africa, California, Mexico and South America. Today, we still have the world-famous Camborne School of Mines, located with Exeter University at Falmouth, and a new generation of companies is taking that heritage of drilling expertise to the oil and gas industry, and to renewables. There is even some discussion about reopening the last tin mine at South Crofty, as tin prices have recovered.

For those living in Cornwall, however, there is a less welcome legacy from tin mining—the problem of subsidence damage caused by historical mine workings. The subterranean area in Camborne, Pool and Redruth in particular, but also in many parts of Cornwall, is said to resemble a Swiss cheese. It is a complex network of tunnels and mines under the towns in my constituency.

Those mine workings pose several difficult problems for residents. First, there can be significant costs when damage occurs. One of my constituents had to raise a second mortgage on their property to secure £20,000 to put right a mining feature that had opened up in their front garden. Secondly, there is sometimes ambiguity over the liability of insurers. In general cases, insurers help when there is damage directly to a property, although they seldom assist when there are problems arising within the curtilage of a property but not to the structure of the building. They do not generally remedy features to prevent future damage.

The final problem this issue poses for my constituents and others in Cornwall is that there are many cases where people undertake a mining search with a particular company when they buy a property and the company tells them there are no issues, so they purchase a property and secure a mortgage, but often when they want to move and sell their home, they find that a different buyer will use a different mining search company that

[George Eustice]

has different data available to it, and that reveals an issue that can make it difficult for a purchaser to get a mortgage.

The problems arising from mining subsidence damage are obviously not unique to Cornwall—coalmining took place in huge areas of this country—but what is unique to Cornwall is that there is no Government-backed scheme to assist residents with the problems they face.

There has been a long-standing Government scheme for coal. In 1957, when the Coal-Mining (Subsidence) Act was introduced, there was an opportunity to include tin mining workings, but it was not taken. In 1975, there was a new Coal Industry Act, which formalised the role of British Coal in giving compensation, particularly to the nationalised industry. Again, the opportunity to include tin was missed. In 1991, new legislation was introduced to consolidate the compensation schemes in this area, through the Coal Mining Subsidence Act 1991. Again, tin was excluded. In 1994, the Coal Industry Act assigned responsibility for these compensation schemes to the Coal Authority and, again, this excluded tin. My Bill would correct that long-standing oversight and end the prejudice against communities that suffer from subsidence damage as a result of tin mining.

It is sometimes said that coal is different, and it is sometimes said that coal is different because it was a nationalised industry. However, this claim does not stand up to any kind of scrutiny, because the 1991 Act applies to all damage caused by coalmining, whether that was pre-nationalisation, during the war or post-nationalisation, and whether it was private or public. Even after the nationalisation of our coal industry, there continued to be some private mines. Indeed, the original 1957 Act on coalmining subsidence mainly addressed the issue of private mines, where the liability for damage could not be established.

Sometimes it is said that the geology of Cornwall means there are fewer problems. Cornwall is okay, people say, because it is built on granite and there are fewer subsidence issues. All I can say is that if a homeowner does have a subsidence event on their property, that is every bit as difficult for them as it is for any resident in a coalmining area. The fact that there could be proportionately fewer cases in tin mining areas, frankly, ought to make the Government more ready to act in this space. There is no need for the Treasury to fret about the cost of it all, because including tin mining would be a modest extension of the scheme.

The Coal Authority deals with between 500 and 600 claims in coalmining areas each and every year, and it has a budget of about £27 million, much of which is

spent on remedying subsidence issues. In 2014, there was a triennial review of the functions of the Coal Authority, and in 2017 a separate, tailored review was run by the Cabinet Office. Both those reviews concluded that the current approach and the current system in the Coal Authority were fit for purpose. They considered other alternatives to compensate communities, but those were all ruled out. My contention is that what is good for coal is good for tin.

I am aware, from my discussions on this, that the Treasury—I think some officials in the Treasury—also took the view that there was an unfairness here, with coal being treated differently from other types of mining. Initially, I was encouraged by that, but the Treasury being the Treasury, it of course had a rather different solution to this, which was to pull the rug out from under the coal scheme, rather than to add tin to it. Thankfully, both the reviews and Ministers have ruled out such action.

My Bill would broaden the remit of the Coal Authority, placing an equivalent legal requirement on it to assist in subsidence cases in tin mining areas. The geographical footprint for tin mining—located, as it is, mainly in west Cornwall, although in other parts of Cornwall too and in some parts of west Devon—means there will be far fewer cases for tin mining than there are for coalmining. As I said earlier, the geology of Cornwall—built, as it is, on solid granite—means the Government could expect proportionately fewer claims coming from these tin mining areas than they currently receive from coalmining areas.

The addition of tin to the compensation scheme that has existed since 1957 would be a drop in the ocean for a Department such as the Department for Business, Energy and Industrial Strategy. However, it would mean a great deal to those families and communities that are affected by the blight of subsidence caused by mine workings. Given Cornwall's great contribution to the wealth of our nation and to the industrial revolution, I believe that the least we could do in this House is correct this historical oversight, prejudice and injustice against Cornwall and against communities suffering from tin mining subsidence.

Question put and agreed to.

Ordered,

That George Eustice, Derek Thomas, Sarah Newton, Scott Mann, Steve Double, Mrs Sheryll Murray and Sir Gary Streeter present the Bill.

George Eustice accordingly presented the Bill.

Bill read the First time; to be read a Second time tomorrow, and to be printed (Bill 418).

Northern Ireland (Executive Formation) Bill

Considered in Committee (Order, 8 July)

[DAME ELEANOR LAING *in the Chair*]

The First Deputy Chairman of Ways and Means (Dame Eleanor Laing): We will begin with new clause 1, but before I call the hon. Member for St Helens North (Conor McGinn), I will point out a few matters to hon. Members. There are several changes to the provisional selection and grouping. These are fairly minor changes, but Members will appreciate that the Bill was published very recently and that there has been quite a lot of interest in it.

New clause 10, in the name of the hon. Member for Walthamstow (Stella Creasy), currently appears in the second group of amendments. It should have appeared in the first group of amendments with new clause 1, so I would be grateful if Members read the first group of amendments as including new clause 10, in the name of the hon. Lady. New clause 19 should not have appeared on the provisional selection of amendments at all, as new clause 19 has not been selected. Amendment 11 has a small error in it, and an amended text of amendment 11 will be issued shortly; it is not dramatic.

New Clause 1

MARRIAGE OF SAME-SEX COUPLES IN NORTHERN IRELAND

“(1) The Secretary of State must make regulations to change the law relating to marriage in Northern Ireland to provide that marriage between same-sex couples is lawful.

(2) Regulations under this section must be in force no later than 21 October 2019, subject to subsections (3) and (4).

(3) A statutory instrument containing regulations under subsection (1)—

- (a) must be laid before both Houses of Parliament;
- (b) is subject to annulment in pursuance of a resolution of either House of Parliament.

(4) If a Northern Ireland Executive is formed before the regulations under this section come into force, any regulations made under this section and any extant obligations arising under subsection (1) shall cease to have effect.”—(*Conor McGinn.*)

This new clause would require UK secondary legislation to extend same-sex marriage to Northern Ireland unless a Northern Ireland Executive is formed by 21 October 2019.

Brought up, and read the First time.

12.58 pm

Conor McGinn (St Helens North) (Lab): I beg to move, That the clause be read a Second time.

The First Deputy Chairman: With this it will be convenient to discuss the following:

New clause 2—*Pension for victims and survivors of Troubles-related incidents: debate*—

“(1) A Minister of the Crown must, within the period of two sitting days beginning with the first sitting day on or after the day on which the report on progress made towards preparing legislation to implement a pension for seriously injured victims and survivors of Troubles-related incidents mentioned in section 3 is published, make arrangements for—

(a) a motion to the effect that the House of Commons has approved that report to be moved in that House by a Minister of the Crown within the period of seven Commons sitting days beginning with the day on which the relevant report mentioned in section 3 is published, and

(b) a motion for the House of Lords to take note of the report mentioned in paragraph (a) to be moved in that House by a Minister of the Crown within the period of seven Lords sitting days beginning with the day on which the relevant report mentioned in section 3 is published.

(2) In this section—

“Commons sitting day” means a day on which the House of Commons is sitting (and a day is only a day on which the House of Commons is sitting if the House begins to sit on that day);

“Lords sitting day” means a day on which the House of Lords is sitting (and a day is only a day on which the House of Lords is sitting if the House begins to sit on that day).”

This new clause is linked to amendment 1 on a report on progress made towards preparing legislation to implementing a pension for seriously injured victims and survivors of Troubles-related incidents, and provides for the report to be debated in Parliament.

New clause 4—*Reproductive rights of women in Northern Ireland: debate*—

“(1) A Minister of the Crown must, within the period of two sitting days beginning with the first sitting day on or after the day on which the report on progress made towards meeting international human rights obligations applicable to the United Kingdom in relation to the reproductive rights of women mentioned in section 3 is published, make arrangements for—

(a) a motion to the effect that the House of Commons has approved that report to be moved in that House by a Minister of the Crown within the period of seven Commons sitting days beginning with the day on which the relevant report mentioned in section 3 is published, and

(b) a motion for the House of Lords to take note of the report mentioned in paragraph (a) to be moved in that House by a Minister of the Crown within the period of seven Lords sitting days beginning with the day on which the relevant report mentioned in section 3 is published.

(2) In this section—

“Commons sitting day” means a day on which the House of Commons is sitting (and a day is only a day on which the House of Commons is sitting if the House begins to sit on that day);

“Lords sitting day” means a day on which the House of Lords is sitting (and a day is only a day on which the House of Lords is sitting if the House begins to sit on that day).”

This new clause is linked to amendment 2 on a report on progress made towards meeting international human rights obligations applicable to the United Kingdom in relation to the reproductive rights of women, and provides for the report to be debated in Parliament.

New clause 6—*Historical institutional abuse in Northern Ireland: debate*—

“(1) A Minister of the Crown must, within the period of two sitting days beginning with the first sitting day on or after the day on which the report on progress made towards implementing the recommendations made by the Report of the Inquiry into Historical Institutional Abuse in Northern Ireland between 1922 and 1995 is published, make arrangements for—

(a) a motion to the effect that the House of Commons has approved that report to be moved in that House by a Minister of the Crown within the period of seven

Commons sitting days beginning with the day on which the relevant report mentioned in section 3 is published, and

- (b) a motion for the House of Lords to take note of the report mentioned in paragraph (a) to be moved in that House by a Minister of the Crown within the period of seven Lords sitting days beginning with the day on which the relevant report mentioned in section 3 is published.

(2) In this section—

“Commons sitting day” means a day on which the House of Commons is sitting (and a day is only a day on which the House of Commons is sitting if the House begins to sit on that day);

“Lords sitting day” means a day on which the House of Lords is sitting (and a day is only a day on which the House of Lords is sitting if the House begins to sit on that day).”

This new clause is linked to amendment 3 on a report on progress towards implementing the recommendations made by the Hart Report of the Inquiry into Historical Institutional Abuse in Northern Ireland between 1922 and 1995, and provides for the report to be debated in Parliament.

New clause 8—Same-sex marriage in Northern Ireland: debate—

“(1) A Minister of the Crown must, within the period of two sitting days beginning with the first sitting day on or after the day on which the report on progress made towards implementing marriage for same-sex couples in Northern Ireland is published, make arrangements for—

- (a) a motion to the effect that the House of Commons has approved that report to be moved in that House by a Minister of the Crown within the period of seven Commons sitting days beginning with the day on which the relevant report mentioned in section 3 is published, and
- (b) a motion for the House of Lords to take note of the report mentioned in paragraph (a) to be moved in that House by a Minister of the Crown within the period of seven Lords sitting days beginning with the day on which the relevant report mentioned in section 3 is published.

(2) In this section—

“Commons sitting day” means a day on which the House of Commons is sitting (and a day is only a day on which the House of Commons is sitting if the House begins to sit on that day);

“Lords sitting day” means a day on which the House of Lords is sitting (and a day is only a day on which the House of Lords is sitting if the House begins to sit on that day).”

This new clause is linked to amendment 3 on a report on progress towards implementing the recommendations made by the Hart Report of the Inquiry into Historical Institutional Abuse in Northern Ireland between 1922 and 1995, and provides for the report to be debated in Parliament.

New clause 10—International obligations—

“(1) In accordance with the requirements of section 26 of the Northern Ireland Act 1998 regarding international obligations, the Secretary of State must make regulations by statutory instrument to give effect to the recommendations of the Report of the Inquiry concerning the United Kingdom of Great Britain and Northern Ireland under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

(2) Regulations under this section must come into force by 21 October 2019, subject to subsections (3) and (4).

(3) A statutory instrument containing regulations under subsection (1)—

- (a) must be laid before both Houses of Parliament;
- (b) is subject to annulment in pursuance of a resolution of either House of Parliament.

(4) If a Northern Ireland Executive is formed before 21 October 2019, any extant obligations arising under subsection (1) shall cease to have effect.”

Amendment 9, in clause 3, page 2, line 15, at end insert—

“(1A) The report under subsection (1) must include a review of the current legal framework on abortion in Northern Ireland with an analysis of how that framework could be amended by Parliament during the period when there is no Executive, subject to a sunset clause to respect devolution, in order to comply with the human rights obligations of the United Kingdom.”

The subsection would include placing a duty on the Secretary of State to report on the legal framework on abortion in Northern Ireland with an analysis of how that framework could be amended by Parliament during the period when there is no Executive, subject to a sunset clause to respect devolution, in order to comply with the human rights obligations of the United Kingdom.

Amendment 10, page 2, line 15, at end insert—

“(1A) Before making a report under subsection (1), the Secretary of State must publish a report on or before 4 September 2019 on progress made towards preparing legislation implementing a pension for seriously injured victims and survivors of Troubles-related incidents.”

The subsection would include placing a duty on the Secretary of State to report on the implementation of a pension for seriously injured victims and survivors of Troubles-related incidents.

Amendment 11, page 2, line 15, at end insert—

“(1A) Before making a report under subsection (1), the Secretary of State must publish a report on or before 4 September 2019 on progress made towards meeting international human rights obligations applicable to the United Kingdom in respect of Northern Ireland in relation to the reproductive rights of women.”

The subsection would include placing a duty on the Secretary of State to report on the implications of any relevant judicial decision in relation to abortion.

Amendment 12, page 2, line 15, at end insert—

“(1A) Before making a report under subsection (1), the Secretary of State must publish a report on or before 4 September 2019 on progress made towards implementing the recommendations made by the Report of the Inquiry into Historical Institutional Abuse in Northern Ireland between 1922 and 1995, including the establishment of a publicly funded compensation scheme under an HIA Redress Board, distinct from the Northern Ireland Criminal Injuries Compensation Scheme 2009.”

The subsection calls for a report on implementing the Report of the Inquiry into Historical Institutional Abuse in Northern Ireland between 1922 and 1995, published in January 2017, which was chaired by Sir Anthony Hart.

Amendment 13, page 2, line 15, at end insert—

“(1A) Before making a report under subsection (1), the Secretary of State must publish a report on or before 4 September 2019 on progress made in preparing legislation to make provision for the marriage of same sex couples in Northern Ireland.”

The subsection calls for a report on preparations for same-sex marriage in Northern Ireland.

Conor McGinn: I rise to speak to new clause 1 in my name and the names of many right hon. and hon. Friends and Members across the Chamber. I want to speak briefly about the purpose of the new clause, the rationale for my tabling it and for wording it in the way I have and my motivation for bringing this before the Committee today.

The purpose of the new clause is straightforward. It stipulates that, if devolution is not restored to Northern Ireland in the form of a functioning Assembly and Executive, the Secretary of State would bring forward regulations in this House to introduce the legalisation of same-sex marriage in Northern Ireland.

My rationale for phrasing the new clause as I have, with the stipulations that it contains, is simple. There is an ongoing talks process at Stormont. Two and a half years since the Assembly and Executive collapsed, we are still waiting on that to come to a successful fruition. As I said last night on Second Reading, these issues are difficult and complicated, and politicians in Northern Ireland have my respect and full support in trying to resolve those; but if, in three months' time, they—along with the two Governments—have not been able to ensure that a fully functioning Executive and Assembly are back up and running, we should legislate here for equal marriage. In the event that they are up and running before then, this provision would not be enacted. In the event that the Stormont Executive and Assembly are up and running after we enact this measure here, of course the power to legislate on marriage remains with the Stormont Executive and Assembly, and they could seek to change or overrule the regulation that we have made here.

Ian Paisley (North Antrim) (DUP): Is the hon. Member at all concerned that the implication of this could impact on the negotiation process and de-incentivise one of the parties from negotiating at this particular time—that it would just sit it out until 21 October?

Conor McGinn: I think the hon. Gentleman is posing a question for his own party and other participants in the talks, because to my mind the idea that this measure would lead to a failure of those parties to restore the Stormont institutions and get on with doing the business of Government on everything, including health and education, is quite far-fetched. It should act as an incentive for the parties to come to an agreement and have the institutions restored.

When the hon. Gentleman talks about one particular party, I think he refers to Sinn Féin. It has been very clear with me that it wants to see this decision made at Stormont, not Westminster. I have had discussions through the Love Equality campaign—the broad-based campaign for equal marriage—but also directly with all the political parties in Northern Ireland, including members of the hon. Gentleman's own party, about the new clause. I understand the hon. Gentleman and his colleagues' strongly, firmly and sincerely held views, both on the substantive issue that we are discussing and on the interpretation of its impact on the devolved settlement. I hope, however, he will accept that I, in crafting the new clause in this way, have tried as far as possible, in absolutely and unapologetically trying to make this happen and have same-sex marriage extended to Northern Ireland, to give the time and space for the political parties and the two Governments to restore the institutions. I have also respected the devolved settlement by emphatically saying that the power remains with Stormont.

Joanna Cherry (Edinburgh South West) (SNP): We are very proud of the introduction of equal marriage in Scotland under an SNP Government, led by the former First Minister, Alex Salmond. I am happy to hear the hon. Gentleman making it clear that he respects the devolved settlement. It is much easier for many of us in the SNP to support this excellent measure in the knowledge that he is proposing it given the fact that there is no Assembly at the moment, but it still respects the devolved settlement.

Conor McGinn: I thank the hon. and learned Lady for her intervention and pay tribute to her and her colleague the hon. Member for Livingston (Hannah Bardell) for the work that they have done to ensure that their party is in a position to support the new clause tonight. That is very important to me, because the hon. Member for North Down (Lady Hermon) raised a point last night about her validly and genuinely held concern about the impact this would have on devolution; and when the hon. Lady speaks, I listen, as I think do most Members across this House. I hope that, given the answer that I gave last night and my explanation today, she is comfortable with the knowledge that this power does remain a devolved one, but that in the absence of an Assembly and Executive we can make what might be described as an interim provision here, which can then be overturned by the Assembly if it is back up and running.

Lady Hermon (North Down) (Ind) *rose*—

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

Conor McGinn: I will give way to the hon. Lady and then to the right hon. Gentleman.

Lady Hermon: I am very grateful to the hon. Gentleman for allowing me to intervene. May I just remind him of the fact that a large number of constituents, and those who are not constituents, have emailed me, and have contacted other Members representing Northern Ireland constituencies and who have taken their seats here, greatly concerned about the possibility that his new clause might undermine the devolved settlement in Northern Ireland? What can I say to those constituents, in an email reply to them, that confirms to them that the hon. Gentleman's new clause in no way undermines the devolved settlement that was crafted so carefully by a Labour party led by Tony Blair?

Conor McGinn: I thank the hon. Lady again for the direct way in which she puts the question. I was not old enough to vote for the Good Friday agreement, but everything I have done in my personal life and political career has been about supporting that—supporting the principle of consent, supporting power sharing, supporting peace on the island of Ireland, and supporting reconciliation between people who live in Northern Ireland and between Ireland and Britain. I am a passionate defender of the devolved settlement and a devolutionist. I think that, despite the ups and downs we have had, it has been a force for good in Northern Ireland, and my priority, and what I want to see, is the Assembly back up and functioning in Stormont.

As I have said, it is my strong view that, given the way the new clause is crafted—it has been selected by the Chair—it does not impinge upon the devolved settlement; it explicitly recognises that this is a devolved power. At the minute, however, the Assembly and the Executive exist in the ether, or as a concept, not in reality, so if they cannot make this law, we will make it here, because, as I have said often, rights delayed are rights denied. We will make the law here, and then when the Assembly is back up and running, the power remains its to change it.

Nigel Dodds: I am very grateful to the hon. Gentleman for giving way and for giving way so frequently so early. This is an important issue because his proposal does

[Nigel Dodds]

drive a coach and horses through the principle of devolution and, if the SNP is prepared to accept it, this House can legislate and then ask a devolved legislature to overturn it. That is an interesting and novel concept. But would the hon. Gentleman confirm that, in seeking to drive a coach and horses through the principle of devolution, overriding the concerns—[*Interruption*—]—overriding the concerns of people in Northern Ireland that the hon. Member for North Down (Lady Hermon) has referred to, his proposal actually would be not for a vote in this House, but that the procedure would be a process of annulment, so that regulations would come forward without any further vote in this House? Perhaps he would explain whether that is the case; I am just asking a question of information

Conor McGinn: Regulations would come forward in the usual form, on the basis of a vote tonight approving the mechanism to do that. The Bill in fact makes specific provision for the Secretary of State to introduce regulations, through statutory instruments, for governance in Northern Ireland. That is not specified—what I am actually doing is specifying one area where I would wish them to do that.

I understand that an issue like this is binary, and that the right hon. Gentleman and I are on opposite sides on this, but I hope he understands that it certainly is not my intention to drive a coach and horses through anything. I gently say to him, I have always supported the devolved institutions from 1998 and the power-sharing arrangements that were made then.

Ian Paisley: No one challenges the hon. Gentleman's sincerity, both on the point of his desire to see relations fixed in Northern Ireland and his opinion on this matter. We are just at different ends of the scale in terms of opinion on this matter. Surely he must accept, under the work that he did when he was in the shadow office, that this completely and totally usurps the role of the Northern Ireland Assembly. It does drive a coach and horses through the issues. There is not sufficient time between now and 21 October to establish a new Executive that would be able to function on these matters by that date. Surely he recognises that.

Conor McGinn: I thank the hon. Gentleman for what he has said and I will answer him very directly. Far from usurping the role of the Assembly, I am acting on a mandate given by the Assembly when it voted in favour of equal marriage. That was vetoed by his party, using a petition of concern to block it. The majority of the Assembly, the majority of political parties in Northern Ireland, members of his own party, and the overwhelming majority of the public support legislating to legalise equal marriage in Northern Ireland.

Wes Streeting (Ilford North) (Lab): The constitutional debate we are hearing this afternoon is very important—no one would deny that. My hon. Friend has already made the point that the distinction between Northern Ireland and Scotland is that there is a functioning Scottish Government and a functioning Scottish Parliament. But this is not just about constitutions; it is about people and the fact that Northern Ireland is, at present, the only place in the whole of the United Kingdom, or indeed the island of Ireland, where LGBT people cannot

exercise their right to marry. Given that there is already, as he says, a majority in favour in the Assembly and a majority in favour among the public, is this issue not now about democracy and human rights?

Conor McGinn: I think it is. That has always been my contention and I hope to speak on that in my closing remarks. Did the hon. Member for North Antrim (Ian Paisley) want to intervene? I will give way one last time and then I will have to make progress.

Ian Paisley: The hon. Gentleman is being very generous. He makes a point about rights. There is the protection of rights in the Assembly: the petition of concern allows for all rights to be protected. That is why, I assume, he supported Tony Blair when he introduced the petition of concern mechanism.

Conor McGinn: It is very important that we have a mechanism where sensitive, cultural or constitutional issues get support on a cross-party basis. I do not believe same-sex marriage was one of those issues and I do not think it was appropriate to use the petition of concern in that respect.

Hannah Bardell (Livingston) (SNP): I pay tribute to the very pragmatic and careful way the hon. Gentleman has drafted his new clause and gone about this. What can I say, other than that I give my full support to him, the people of Northern Ireland and, in particular, the LGBTIQ people in Northern Ireland? The hon. Member for Ilford North (Wes Streeting) made the important point that it is a very different situation when the Northern Ireland Assembly has not sat for 900 days. The Scottish Parliament and the Scottish Government are fully functioning, and Scotland has had a coach and horses driven through its devolved settlement. The hon. Member for North Antrim (Ian Paisley) should remember that. We absolutely support the hon. Member for St Helens North (Conor McGinn). I hope that Democratic Unionist party and Government Members will listen to him very carefully. We have an opportunity to do something very positive here. I hope Members from across the Chamber will support him.

Conor McGinn: I appreciate the hon. Lady's remarks and the work she has done in Scotland. I also appreciate her acknowledgment that this can and should be done, and that it does not impinge on the devolved settlement.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): My hon. Friend knows his new clause has my full support. As I made clear on Second Reading last night, I am a proud devolutionist. I support the Welsh Assembly and the Welsh Government, as I do the other devolved Administrations. This matter is about a fundamental issue of rights. He has constructed this in a very careful way. Does he agree that there is a fundamental anomaly here? Individuals in the rest of the UK who want to marry Northern Irish citizens, or get in a marriage in Northern Ireland are unable to do that at present. That is a huge anomaly that affects relationships and people across the United Kingdom.

Conor McGinn: Absolutely. I see that my hon. Friend the Member for Rutherglen and Hamilton West (Ged Killen) is in his place. He is married to a Tyrone man.

As an Armagh man, I make no further comment on his choice of husband and his county affiliations. *[Laughter.]* He makes the point frequently that, when he is in Scotland they are married and recognised by the law, but when they get off the plane in Belfast they quite simply are not. That cannot continue and, from a Unionist point of view, is anathema to anyone who values equal rights within the Union as a whole.

Owen Smith (Pontypridd) (Lab): My hon. Friend is making an excellent speech and I wholeheartedly support his new clause. Does he agree that we in this House need to remember that it is not unique for us to propose to legislate from Westminster in respect of Northern Ireland? It is not particularly anomalous. There have been myriad occasions in recent history, during the difficult periods of the political process in Northern Ireland and over the past two years, when we have legislated effectively in this place to either put in place important provisions for the people Northern Ireland or to keep the peace process on track. This is an important instance when we should do likewise and step in in the absence of the Assembly.

Conor McGinn: I thank my hon. Friend for what he said and for the work he did as shadow Secretary of State for Northern Ireland. This and other issues we will discuss today, on which I am sure he intends to speak, were critical to getting us to the point where we are now.

I want to close my speech because there are myriad other important issues—

1.15 pm

Tim Loughton (East Worthing and Shoreham) (Con): The hon. Gentleman is being generous in taking interventions. I am very pleased to have added my name to his new clause, and I speak as somebody who did not vote for the same-sex marriage Bill originally, but the world has not fallen in since. I would not vote to change the law and this is a matter of equal opportunities for people across the United Kingdom. I believe in the Union and therefore I believe that the opportunity should be open to every citizen of every part of the United Kingdom. Can I ask him—I am sure the answer will be yes because he supported my Civil Partnerships, Marriages and Deaths (Registration etc.) Bill to have equal civil partnerships in England and, I hope, the rest of the United Kingdom—would he support extending that equality to Northern Ireland? If we brought those two together, what a double whammy that would be.

Conor McGinn: I very much appreciate the sentiment, but let us get through today first and then we can have a conversation about that.

Gavin Robinson (Belfast East) (DUP): Will the hon. Gentleman give way?

Conor McGinn: I will, but I am afraid I will then have to close.

Gavin Robinson: I am very grateful to the hon. Gentleman. I appreciate him taking this intervention. I hope he recognises that the comments I made last night about the unsatisfactory way in which individual issues have been adopted are not attributable to him. He is right, and has every entitlement, to advance the issues he so chooses. There are a huge number of issues that affect society in Northern Ireland and impinge on rights

in Northern Ireland, yet there is no progress on legislation for them. I do not expect him to champion all those causes individually but, if he believes now is the time for Westminster to start acting and legislating on those matters, will he be responsive and proactive, and support a huge range of issues that we believe need to be addressed in Northern Ireland and cannot wait any longer?

Conor McGinn: I thank the hon. Gentleman for his comments. I have always been clear that I am an MP from Northern Ireland, not for Northern Ireland. It is his job and the job of his colleagues and other MPs to lead on issues that are affecting their constituents. I do not claim a mandate from Northern Ireland but, as I said in last night's debate, I hope people will accept that it is the place that I will always call home. Family and friends still live there. I try to visit when I can and I care deeply about the place.

On the hon. Gentleman's point about Westminster engaging in other issues that have been raised over the course of the debate on the Bill, I acknowledge that there is a deep frustration among people in Northern Ireland on a whole range of issues that progress is not being made. I think we are fast approaching the time when they will want politicians somewhere to do something. If that has to be this place, then, reluctantly, I would agree with him that after this current extension we have to think seriously about making some progress on all the matters that have been discussed. It would have to be, in my view, strongly based on a three-stranded approach, north-south co-operation with the Irish Government, and co-operation between the two Governments through the British-Irish Intergovernmental Conference.

I have focused a lot on process in last night's debate and in my speech today, because I want to provide reassurance about the devolved settlement. When I made my speech to move my private Member's Bill in February 2018, I quoted some of the wit and wisdom of people in south Armagh and Northern Ireland, and some of the Ulsterisms that were used. I have to say that it is not funny anymore. This is really serious and it needs to be addressed. This House has failed LGBT people in Northern Ireland before. It failed a generation of people in Northern Ireland by not decriminalising homosexuality, and condemned them to discrimination, to abuse and to living in fear many years after that stopped being the case in the rest of the UK. It failed people in Northern Ireland by not extending same-sex marriage when it became the law here, making people in Northern Ireland less valued than the rest of us. Tonight, we have the chance to do the right thing. People in Northern Ireland, and indeed across Britain and Ireland, are watching. I, for one, am not going to let them down. I hope colleagues do not let them down either.

Mrs Maria Miller (Basingstoke) (Con): It is a pleasure to follow the hon. Member for St Helens North (Conor McGinn), who made a powerful argument for extending same-sex marriage across Northern Ireland. I was the Minister who did not extend same-sex marriage to Northern Ireland at the time, because of the devolution settlement, so I viscerally understand his arguments. I regret that that was not done when the legislation was put in place for England and Wales.

I spent many hours at the Dispatch Box making arguments similar to those that the hon. Gentleman made about the importance of equal marriage. The state

[Mrs Maria Miller]

has no right to discriminate against people on the basis of their sexuality, and we have laws that prohibit that. As marriage is a fundamental part of our society, we should encourage more people to be married, including those in same-sex relationships. He is right that we need to make this change, but today's debate will be about whether this is the place to do so. Does this debating Chamber and body of people have the right to do that? If we had that right, we would have exercised it when the initial legislation came through. I will listen closely to the Minister's response before I make a decision on whether to support new clause 1. My heart tells me that it is the right thing to do, but my head is yet to be convinced that this is the right place to do it.

At the heart of my comments are new clauses 10 to 12, in the name of the hon. Member for Walthamstow (Stella Creasy), and amendment 9, in the name of the hon. Member for Kingston upon Hull North (Diana Johnson). The Women and Equalities Committee did a detailed and forensic analysis of the current situation on abortion in Northern Ireland. That was because of the report by the Committee on the Elimination of Discrimination against Women, which was published last year, and our concerns about the evidence that was put before us by individuals and organisations representing a range of beliefs and positions in Northern Ireland.

I will not go through all the recommendations in that report; I will focus on the key recommendation, which the Committee almost unanimously believed to be the change that should be made. It was about mums and dads facing the appalling prospect of their unborn baby dying before it is born or shortly after, because it has been diagnosed with what is called a fatal foetal abnormality. Our Committee felt strongly that the law needed to change in this respect forthwith—quickly, immediately—because of the impact that that was having on people's lives and wellbeing, as well as the threat to their mental and physical health.

Hon. Members will be aware that cases are before the courts and will be going before the Supreme Court for consideration. There has already been partial consideration of the issue, following which the Supreme Court said that there was a very real prospect that the law in Northern Ireland contravened human rights. As a Parliament we should be concerned that not every woman in our constituencies, wherever they might be, enjoys the same access to care and support. If the women in my constituency were facing the prospect of having to carry a baby that was going to die, I would man the barricades to change that law.

Huw Merriman (Bexhill and Battle) (Con): My right hon. Friend, who chairs the Select Committee, is making an excellent speech. The judgment of the Supreme Court—the case was lost on a technicality—made it quite clear that Parliament is out of step with its UN treaty obligations. Does she agree that it is regrettable that despite that, Sarah Ewart has been forced to go through the High Court in Belfast, when we could have changed the law and avoided that outcome?

Mrs Miller: My hon. Friend gets to the nub of the matter. The human rights organisation in Northern Ireland did not have standing to take a case, because of a strange error in the way that the law was drafted.

Presumably, that could be put right quickly—possibly through this Bill—so that individuals such as Sarah Ewart would not have to go through this process, which is heartbreaking and impossibly difficult for anyone, let alone someone who has lost a child in this way.

New clauses 10 to 12 go much further than the Select Committee's recommendations, and they talk about implementing the CEDAW report in full. I have no problems with the CEDAW report. I think it is comprehensive and compelling, and the Government should address it in full, because we are signatories to this agreement—as a well-respected international country, we adhere to the rules and regulations that we sign up to. However, hon. Members should be careful before finalising their thoughts on whether to support new clauses 10 to 12.

The CEDAW report calls on the Government to repeal sections 58 and 59 of the Offences Against the Person Act 1861. Doing so would go much further than simply making it lawful for an individual to undertake an abortion if they have had a diagnosis of a fatal foetal abnormality, and it would have significant repercussions not only in Northern Ireland but in England. I ask hon. Members to consider whether this Bill is the most appropriate avenue to make such a fundamental change.

I do not disagree with the sentiment of the hon. Member for Walthamstow. She has consistently made a powerful argument in many similar debates, and one day we will get the opportunity to debate the matter in full. However, it does not feel right to me to make these changes through a Bill that has absolutely nothing to do with England and Wales, on a matter that is fundamental to many hon. Members who are probably not here today because they might not have realised the implications of her new clause.

Vicky Ford (Chelmsford) (Con): My right hon. Friend is making an excellent speech. As a member of the Women and Equalities Committee, I, too, was involved in its detailed inquiry into this very challenging issue, and I completely agree with the cross-party recommendations in that report. I agree that the fundamental issue with new clause 10 is that it affects abortion law across the whole UK, not just in Northern Ireland. I remind her that we made a number of other recommendations in that report to assist women. Does she agree that the Government should consider all the recommendations in the Committee's report with urgency?

Mrs Miller: I thank my hon. Friend for all her work on the Select Committee, of which she is a valuable and valued member. She is right that we cannot look at these things in isolation. There has to be a package of measures. Hon. Members from all parties know that if we were to repeal the law in the way that is recommended in new clauses 10 to 12, we would also have to look fundamentally at the provision of services in Northern Ireland.

The first step is to address the issue of fatal foetal abnormality. I fear dreadfully treading on the toes of my colleagues from Northern Ireland, who represent the men and women who live there. However, in the absence of a functioning Executive, it would be an absolute abrogation of my responsibility as a Member of Parliament not to raise these issues in the House today. I have had conversations with my Northern Ireland colleagues and with members of other parties

who choose not to take their seats here, because I believe it is important for the voices of the people who represent those in Northern Ireland to be heard strongly in this debate, but I do not think it is easy to argue against the factual findings of the Select Committee report.

1.30 pm

New clause 10, to put it bluntly, asks the Government to cut and paste the CEDAW report into legislation. I do not think that that would really work, not least because it has profound effects for England and Wales as well, but I do think that the hon. Member for Kingston upon Hull North is absolutely right, in amendment 9, to ask the Government to go further. It is a difficult issue, and sensitivities are acute, but

“placing a duty on the Secretary to State to report on the legal framework on abortion in Northern Ireland with an analysis of how that framework could be amended by Parliament during the period when there is no Executive, subject to a sunset clause”

could be a constructive procedure, including, perhaps, cross-party involvement. I have a great deal of sympathy with the hon. Lady’s approach, which is perhaps a little more tailored to the situation in hand than new clause 10.

These issues are never easy to discuss, but I am not sure that a time when Parliament is already engaged in one of its most difficult discussions about Brexit is the right time for it to be tackling issues relating to the whole United Kingdom through a Bill that focuses on Northern Ireland. That, to me, is not an obvious way of solving the problems. I have enormous sympathy with the new clauses tabled by the hon. Member for Walthamstow, but at this point I do not think I can find it within me to support them, because of the profound implications for my constituents in England and their ability to communicate with me about their thoughts and views, and for our ability to discuss more broadly how we would accommodate those changes in the United Kingdom as a whole.

Nigel Dodds: Thank you, Dame Eleanor, for giving me an opportunity to speak briefly about the new clauses and amendments.

I entirely respect the sincerity of the hon. Member for St Helens North (Conor McGinn) and the way in which he spoke about new clause 1, but I fundamentally disagree with his view that because the Assembly is not sitting at present, it is right for this place to legislate on certain issues but not on others, although I recognise that his approach was that we should legislate across the board.

There are many issues about which people in Northern Ireland feel strongly, including the health service, education, infrastructure investment, jobs, the suicide strategy, mental health and the implementation of the Bengoa report on health and social care. The lack of progress on those issues through legislation and Executive decisions is having massively detrimental effects, but no one has addressed that point today. Instead, Members have picked out certain issues, which I think is the wrong approach, especially when talks are under way and there is a prospect of devolution in the short term.

I entirely accept that if we do not reach that point and there is direct rule, it should be for the House to legislate across the board. It has the right to do so, and we can still have a debate and discuss and argue about

those issues. As the Secretary of State explained yesterday, the purpose of the Bill is simply to maintain the status quo by moving two dates to allow talks to continue, with no election in the meantime. However, that has now been effectively hijacked by a number of Members who want to introduce measures to override the Assembly, which I think is wrong and which is certainly not in keeping with the vast number of representations that have been made to me and to other Members from across Northern Ireland by constituents who have said that it is not an appropriate way in which to proceed.

I am particularly concerned about the wording of new clause 1. It appears to propose that, if the Assembly is not already up and running, there will be no further vote in the House before the regulations are implemented and the law is changed. When I intervened on the hon. Gentleman, he did not dispute that. Here we have a major issue: a change that will not be subject to any further vote in the House before its implementation, but will be subject to the procedure of annulment. I think that that is a highly questionable approach.

Sammy Wilson (East Antrim) (DUP): Does my right hon. Friend not find it amazing that when we spent literally hours in the House debating the Henry VIII clauses during the Brexit debate, those clauses were railed against by Labour Members and members of other parties, whereas Labour is now proposing that Henry VIII powers be granted to the Secretary of State for Northern Ireland so that regulations can be introduced with no scrutiny and, in fact, never even presented to the House?

Nigel Dodds: My right hon. Friend has made an important point. We are to have four hours of debate on this and a number of other devolved issues, but that is not the way in which such laws should be made. Members who have railed against emergency procedures, a lack of proper scrutiny and all the rest of it would be the first to protest if we were dealing with a different issue.

Owen Smith: Does the right hon. Gentleman not accept that there have been instances in the recent past when we have legislated in this place on what has ostensibly been a devolved competence? I am thinking of, for example, the provision to extend access to medicinal cannabis to Northern Ireland.

Nigel Dodds: I think that the hon. Gentleman is mistaken in relation to that issue, but there have been instances in which legislation has been passed for the whole UK, which was entirely appropriate because there was no dispute about it.

Conor McGinn: May I draw the right hon. Gentleman’s attention to his own new clauses 15 and 17, which propose the introduction of legislation relating to the armed forces covenant and the definition of a victim through exactly the same process through which I am proposing legislation relating to same-sex marriage?

Nigel Dodds: I shall deal with new clauses 15 and 17 when we discuss the second batch of new clauses and amendments, but the issues that they concern are UK-wide. The definition of a victim should be a UK-wide definition, and the military covenant should apply across the UK.

[Nigel Dodds]

That is the difference between the hon. Gentleman and me: I am taking a UK-wide approach, while he wants to override the devolution settlement at a time when there is a prospect of devolution being restored.

I referred earlier to issues on which there has been a consensus, a cross-party view that something should happen. The Government have always been willing to take such issues on board, as, indeed, have the Opposition. One example is the Historical Institutional Abuse Inquiry. All the party leaders have written to say that that is one area in which they would be content for something to be done, but that had been agreed by everyone across the community.

In this context, it is clearly appropriate to mention the sad passing this morning of Sir Anthony Hart, the chair of the inquiry which did such fantastic work in relation to victims of historical institutional abuse. It is a shock to us all, and I am sure that I speak for the whole House in extending sympathies and condolences to his family. That inquiry, and the sterling work done by Sir Anthony and all involved with it, has resulted in recommendations that have not been able to be taken forward, and indeed the Assembly was collapsed just a few weeks before proposals could be tabled. We urged that the Assembly not be collapsed to allow these proposals to be taken forward, but that was ignored by the Sinn Féin Minister of Finance. The fact of the matter is that there is one area where we do have total cross-party consensus, and we would certainly be supportive of taking that forward.

There is not cross-party support on the other areas, but on abortion there would certainly be a degree of concern among all parties in Northern Ireland about legislating; although the Northern Ireland Assembly parties across the board may take a different view on what needs to be reformed, they might not agree with Members here about the extent to which reform should happen in terms of time limits and the other aspects.

Ian Paisley: The point my right hon. Friend makes about the late Sir Anthony Hart's inquiry is all the more poignant and pointed when we consider that the Northern Ireland Affairs Committee unanimously agreed that we should ask the Government to deal with this issue, and the point was ignored by the Government.

Nigel Dodds: I am grateful to my hon. Friend for pointing out that and the role the Select Committee has played in relation to it. That was a very useful and important report that again demonstrated that there was cross-party support for those recommendations to be taken forward.

Emma Little Pngelly (Belfast South) (DUP): I had the opportunity to work very closely with the late Sir Anthony Hart. He conducted the inquiry in an incredibly professional way; it was very victim-centred. Does my right hon. Friend agree that it would be a poignant and appropriate legacy to Sir Anthony Hart if this Government acted swiftly to implement those recommendations in terms of redress that he has just recently concluded?

Nigel Dodds: Yes, I agree; that is entirely right. This points to where we should be taking things forward in the interim. There are certain issues that have total

cross-party support in Northern Ireland and where the demand has come from the Northern Ireland parties to the Government to do something. That is entirely different from Members here seeking to impose changes that are not agreed by the parties in Northern Ireland and when other pressing concerns—mental health and suicide strategy, health, education, jobs—are not being put forward for consideration at this stage. Moreover, this is not the appropriate vehicle through which to do this.

Mrs Miller: As has been said, it is important for us to be taking forward things that have got agreement. The recommendations of the working group on fatal foetal abnormality, which was commissioned by two Northern Ireland Ministers in 2016, have now been published; does the right hon. Gentleman agree that they present another example of how we could, in this period where we do not have a functioning Executive, move forward even on an issue as sensitive as that?

Nigel Dodds: The right hon. Lady will be aware that there are court proceedings in relation to that issue that are due to be concluded in September. Certainly, I agree with the principle that issues where there is a cross-party view that is supported across the board by the parties in Northern Ireland, and where the request comes from the parties, should be looked at with favour and support and approval by the Government and, indeed, this House as a whole, but that should not be the case where there is no such consensus and agreement.

Finally, I wish to mention pensions for victims. Victims have suffered grievously in Northern Ireland over many years, and many of them are dying without seeing proper justice on the one hand and without getting some of the recompense that has been recommended that they should receive from many years back. Therefore, I am entirely sympathetic to and supportive of the idea of having a report and certainly debates in relation to this matter. We address in our amendment the UK-wide definition of a victim, because there is a problem in Northern Ireland.

People do not like the idea of an amnesty for past crimes, obviously, but they also do not support the idea that those who injure themselves in the commission of a terrorist act—for instance the Shankill bomber who went out with the purpose of murdering people and who did murder people—should be regarded as victims as a result of the injuries suffered in the same way as the people they maimed and caused terrible injuries to through their criminal acts. That is an unconscionable situation and this issue is holding up the payment of pensions to victims in Northern Ireland. That needs to be addressed. Therefore, again, I support amendments that call for that to be looked at and to be reported upon and to be taken forward.

1.45 pm

It is very important that we have a sense of perspective in this debate. These are very sensitive issues. It is not right that we should drive a coach and horses through the devolution settlement in relation to certain issues that people feel passionately and deeply about here but that are the subject of devolved powers in Northern Ireland, and at a time when there are real prospects of discussions taking place among the political parties leading to an agreement for the restoration of devolution. The effect of taking decisions before agreements are

reached is to skew those negotiations. As has been said, some people will say, “If we’re going to achieve certain outcomes, we don’t need to negotiate; we don’t need to reach agreements.” That is entirely counterproductive.

I ask Members to think very carefully, whatever their views are on these issues, which I respect deeply; they, too, should respect the views of people in Northern Ireland. They should also respect the devolved settlement and the fact that talks are going on in Northern Ireland and that these are very sensitive matters, and these talks could be impacted greatly by what we do here today.

Nick Herbert (Arundel and South Downs) (Con): I rise to support new clause 1 and to agree with everything that the hon. Member for St Helens North (Conor McGinn) said in moving it. I take very seriously the points the right hon. Member for Belfast North (Nigel Dodds) has just made, as I am sure do many on both sides of the Committee. It is not a small matter for this House to decide that it will legislate in this area; we should consider it carefully, and I have done so and want to explain why I have reached the decision that it is right for the UK Parliament to step in at the moment.

First, we need to reflect on the fact that 28 countries worldwide have now legislated for, or enabled through a court or referendum decision, same-sex marriage: Argentina, Australia, Austria, Belgium, Brazil, Canada, Colombia, Denmark, Finland, France, Germany, Iceland, Ireland, Luxembourg, Malta, Mexico, the Netherlands, New Zealand, Norway, Portugal, South Africa, Spain, Sweden and most recently Ecuador through the courts and Taiwan through its legislature. Costa Rica will make it 29, as of course England and Wales and Scotland have legislated too.

Too often, people find themselves saying that the UK has provided for same-sex marriage, but that is not true. It is anomalous, as has been said already in this debate, that citizens in one part of the United Kingdom cannot avail themselves of something that many people regard to be a fundamental right: to be able to enter into a marriage with the person they love.

Two arguments therefore have to be addressed. The first is that, in spite of it being the right thing to do, the UK Parliament should refrain from making such provision because it should be a devolved matter. The problem is that we do not have a functioning Executive in Northern Ireland. We have not had devolved government for some time, and notwithstanding the optimism of the right hon. Member for Belfast North—I hope he is right—we might not have it for some time going forward. Meanwhile, there are couples in Northern Ireland who do not enjoy the same rights as those in the rest of the United Kingdom. They wish to get married but are legally prevented from doing so. How much longer will they have to wait?

Ms Angela Eagle (Wallasey) (Lab): Does the right hon. Gentleman agree that this House has been quite patient on this issue, given that it involves a fundamental matter of human rights? Is it not clear that the House’s patience is now running out and that we have to act?

Nick Herbert: I agree entirely with the hon. Lady. It was six years ago that this House legislated for equal marriage in England and Wales. There is a precedent for the proposal in new clause 1: when the Assembly

was suspended in 2004, this House passed the Civil Partnerships Act 2004 to extend civil partnerships to Northern Ireland.

There is consent for this proposal in Northern Ireland itself. The Assembly has voted five times for this measure, and it is only because of the petition of concern that it has not already become law there. That petition could not be exercised now, because there would not be a majority for it in Northern Ireland. So if an Assembly were to be constituted under the current arrangements, it would almost certainly vote for equal marriage, because it has said repeatedly that it would do so. We are not trespassing on what we know the Assembly wants to do; it is just that it does not exist, so it cannot act. The only body that is competent to act on this matter at the moment is the UK Parliament.

Gavin Robinson: The right hon. Gentleman has outlined a history of events that is not correct. The Northern Ireland Assembly voted against the introduction of same-sex marriage on a straight majority until the last vote, in which a petition was used. He also recognises that we as a party do not have the numbers to table a petition. Had he been here yesterday for our Second Reading debate, he would have heard that the one party that is frustrating the ability of the Northern Ireland Assembly to legislate on this issue is Sinn Féin, the very party that says it wants to introduce it. If the Assembly were restored tomorrow—we have no red lines on whether it is restored or not; we want to see it—we could not prevent the Assembly from legislating on this issue.

Nick Herbert: The hon. Gentleman has made his points, and I read yesterday’s debate very carefully this morning. Nevertheless, there is a majority for this proposal in the Assembly at the moment. That majority has been demonstrated. Crucially, there is also a majority among the public in Northern Ireland, but who is speaking for them at the moment? A Sky Data poll last year showed 76% support for equal marriage in Northern Ireland, with fewer than one in five opposing it. On any issue like this, that is a very large majority indeed. I believe that the case is made. We have waited for some time, and we have been patient. It is now right and proper that the UK Parliament should act.

Lady Hermon: The right hon. Gentleman outlined the problem in Northern Ireland as one in which those in same-sex relationships are unable to be married, whereas they can be in the rest of the United Kingdom. The situation is actually more complicated than that, as was touched upon by the right hon. Member for Basingstoke (Mrs Miller), who was the responsible Minister when the legislation was taken through this House. A problem exists for those who are in a same-sex marriage in Scotland, Wales or England and who come to Northern Ireland, in that as soon as they arrive in Northern Ireland, their marriage becomes a civil partnership. That cannot be right within the United Kingdom, can it?

Nick Herbert: I strongly agree with the hon. Lady. This shows that people in Northern Ireland simply do not have the same rights as those in the United Kingdom, and that is something we should act upon.

There is a case, on its own merits, for introducing same-sex marriage, and I just want to say to the Committee that, frankly, this argument has been won. It has been won in the country and it has been won in this House.

[Nick Herbert]

One by one, the arguments against this reform fell away. First, there is no compulsion involved. The legislation that we introduced in England and Wales protects religious freedom. Churches are not compelled to introduce same-sex marriages in their own institutions. That is a matter for them. No individual is compelled to enter a same-sex marriage. There is a very simple remedy if someone does not like the idea of same-sex marriage: they should not enter into one; it is not compulsory.

Secondly, why should we not allow people to enter into an institution by which they will demonstrate a lifelong commitment to each other and make that commitment in front of their friends and family? What harm is done by this legislation? We as hon. Members know very well that we pass laws and vote for things every day that make people profoundly unhappy or that irritate them. We put on taxes, we restrict freedoms, we do things that irritate sections of our communities, and we do these things because we think they are right. It is not often that we pass legislation that has a single effect. The single effect of the legislation for England and Wales that was passed six years ago in this House was to make people happy. It was to allow people to enter into lifelong commitments that brought moments of enormous happiness to them and their families.

That is why public opposition to same-sex marriage has continued to fall away. I have enormous respect for those of my hon. Friends who voted against that legislation but who have now admitted that they were wrong. One by one, Members on the Conservative Benches have stood up and said that they were wrong to oppose the measure, just as some Members have said that they were wrong to oppose civil partnerships. They have seen that the legislation has been an unalloyed force for good.

Bob Stewart (Beckenham) (Con): I was one of those who stood up and said that they had got it wrong. I got it wrong, and I now support the legislation. I agree with this proposal, and I agree with the one on abortion, but the problem is that this is like a crack in the dam. If we crack the dam, more and more things will come through. I do not mind that, because I am beginning to think that we will have to have direct rule. I would like very much for us to consider all the problems in Northern Ireland and to deal with them. If we do not have an effective Executive in Northern Ireland, we are going to have to do that anyway. What we have to realise today is that if we pass these new clauses, it will be the thin end of the wedge and other things will, and should, follow, because they are very important to people in Northern Ireland.

Nick Herbert: I commend my hon. Friend for saying once again that he was wrong in opposing the same-sex marriage legislation. I am grateful for that, and I admire him for having the courage to say it. The reason I do not think that this is the thin end of the wedge, however, is that at the end of the day this is about something quite fundamental—namely, equality. I do not think that introducing a measure to ensure and promote equality can ever be described as the thin end of the wedge. I think it is the right thing to do.

Four years ago, the Supreme Court of the United States took a landmark decision that I hope will not be reversed, in the case of *Obergefell v. Hodges*, to allow

same-sex marriage throughout the United States. In the concluding remarks of the lead judgment—which have been much quoted since—Justice Kennedy set out brilliantly why this is the right thing to do:

“No union is more profound than marriage, for it embodies the highest ideals of love, fidelity, devotion, sacrifice, and family. In forming a marital union, two people become something greater than once they were. As some of the petitioners in these cases demonstrate, marriage embodies a love that may endure even past death. It would misunderstand these men and women to say they disrespect the idea of marriage. Their plea is that they do respect it, respect it so deeply that they seek to find its fulfilment for themselves. Their hope is not to be condemned to live in loneliness, excluded from one of civilisation’s oldest institutions. They ask for equal dignity in the eyes of the law.”

That is all we are asking for the people of Northern Ireland today.

2 pm

Stella Creasy (Walthamstow) (Lab/Co-op): It is a genuine pleasure to follow the right hon. Member for Arundel and South Downs (Nick Herbert), and I agree with every word he said.

I will be proud to vote today for new clause 1 in the name of my hon. Friend the Member for St Helens North (Conor McGinn), who is now leaving the Chamber. He made an incredibly powerful speech. I also support amendment 9.

I rise to address new clause 10 with great reluctance, because none of us wanted the governance of Northern Ireland to be in this position today. We all want to speak up for the importance of devolution but, as my hon. Friend said, human rights delayed are human rights denied. New clause 1, new clause 10 and amendment 9 all speak to the human rights challenges. I understand the concerns of the hon. Member for Beckenham (Bob Stewart) about it being the thin end of the wedge, but I see this as a temporary way of dealing with something that this place is centrally about: protecting the human rights of every UK citizen.

Those of us who are strong defenders of devolution and human rights tread carefully. Section 26 of the Northern Ireland Act 1998 charges this place with upholding our international obligations for the whole United Kingdom, even when the Assembly is sitting. As we have now not had an Assembly for two years, and as it is unlikely the Assembly will have sat for three years at this rate, it is even more important that we ask what our obligations are so that we do not see human rights denied.

The Women and Equalities Committee has been very powerful in stating that on these two specific issues, especially in the past couple of years, our country has been censured for what is happening in Northern Ireland. Members will know that I am a passionate defender of women’s rights, and I believe powerfully that we will never have true freedom if women do not have the same control over their bodies as men. If we say to women that we will force them to continue an unwanted pregnancy, they will always be second-class citizens compared with their male counterparts. That is exactly what we are saying to our fellow UK citizens in Northern Ireland. As the right hon. Member for Arundel and South Downs said, these amendments are about equality. They are about treating every UK citizen equally; in Northern Ireland there are no such rights.

The right hon. Member for Basingstoke (Mrs Miller) talked powerfully of fatal foetal abnormalities. I cannot imagine what it is like for somebody who so desperately

wants a baby to discover that their baby will not live. All our hearts have gone out to Sarah Ewart, but those court cases were not just about fatal foetal abnormalities; they were about sexual violence, too.

We are not living up to our obligations to protect the rights of the women of Northern Ireland—those 1 million women are UK citizens. If we do not act on these issues and find a way, in the absence of an Assembly, however temporary, to deal with this issue, it will not only be Sarah Ewart who has to go to court. We will be in the invidious position of rape victims having to go to court to have their rights upheld. That is torture, which is why the UN Committee against Torture censured our country and said that how we treat the women of Northern Ireland is torturous.

That is why it is right that we find a way through. I am very conscious of the words of the Women and Equalities Committee, which said that the Government need to set out a clear framework and timeline for addressing the breaches of women's rights in Northern Ireland, which have been identified by CEDAW, if there is no Government in Northern Ireland to take action.

Ian Paisley: The hon. Lady knows where I stand on this issue, and my position is very different from hers. She rightly indicates that there needs to be a framework, but if new clause 10 were to become law, abortion would take place in Northern Ireland without any framework whatsoever. It would be completely and totally unregulated. We have no idea of the scope. Would we have terminations at 12 weeks, 28 weeks or right up to birth?

We would have no regulations on where abortions could take place. There would be no regulatory framework on who could carry out those abortions, and there would be no regulatory framework on sex selection or, indeed, disability denial. All those matters require careful and considered regulation and legislation. Unfortunately, new clause 10 is not careful and does not give the time or scope for any of these matters to be properly considered.

Stella Creasy: I thank the hon. Gentleman for raising those issues, which are myths that need to be dispelled, although I understand his concerns. The CEDAW report talks about the Offences Against the Person Act 1861, which is why a woman who is raped in Northern Ireland and seeks a termination after becoming pregnant will face a longer prison sentence than her attacker. It is why, in November, a mother who bought abortion pills online for her child—she was a child, because she was a 15-year-old girl in an abusive relationship—faces a jail sentence.

We must deal with the effects of this anachronistic, ancient law in Northern Ireland. My constituents, and constituents across England and Wales, are exempted from that Act, but it does not mean a free-for-all. In fact, new clause 10 is crafted in terms of statutory instruments under the Northern Ireland Act.

I am mindful that the British Medical Association, the Royal College of General Practitioners, the Royal College of Midwives, and the Royal College of Obstetricians and Gynaecologists have all set out proposals for medical guidance. Absolutely, abortion should be regulated. Absolutely, there should be clear guidelines. Nobody is seeking to change the term limit we have in England and Wales. The question is whether the law should be

underpinned by criminal legislation or medical regulation, which is what new clause 10 would allow us to consider. It would therefore allow us to answer the question about the inequality of experience between my constituents in Walthamstow and the constituents of the hon. Member for North Antrim (Ian Paisley) in Northern Ireland.

A thousand women from Northern Ireland have had to travel to England and Wales to have an abortion in the last year, and those are just the women who can travel. What a horrible, lonely journey to ask somebody to make at the most vulnerable moment in their life. That option is not available to women in an abusive relationship, who cannot get childcare or who cannot afford to travel.

New clause 10 is carefully crafted to respect the fact that, at the moment, we do not have an Assembly. If there were an Assembly, it could step in and deal with the criticisms that have been levelled at us by the UN. It could deal with the decisions made by the Supreme Court, which have not been enacted only because of a technicality. New clause 10 would mean these situations can be dealt with. Medical regulations could be introduced, but it would be done through a statutory instrument. It does not prescribe what the regulations would be, so it does not remove any of the protections the hon. Gentleman talks about.

Emma Little Pengelly: You have said many times, and it has caused distress, that a woman in Northern Ireland who is raped and seeks an abortion could face a longer jail sentence than her attacker. I have corresponded with the Police Service of Northern Ireland on this matter because of the concern you have caused out there. PSNI has confirmed that no woman has been sent to prison for an abortion-related offence, and I am meeting PSNI to talk it through.

Secondly, the issue about regulations is important. Regardless of whether you perceive abortion to be a right, the regulations are not prescriptive about some of the details highlighted by my hon. Friend the Member for North Antrim (Ian Paisley), but your proposal would mean there is no scrutiny of the regulations.

The Second Deputy Chairman of Ways and Means (Dame Rosie Winterton): Order. You do not directly address another Member but address your comments through the Chair. This is obviously a sensitive debate, so it is important that we stick to the rules.

Stella Creasy: Thank you, Dame Rosie.

It is simply not the case that people have not been prosecuted. A mother is facing a jail sentence in November. We know that, in 2017, a man and woman accepted formal cautions under OPA for the same offence, and the charges were withdrawn only after the judge imposed a ban on identifying the woman due to the heightened risk of her suicide because of her distress at the situation. We know that, in 2016, a 21-year-old pleaded guilty to procuring her own abortion by poison after she bought pills online and her flatmate reported her to the police. Prosecution is a very real prospect in Northern Ireland, but it is not a real prospect for my constituents in another part of the United Kingdom who are in exactly the same situation.

Emma Little Pengelly: Will the hon. Lady give way?

Stella Creasy: Forgive me, but I have given way. I am conscious that other people want to speak in this debate. I understand the concerns of the right hon. Member for Basingstoke, who is no longer here, but I genuinely believe that if we do not address the international obligations that we have—and that this legislation leaves us unable to address at the moment—we will continue to see these cases. We will continue to see the distress of women in Northern Ireland, and that will be a human rights issue.

There is a more fundamental point here, which the right hon. Member for Arundel and South Downs talked about: if we are prepared to jettison some human rights and say that they are not as important as others, that is the thin end of the wedge. Are we going to say that in Northern Ireland people will not have the same rights of freedom of expression, of protection from slavery and of protection from torture, and the same rights to life? Specific human rights, and specific international reports and obligations that we have been part of, are at the heart of this amendment. We will not be able to stand up and champion human rights in other parts of the world, because other countries will rightly turn to us and say, “Hang about, what about your own backyard? What are you doing there?”

I understand that, if it was not for the fact that we do not have an Assembly, this would absolutely not be the right way forward, but we do not have an Assembly and we will not have one any time soon. This is about a power of a statutory instrument; it is not about specifying what should be in that statutory instrument, so there is plenty of scope to address these issues. Medical guidelines have been prepared by campaigners in Northern Ireland, be they Alliance for Choice, the London-Irish Abortion Rights Campaign, Together for Yes or those medical agencies.

There is a simple point here: each of us should want, in the work that we do at a national and international level, the same rights that we want for our own constituents. I would like every woman in Walthamstow to be able to have the choice to have a safe, legal and local abortion if she wants it. We all know that stopping people accessing abortion legally does not stop abortion. The cases where there have been prosecutions, where people have been killed and where we see online the stories of these women tell us that abortion is still happening for Northern Irish women, but right now that issue is being exported, rather than dealt with as an equalities issue. So I ask the Committee: how much longer are the women of Northern Ireland expected to wait? How much more are they expected to suffer before we speak up—the best of what this place does—as human rights defenders, not human rights deniers?

Fiona Bruce (Congleton) (Con): I find myself in agreement with the concerns expressed by the Chair of the Women and Equalities Committee about the far-reaching implications of new clause 10, which relates to abortion law changes in Northern Ireland but has implications for England and Wales, too. So I am against that proposal, and new clauses 11 and 12. This is not the time, nor the place, to be making such changes, which are of course completely unconstitutional, bearing in mind that devolution has ensured that abortion is an issue that Northern Ireland and its own Assembly have had authority to make decisions on for almost 100 years.

Huw Merriman: Does my hon. Friend recognise that treaty obligations are a matter for Parliament, so this is not actually an issue about devolution? The Supreme Court has made that point, too.

Fiona Bruce: I will come on to that point in considerable detail in my speech, if Members will bear with me.

Emma Little Pengelly: I wish to touch on a point that was raised earlier. Does the hon. Lady agree that things are being said about this, particularly in relation to threatened imprisonment, that are not true and causing additional distress? In relation to the recommendations, they are simply recommendations on the way this could be done. It is right and proper that this is scrutinised to see exactly what the detail should be, and it should not be done by way of simple regulation or statutory instrument.

Fiona Bruce: I absolutely agree. If Members will permit me, I will go into detail on those concerns.

Last year, this House debated a similar Bill and many similar arguments were aired when we debated the amendment tabled by the hon. Member for Walthamstow (Stella Creasy), which was passed and became section 4 of the Northern Ireland (Executive Formation and Exercise of Functions) Act 2018. That section required the Secretary of State to

“issue guidance to senior officers of all Northern Ireland departments which will specify how to exercise their functions in relation to—

- (a) the incompatibility of the human rights of the people of Northern Ireland with the continued enforcement of sections 58 and 59 of the Offences against the Person Act 1861 with the Human Rights Act 1998”

within three months of the Act passing. That guidance was issued by the Secretary of State in December. She clarified that:

“No declaration of incompatibility under section 4 of the Human Rights Act 1998 has been made by the Courts in respect of sections 58 and 59 of the Offences Against the Person Act 1861.”

She added that the guidance notes that it does not, and cannot be used to, change the current law on abortion. Section 4 did not require any further reporting on the law or its operation in Northern Ireland. So here we are again with Members seeking to put forward a considerable number of amendments relating to substantial changes to the law on abortion in Northern Ireland, despite this issue being within the devolved competence of the Assembly.

2.15 pm

I am disappointed that new clause 10, which seeks to change the law substantially, has been selected, along with new clauses 11 and 12, and I wish to make three initial points on that proposal. First, it clearly overreaches the devolution settlement and sets a precedent that should concern all the devolved jurisdictions. Secondly, the people of Northern Ireland would have no opportunity to have a say in the decision, which does not respect democracy, if we were to pass these new clauses today. Thirdly, they require the Secretary of State to bring forward regulations, but I understand that those will be unamendable. This is no way to legislate for sensitive matters such as abortion.

The amendments tabled by the hon. Member for Walthamstow rely on the authority of CEDAW and its committee, which is a minor sub-committee of the UN that looks at that convention. It is important for

this House to note that the convention does not provide a right to abortion. That is not my opinion; hon. Members will want to hear the views of Lord Wilson, a Supreme Court Justice in the 2017 case of *R (A and B) v. Secretary of State for Health*, who said:

“The conventions and the covenant to which the UK is a party carefully stop short of calling upon national authorities to make abortion services generally available. Some of the committees go further down that path”—

as the CEDAW committee has:

“But, as a matter of international law, the authority of their recommendations is slight.”

The hon. Lady also suggests that, since the CEDAW committee made various recommendations on the law on abortion in Northern Ireland, the Secretary of State must act. But the Northern Ireland Act 1998 devolved human rights to the Northern Ireland Executive. In the case where the Supreme Court makes a declaration of incompatibility under section 4 of the Human Rights Act 1998, which it has not, it is for the Northern Ireland Assembly to act. However, the hon. Lady is suggesting the Secretary of State must act under section 26 of the Northern Ireland Act—she relies heavily on that. It requires action from the Secretary of State if proposed actions by the Assembly are considered incompatible with international obligations or she considers actions should be taken to give effect to international obligations. However, the guidance issued in December 2018, which I have just cited, made it clear that the Secretary of State does not believe that we are in either of those situations. Her guidance did not even mention the CEDAW committee, upon which the hon. Member for Walthamstow relies for authority. That is not surprising, as it is a committee with no judicial authority.

Professor Mark Hill, QC, has written extensively about the authority of the CEDAW committee and its report. He says in paragraph 4 of his opinion:

“The Committee does not have the capacity or standing to give a binding adjudication on the United Kingdom’s obligations under CEDAW or on the proper interpretation of CEDAW. The interpretative function under the CEDAW is reserved, not to the Committee, but to the International Court of Justice.”

He goes on to say in paragraph 5:

“The Committee’s views are not binding interpretation of the law, nor do they contribute to customary international law when approaching the interpretation of these rights.”

I make no apology for quoting at length from the opinion: it is really important because of the reliance of the hon. Member for Walthamstow on the CEDAW committee. Professor Hill says:

“The text of international treaties such as CEDAW are carefully crafted expressions of intent and belief. There is no reference to abortion in the text of CEDAW. There is nothing in the text of CEDAW which requires a state party to allow abortion on specified grounds and/or decriminalise abortion generally. The absence of such a provision in the formal text gives a clear indication that no such obligation exists. The International Court of Justice has not interpreted CEDAW in a manner which departs from the plain wording of the text so as to require a right to abortion or the decriminalisation of abortion to be “read in”.

Finally, Professor Hill says:

“Nevertheless, the Committee, ‘based on its expertise in interpreting [the Convention]’, recommends that abortion be decriminalised in all cases and asserts that ‘States parties are obligated not to penalise women resorting to, or those providing such services [abortion]’. The Committee is not a judicial body, no source is given for its claimed ‘expertise in interpreting’ CEDAW”.

It simply does not have the power it has abrogated to itself to interpret the CEDAW regulations in the way that the hon. Member for Walthamstow proposes.

The Chair of the Women and Equalities Committee referred to its report on abortion in Northern Ireland. The decision on the report was not unanimous. In the minority report, my hon. Friend the Member for Walsall North (Eddie Hughes) said that

“to suggest that the Government establish a framework to address the recommendations of the CEDAW report places a disproportionate and misguided degree of authority on its substantive findings and the limited jurisdiction of this unelected UN Committee.”

Indeed, the non-binding nature of the CEDAW committee’s report was acknowledged by the chief executive of the Northern Ireland Human Rights Commission himself in evidence to the Women and Equalities Committee during that inquiry.

Let me turn briefly to the Supreme Court judgment that has been referred to. That judgment is non-binding. It is being used to justify the proposals for change, but there is nothing in it that could be said to give rise to a requirement for such a change. The Supreme Court and Lady Hale made it clear that, although important, CEDAW and other treaties are not binding on our domestic law. There is simply no basis for the Secretary of State to act on the basis of the CEDAW report. New clauses 10, 11 and 12 should be rejected. The law on abortion is a matter for the people of Northern Ireland. I hope we will see the Assembly restored soon so that this matter can be resolved in its right and proper place.

Several hon. Members *rose*—

The Second Deputy Chairman of Ways and Means (Dame Rosie Winterton): Order. Before I call the shadow Minister, colleagues will be aware that a large number of people wish to contribute. I cannot set a time limit, but let me put it this way: we could certainly get everybody in if everyone spoke for around eight minutes each.

Karin Smyth (Bristol South) (Lab): I shall endeavour to make sure that everyone has time to speak, Dame Rosie.

The Opposition Front-Bench new clauses each cover three issues in three stages. On each issue, the relevant new clause would first, compel the Government to bring forward a report on progress to implement change in the relevant area on or before 4 September 2019; secondly, require the Government to bring forward, within two sitting days of that report, a motion to take note of the report; and thirdly, require the Government then to introduce legislation, following the passing of a motion. Let me be clear that any incoming Labour Government would seek to legislate on these issues.

Let me address new clause 1, which was tabled by my hon. Friend the Member for St Helens North (Conor McGinn). I can add little to the speeches made by my hon. Friend and the right hon. Member for Arundel and South Downs (Nick Herbert) on the subject of gay marriage. I will say, though, that I had the very sad honour to attend the funeral of Lyra McKee in Belfast earlier this year. Much attention has been paid to some of the sentiments expressed at that time. We heard that day that Lyra was making arrangements for her own marriage to her partner. Sitting in the cathedral, I was struck by the huge sadness and irony: we rightly praised this remarkable young woman for being a child of the peace process, for being so openly happy with her own

[Karin Smyth]

sexuality, and for having touched every part of Northern Ireland society with her optimism, but while she was making plans for her marriage to the woman she loved, her own society was in essence saying to her, “Away you go to Donegal. You can’t do that here.” What a great testament it would be to her memory, and for the thousands of people throughout Northern Ireland who simply want to express their love, if we could make progress on this issue.

Lady Hermon: I am grateful to the hon. Lady for allowing me to intervene at this early stage of her contribution. I have looked closely at the new clauses tabled in the name of the Leader of the Opposition, and I have also looked carefully at the wording of new clause 1, which was tabled by the hon. Member for St Helens North (Conor McGinn). Will the hon. Lady explain how the devolution settlement would be protected in the new clauses for which she is encouraging us to vote? The hon. Member for St Helens North was very careful to draft his new clause to respect the devolution settlement, but that does not appear to be true of the Leader of the Opposition.

Karin Smyth: As the hon. Lady knows, Labour was the architect of much of the devolution throughout the United Kingdom, so we are proud of the devolution settlement. We are asking the House to give a voice to people who currently do not have one. Our proposals would require the Government to bring forward reports to make some progress on issues on which, some two and a half years on—by the time we get through this legislation, it will be some three years on—no progress is being made.

Let me turn my attention to the proposals on abortion. It is some 50 years since this place recognised the cruelty, danger and hypocrisy of the law in respect of women’s rights, but in the late 1960s the Northern Ireland Parliament did not adopt the change. From 1972, when that Parliament was suspended and direct rule was introduced, until 2010, when the criminal justice and policing powers were introduced in Northern Ireland, abortion law was the responsibility of the UK Government. Successive Administrations, both here and in Belfast, have turned a blind eye to this issue over the past 50-plus years and hoped that it would go away. Continually, each year, 1,000 women travel for abortions.

Last night and today, we have yet again heard exemplified the arguments on whether this is a human rights or a devolution issue. We are citing laws—both here and in the European Court and the Supreme Court—regarding whose responsibility this is, which particular legislation or Act we want to be mindful of, whether we have suddenly become cloaked in the glory of devolution or whether this is a human rights issue. But I ask all hon. Members to hear the testimony of the women who are involved and their voices because this is not going to go away. Whether these women are fleeing abuse, domestic violence or rape, know that their baby cannot live, have concerns for their own health, have family reasons, or do not wish to be pregnant, we have to trust women.

2.30 pm

The Supreme Court’s opinion was crystal clear that the UK is in breach, yet we are still making women take their cases and relive the trauma of their travelling.

The women in Northern Ireland are being caught in this absurd political ping-pong across the Irish sea and it is simply time for it to come to an end.

Hannah Bardell: When we first started to debate these issues, I said to the hon. Member for Walthamstow (Stella Creasy) that I would listen and meet women from Northern Ireland. I did that: I met with Denise Phelan and Sarah Ewart. Nothing could have prepared me for hearing about their experiences. I cannot even imagine what they have been through. Is it not time to stop making women tell their stories and being re-traumatised just so that they can get basic human rights? Is it not time that that changed?

Karin Smyth: I wholeheartedly agree. I commend the hon. Lady and others. Women have travelled here to tell us about those experiences. I commend hon. Members, whatever their views, to take time to listen to those experiences. Like her, I heard Denise’s testimony. I learned more when I heard evidence at the hearings of the British-Irish Parliamentary Assembly. The way in which services here are not established to cope with what then happens to people, particularly if they are travelling, and particularly with regard to foetal remains, is just the most shocking thing that I have heard in this place. It really is time that that stops happening and that we stop making these women relive this experience. Let us be very clear: they are determined to do that and they will keep coming forward and supporting each other.

Let me just move on to historical institutional abuse, which is another issue covered by these amendments. May I also join the right hon. Member for Belfast North (Nigel Dodds) and pay tribute to Justice Anthony Hart, who has sadly passed away suddenly today? His diligence and work on the inquiry have helped to shine a light on the suffering of many in Northern Ireland.

Thousands of people were let down when they were placed in the state’s care. That pain has been compounded by the delay in establishing the compensation and redress mechanisms laid down under the recommendations of the Hart inquiry. I understand that representatives of victims and survivors will be in Westminster tomorrow to give evidence on the delay in legislating to provide compensation. That is really helpful to them. They are travelling again to talk to us so we hear what they have to say. Labour has consistently called on the Government to legislate on this issue as it is an urgent matter. It has been said many times in this place that, since the publication of the Hart report, some 30 survivors have passed away. Again, we need to see action now as these people are passing on.

Let me turn to the issue of pensions. We have again called for the implementation of pensions for those seriously injured as a result of the troubles. More than 500 people have been unable to live the lives that many of us have been able to, and to plan for their future with their family and to build up their pensions. I have met many of those people through the WAVE project and the South East Fermanagh Foundation. Again, they are travelling here to talk to us. I urge hon. Members, when they have the opportunity, to listen to them and to hear how their lives have been devastated.

James Heappey (Wells) (Con): I am sure that the hon. Lady is aware that some of the people who have been identified as possible beneficiaries of this pension are former IRA terrorists who injured themselves in the

pursuit of their terrorist activities. Can she confirm that the Opposition are clear that no IRA terrorist should benefit from these pensions?

Karin Smyth: The hon. Gentleman raises what is a hugely controversial subject, as he knows. I have met some of those people, who have challenged me directly on the matter. We know that it is a controversial and difficult subject, but we have the definition from 2006 and it is absolutely our view that that remains and, if it is to be changed, it has to be with the agreement and work-through of the political parties in Northern Ireland.

The pension is a recognition of the suffering of those people as a result of the troubles. Again, we need to make sure that this matter is progressed. There are real victims who are struggling in Northern Ireland and who do not have a voice. It is absolutely incumbent on people here to listen to them and to make progress.

Simon Hoare (North Dorset) (Con): It is a pleasure to follow the hon. Member for Bristol South (Karin Smyth). Having given a fairly lengthy speech on Second Reading last night, the House will be relieved to know that I intend to speak only once in Committee.

The devolution settlement is perfectly clear, as is, I believe, our duty to respect it. Less clear, I suggest, is how we as politicians address the issues raised in the amendments today when devolution is not present, but where there is a clear and pressing call for action. I understand entirely that human rights were devolved under the Northern Ireland Act 1998, but I cannot understand why that was the case. It seems to me that there is an incredibly strong and compelling argument about the universality of human rights for citizens of the United Kingdom and to try to move away from that in some way starts to pick away at some of the fabric of Unionism.

Ian Paisley: Will the hon. Gentleman give way?

Simon Hoare: I will not. Having given way many times yesterday, I just want to make my remarks today. The hon. Gentleman will, I am sure, forgive me.

The amendments clearly deal with sensitive issues covering moral, legal and rights considerations. They are being argued with clarity and passion. However, it is my view that this is a process Bill. It has two days of debate. It is not a policy Bill, but rather a housekeeping Bill to ensure that civil servants can keep some sort of show on the road to serve the citizens and residents of Northern Ireland. I want the devolution talks to succeed and I share the hope that the Bill, as suggested by the Secretary of State, will not actually need to become an Act. If it does, I want it to be a clean Act—in other words, an unamended Act.

I say to the Secretary of State and to the Minister on the Front Bench that I am certainly prepared to see the extension of the Bill's provisions to the short date, but ideally not to the long date—to 21 October, but not to 13 January next year. I believe that I am not alone in thinking that direct rule is not desirable, but the clear message for fresh elections is becoming almost irresistible. We need to be clear that if a drop-dead deadline is useful to concentrate minds in the Brexit debate then so too must it be for the restoration of devolution.

If this Bill is amended, I shall be very frightened—seriously frightened—that that might prove to be a reason, an excuse or a smokescreen to collapse the talks coming

from either end of the spectrum, and that would be lamentable. I do not believe that this House should do anything to jeopardise those fragile talks. I understand entirely the passion that underpins the amendments, but effectively, for the reason given, I intend to abstain on all amendments this afternoon. I will also abstain on Third Reading if the Bill is amended. I do not think that that is an inappropriate stance for the Chair of the Northern Ireland Affairs Committee to take.

In the words of Bob Dylan, someone whom I have not knowingly quoted before, the times they are a-changin'. Politics in this place and in Northern Ireland will injure itself—possibly irreparably—if it seeks to set its face against the arguments of change that we are hearing today. It is my view that it is a question not of whether change is delivered, but of how and in which forum. It appears that profound social change is coming to Northern Ireland. That change is going to be authored either here in Westminster or in Belfast, but the issues articulated by the hon. Members for Walthamstow (Stella Creasy) and for St Helens North (Conor McGinn) can no longer be dodged or fudged.

The choice of where, how and by which mechanism that change is delivered will be in the hands of those involved with the talks. I impress upon them—not that I believe that the impression needs to be made—the urgency of the need for speedy success. I hope that the parties involved in those talks are seized of their responsibility, because the next few weeks, as far as the future political arrangements of Northern Ireland are concerned, really are the last chance saloon.

Sammy Wilson: There is great dismay in Northern Ireland at the way a Bill described by the Chair of the Select Committee as a process Bill that is narrowly focused on a particular issue—how to keep Northern Ireland government going during a period when we do not have devolution, and how to get devolution up and running again—has been hijacked by those who have their own particular interests in specific issues, and who are now using the Bill as an attempt to drive through that agenda.

I do not intend to enter into arguments about whether we should have same-sex marriage in Northern Ireland or whether there should be a change in the law relating to abortion. I have totally different views from those expressed in the Chamber today, but that is not what the debate on the Bill ought to have been about in the first place. This debate is about the narrow issues in the Bill. The other issues that have been introduced have been introduced in a way that does not do justice to this House; that creates great dangers in Northern Ireland, especially when there is a sensitive talks process going on; and indeed, that angers many people in Northern Ireland whose views will be ignored if the amendments are passed today.

I want to say three things about the amendments and the reaction of some Members of this House. First, there is a very clear inconsistency. These matters are devolved. It really does not matter whether there is a devolved Assembly in operation at the moment or not; they are still devolved issues.

Hannah Bardell: It kind of does.

Sammy Wilson: The hon. Lady says from a sedentary position, “It kind of does.” If it kind of does, why are those who are saying that we should interfere on the

[Sammy Wilson]

issue of same-sex marriage and abortion not being consistent and arguing that we should be using the powers of this House and bringing back to this House all the other issues, many of which are also human rights issues, such as the human rights of people who need special education to get special education, and the human rights of people who need life-saving operations to have life-saving operations? I do not hear any siren calls from the people who are saying, “Yes, it kind of does matter that there is no devolution in Northern Ireland.” If it does, let us bring other matters back to this House.

Emma Little Pengelly: Looking around the Chamber, it strikes me that there are a number of people present who were not here for yesterday’s debate, when we talked about a range of these issues. Whenever we talk about human rights, it is important to say that there are people sitting on waiting lists, when one of the fundamental human rights is the right to life. People on waiting lists are dying while waiting for cancer treatment and other treatments because there is no Assembly in Northern Ireland and there is a refusal of this place to intervene and try to do something about that. We do care about the rights of people right across the board, but that means that we must have the Northern Ireland Assembly back up and running to deal with these issues.

2.45 pm

Sammy Wilson: And indeed, it is significant that some of those who are saying that they do not wish to see steps being taken to deal with those issues are not even prepared to accept that what has stopped those issues being discussed in Northern Ireland is the attitude of Sinn Féin and the refusal of Sinn Féin to get back into government. There is an inconsistency there.

Mhairi Black (Paisley and Renfrewshire South) (SNP): Will the right hon. Gentleman give way?

Sammy Wilson: Well, the hon. Lady has just wandered into the Chamber, so I am not going to give way.

The second inconsistency is that many of those who are saying that these limited and very specific powers should be taken by this House are the same people who, during the debate on Brexit legislation, complain time and again that we should not interfere with the powers of devolved Administrations. Indeed, when the Government were suggesting that some of the powers that currently reside with Brussels might be brought back and held at the centre—or at least, that they would wait to discuss whether those powers should be devolved—there was an outcry in this House: “You’re interfering with the devolution settlement and the powers of devolved Assemblies.” Yet the very same people who made those arguments are now saying, “But it’s okay to take away the powers of the Northern Ireland Assembly on these sensitive issues.”

Look at the inconsistency of SNP Members; they cannot even be consistent for 24 hours. Yesterday evening, the SNP spokesman, the hon. Member for Paisley and Renfrewshire North (Gavin Newlands), said that

“the SNP Benches do not vote on matters devolved to other parts of the UK...We are not blind to the circumstances in Northern Ireland, but we intend to stick to that principle.”—[*Official Report*, 8 July 2019; Vol. 663, c. 75.]

Well, the Gorilla Glue they used did not work very well because they are not sticking to that principle at all. They have changed their minds on this issue within 24 hours.

Mhairi Black: Will the right hon. Gentleman give way?

Sammy Wilson: No. I have told the hon. Lady that I am not giving way. Despite the fact that SNP Members have railed against this House when it comes to devolved issues for Scotland, they seem to believe that it does not matter when it comes to Northern Ireland.

There is also an inconsistency regarding the way these issues would be dealt with—that is, through regulations introduced by the Secretary of State, which we will never debate in this House and which will not be scrutinised. I can remember many hours of debate in this House about how the power-grabbing and power-snatching desire of the Government must be opposed by those of us who are democrats and who want to stop these Henry VIII powers being taken by a dictatorial Government. But the Members who tabled these amendments today are quite happy to say to the Minister, “Go ahead. Take the powers. Make the regulations. We don’t care whether they are scrutinised. Make sure they are in place for 31 October.” When people look at the way these issues are being dealt with, they will ask, “Where is the consistency?” That is an issue that people in Northern Ireland will be asking questions about, but it is one that this House ought to be asking questions about.

Either we respect devolution and we do not want to see powers granted to Ministers that are unscrutinised, or we do, and if we do in these particular instances, we have to ask ourselves the question, “In what other circumstances will that happen?” If this House decides that government is not going to function in Northern Ireland, as might well be the case, and decides to take these powers back, I, as a democrat, even if this House votes for things that I do not want, will fiercely argue for that.

If this House is a decision-making body, I will have to live with that, as will many of my constituents who might take a different view from people in this House, but at the minute we cannot have it both ways, such that these issues are devolved and the Assembly should decide them, but that the House will take part when individuals in this House decide, “Here is an issue that I’m not keen on.”

Mr Gregory Campbell (East Londonderry) (DUP): In dealing with the overarching issue of the devolution settlement, does my right hon. Friend agree that part of the problem—he seems to be alluding to this—is that some Members of the House seem determined to say, on the one hand, that they want to get all the parties together to agree in Northern Ireland, yet, on the other, that they are going to try to force through issues here that drive a coach and horses through the devolution settlement? Those are the very issues, among others, that divide parties and people in Northern Ireland, rather than uniting them.

Sammy Wilson: Yes, and the danger is that that has an impact on the talks that we are trying to progress to a satisfactory conclusion.

Furthermore, the proposed measures are undemocratic. The views of the Assembly on abortion have been clearly expressed. Back in 2015, the Assembly—not by a vote using a petition of concern, but by a majority, and a big majority at that—decided that it did not want to change abortion legislation in Northern Ireland. Indeed, in October last year, a ComRes survey in Northern Ireland showed that 64% of people in Northern Ireland did not believe that this issue should be decided here, but should be decided in Northern Ireland. Significantly, 66% of women took the view that that should be the case, and, among young people, 72% of those aged between 18 and 32 believed that the issue should be decided locally. That being the case, trying to impose change through this place on the people of Northern Ireland, ignoring the devolution settlement, is obviously undemocratic.

If we are going to take extra powers to this House, why take them on some of the most sensitive issues? They could be taken on other issues where people would accept that, but these are some of the most sensitive. The fact that I have had hundreds of emails on this issue within the past week indicates how sensitive it is. Regardless of whether people agree with my views on the two issues before us, they should ask themselves, “Is this the way this should be dealt with?” I do not believe it is. It is not consistent with previous decisions of the House and it is not democratic.

Sir Edward Leigh (Gainsborough) (Con): I believe that decisions regarding the law on abortion in Northern Ireland should be a matter for the people who live there and their elected representatives. The whole concept of devolution is based on the idea that different jurisdictions in the United Kingdom are entitled to adopt different approaches to areas within their competence. It was a decision of this House to transfer policing and justice powers to the Northern Ireland Assembly, and Westminster has not sought to impose legislation in this area at any stage during the history of Northern Ireland since 1921.

In 1967, the elected representatives of Northern Ireland determined not to embrace the Abortion Act 1967. As recently as 2016, the elected representatives of the people of Northern Ireland voted not to change the law on abortion in any way. In that sense, Northern Ireland’s law enjoys a more recent democratic sanction than that of any other part of the United Kingdom. This is a matter of great debate in Northern Ireland, but there is robust statistical analysis to show that about 100,000 people who are alive in Northern Ireland today would not be if we had embraced the 1967 Act. I point to what the right hon. Member for East Antrim (Sammy Wilson) just said: polling shows that a large majority of people in Northern Ireland—64%—say that this is not a matter that should be addressed by Westminster, rising to 66% of women and 72% of 18 to 32-year-olds.

Inevitably and understandably, it will be pointed out that the Executive has not been functioning since January 2017. However, for reasons the Secretary of State has articulated on numerous occasions, there has been a concerted effort to avoid direct rule, which is no way to run a complex society such as Northern Ireland’s; only in extremis should it be considered. If direct rule came in, this House would of course be entitled to legislate on matters that are currently devolved. Ministers would be accountable for legislation and for the operation of

Executive Departments in Northern Ireland. But direct rule has not been introduced, and while this remains the case, this House cannot selectively intervene in relation to some issues as if direct rule were in place without unravelling the wider devolution settlement.

Huw Merriman: If that is so, why did Lady Hale say in the Supreme Court, when looking at whether this is incompatible legally, that Parliament, not the Northern Ireland Assembly, has three choices to correct it?

Sir Edward Leigh: I am going to deal precisely with that point if my hon. Friend will be patient.

The process we are undertaking this afternoon does not assist the talks process—quite the opposite. Some of those who support these amendments and new clauses will claim to generally accept this argument but suggest that abortion is different because there is a human rights imperative to override the devolution settlement. However, significant misinformation has been spread with regard to the status of the law on abortion in Northern Ireland in relation to human rights. Specifically, as we have heard, a number of claims have been made with regard to the CEDAW and a recent report by the CEDAW sub-committee on Northern Ireland.

First, let us consider the position of the legislation on abortion in Northern Ireland in terms of the Human Rights Act 1998 and the European convention on human rights. It is important to stress that at this point there has been no declaration of incompatibility with regard to the law on abortion in Northern Ireland. Yes, in the Northern Ireland Human Rights Commission judgment released in June 2018, a majority of judges indicated that if the plaintiff had standing in the case, they would have made a declaration of incompatibility with regard to cases involving fatal foetal abnormalities and in cases of sexual crime. However, these non-binding comments do not constitute a declaration of incompatibility.

Emma Little Pengelly: Will the right hon. Gentleman give way?

Sir Edward Leigh: I had better keep going to obey your ruling, Madam Deputy Speaker, and I want to reply to this point, which has been made in an intervention.

In addition, the Supreme Court, again in non-binding comments, unanimously found that the law on abortion in Northern Ireland was compliant with the European convention on human rights in restricting access to abortion on the grounds of non-fatal disabilities. This part of the judgment is conveniently often forgotten in the rhetoric of proponents of change in the law on abortion in Northern Ireland. One might instead think, listening to the arguments made by some, that the Court found that the decriminalisation of abortion is required on the basis of human rights. That is simply false and needs to be understood as such. Individuals are of course entitled to argue for the decriminalisation of abortion, but they are not entitled to make this claim on the basis of human rights conventions or jurisprudence.

A future panel of the Supreme Court might well make a similar finding to that made in the Northern Ireland Human Rights Commission case. Indeed, a properly constituted case is currently before the courts in Northern Ireland with regard to fatal foetal abnormality. However, even if that were the case, the incompatibility

[Sir Edward Leigh]

to be resolved would be on the narrow grounds of some of the most tragic and difficult cases imaginable—that of fatal foetal abnormality, not on the grounds of decriminalisation of abortion. Furthermore, section 4(6) of the Human Rights Act makes it clear that even had the Supreme Court determined that a piece of primary legislation was incompatible—which it did not in this case—and made such a declaration, a declaration of incompatibility

“does not affect the validity, continuing operation or enforcement of the provision in respect of which it is given”

and

“is not binding on the parties to the proceedings in which it is made.”

Indeed, Baroness Hale pointed out that, even in cases where there is a ruling of incompatibility, that does not compel the legislature to change the law. It still has what she describes as a “do nothing” option.

3 pm

That leads me on to CEDAW and the report of the Committee on the Elimination of Discrimination against Women. I remind the House of the legal opinion of Professor Mark Hill, QC, which points to the reality of CEDAW and the status of the committee. On a point of fact, which needs to be reiterated due to the number of times this has been claimed, the CEDAW committee and the United Nations are not coterminous. The CEDAW committee does not represent the entirety of the United Nations. Professor Hill, argues cogently that there is no requirement for the UK or Northern Ireland to act in response to the CEDAW committee’s Northern Ireland report, first because there is no right to abortion under the convention, and secondly because the committee does not have the power to make binding resolutions on the UK. My hon. Friend the Member for Congleton (Fiona Bruce) quoted Professor Hill’s report in some detail, so I do not need to repeat it.

Far too much weight has been put on the recommendations of the CEDAW committee. To imply that the Secretary of State should consider taking action in law as a result is entirely inappropriate. We need to be very careful with regard to the precedent we would set if we passed these amendments and new clauses. Do we want to give reports of UN treaty monitoring bodies this kind of status, irrespective of the topic?

The United Kingdom Supreme Court certainly does not treat reports of the CEDAW committee with the kind of authority that these amendments do. As Lord Wilson, with whom Lord Reed and Lord Hughes agreed, put it in *R (A and B) v. Secretary of State for Health*—this is an important point:

“The conventions and the covenant to which the UK is a party carefully stop short of calling upon national authorities to make abortion services generally available. Some of the committees go further down that path. But, as a matter of international law, the authority of their recommendations is slight”.

These amendments and new clauses are not required under human rights jurisprudence and could lead to an unhelpful precedent. They tear up the devolution settlement and are a naked power grab that must be rejected.

Diana Johnson (Kingston upon Hull North) (Lab): I rise to speak to amendment 9, which has cross-party support. I was very pleased that the Chair of the Women

and Equalities Committee, the right hon. Member for Basingstoke (Mrs Miller), spoke in support of my amendment. The amendment would add to clause 3 a new subsection to place a duty on the Secretary of State to report on the legal framework on abortion in Northern Ireland, with an analysis of how the framework can be amended by this Parliament during the period when there is no Executive, subject to a sunset clause, to respect the devolution settlement. That would be done to comply with the human rights obligations of the United Kingdom.

We have had plenty of debate about our human rights responsibilities, and I know that many Members of this House are very concerned about the breaches of women’s human rights in Northern Ireland in relation to abortion. As we have heard, the law is still based on the Offences Against the Person Act 1861, which punishes a woman who terminates her pregnancy or anyone who assists her with up to life imprisonment. Members will also be aware that the Abortion Act 1967 has never applied in Northern Ireland.

The law on abortion in Northern Ireland is one of the most restrictive and harshest in the world—abortion in cases of rape, incest and fatal foetal abnormality is not allowed in Northern Ireland. We know that prosecutions take place. We have heard about the mother who bought tablets off the internet for her daughter, who was in an abusive relationship.

Fiona Bruce: Will the hon. Lady give way?

Diana Johnson: I am going to carry on.

We have heard about the woman who had a self-induced abortion because she could not afford to travel to England or Scotland. We have also heard of the 1,000 women who travel to access abortion services in England and Wales.

Following the referendum in the Republic of Ireland, a very stark light is now shining on this archaic law in Northern Ireland. With no Assembly sitting for over two years, we have seen no progress in dealing with this situation, but we have seen the United Nations Committee on the Elimination of Discrimination against Women finding grave and systematic breaches of women’s human rights in its inquiry into abortion in Northern Ireland in February 2018. The Women and Equalities Committee said:

“The UK Government needs to set out a clear framework and timeline to address the breaches of women’s rights in Northern Ireland under the CEDAW Convention that have been identified by the UN Committee on the Elimination of Discrimination Against Women if there is no government in Northern Ireland to take this action.”

In July 2019, the UN Committee against Torture said:

“The Committee recommends that the State party ensure that all women and girls in the State party, including in Northern Ireland, have effective access to the means of terminating a pregnancy when not doing so is likely to result in severe pain and suffering, such as when the pregnancy is the result of rape or incest, when the life or health of the pregnant person is at risk and in cases of fatal foetal impairment.”

Some Members have tried to disparage the committees of the United Nations, but the United Kingdom Supreme Court identified a breach of human rights in relation to cases of fatal foetal abnormality, rape and incest—it simply did not make a declaration of incompatibility

because the Northern Ireland Human Rights Commission did not have locus, due to a drafting problem with the legislation that needs to be rectified. The Women and Equalities Committee has made it clear that it believes a very strong case is made by the highest court in the land.

There is a case currently making its way through the courts, and it is very likely that there will be a finding of incompatibility in the next few months. I want to pay tribute to that exceptional, strong, brave woman from Northern Ireland, Sarah Ewart, who, supported by Amnesty, is bringing this case through the courts because of her own experience of having to travel to England when she was told that her pregnancy had a fatal foetal abnormality. The reasonable approach to take, recognising that that finding of incompatibility is coming at us in the next few months—

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): Will the hon. Lady give way?

Diana Johnson: I need to finish this point.

Sir Jeffrey M. Donaldson: It is on that point.

Diana Johnson: I will give way, then.

Sir Jeffrey M. Donaldson: I thank the hon. Lady for giving way. On the point about fatal foetal abnormality and the case involving Sarah Ewart, I have met Sarah on a number of occasions—most recently, last week—and she is very clear that, in respect of a change to the law on abortion in Northern Ireland, she does not want any change beyond dealing with the very narrow issue of fatal foetal abnormality. She is very clear about that, and I think she would want me to put that on the record on her behalf.

Diana Johnson: Today, we are looking at the opportunity we have with this Bill, and I think that most Members of this House would agree that legislation that is over 150 years old governing what is essentially a healthcare matter is no longer fit for purpose. That is why we should have the opportunity, as set out in my amendment, to look at the options available to the House when that finding of incompatibility comes down the road.

I want to respect the devolution settlement. That is why I have drafted the amendment with a sunset clause, so that once the Assembly is, we hope, back up and running, whatever we need to do in this House will revert back to the Assembly to carry forward.

I want to reiterate what I said last night. This idea came out of discussions we had on the Joint Committee conducting prelegislative scrutiny of the Domestic Abuse Bill. We found that if the Government wanted to ratify the Istanbul convention on combating violence against women and girls—which I am sure everybody in this House feels is an important thing to do—they could not because that Bill does not cover Northern Ireland, and Northern Ireland does not have legislation on issues such as stalking and coercive control. The idea that came out of that Committee was that we would again legislate for Northern Ireland, but with a sunset clause ready for when the Assembly is up and running again—it could then take the matter in whatever direction it wanted to—so that the bare minimum is in place.

I hope that the Committee will look at amendment 9 carefully, because it would give us an opportunity to consider how to take the matter forward. I think that all Members are really very concerned and moved by the stories of women who have been affected by the current abortion laws in Northern Ireland, and I am sure that we all want to ensure that we do not carry on, year after year, with the issue of women's reproductive rights and healthcare in Northern Ireland not being addressed and with their human rights not being upheld. I hope that the Committee will support amendment 9.

Huw Merriman: I rise to speak in favour of amendment 9, the details of which have just been explained by the hon. Member for Kingston upon Hull North (Diana Johnson); of new clause 10, tabled by the hon. Member for Walthamstow (Stella Creasy); and of new clause 1, which stands in the name of the hon. Member for St Helens North (Conor McGinn). I will focus on abortion in Northern Ireland.

I have some sympathy with the point that this is a very narrowly defined Bill that is supposed to deliver certain eventualities, and that the amendments are widening in scope. Of course, the Clerk of Legislation, who is an absolute legend in this place, has decided that they are within scope. It is greatly frustrating that we have been having this conversation in this place for some time, because the Supreme Court has decreed that the law is incompatible with our obligations under treaty rights. When it comes to treaty rights, that is a matter for Parliament to correct; it is not a matter for Northern Ireland.

That opens up the point about why the Bill is being used in this regard. It is with regret, but with great frustration too, that we cannot seem to get Parliament to deliver by updating our laws to make them compliant with the Supreme Court's judgment, because the Government have not moved.

I have great sympathy with the views held by hon. Members from Northern Ireland. I met representatives who were put in touch with me by the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson), and they made their case, with great dignity and respect, for why they do not want to see abortion rights changed. I think it is important for us to meet all sides of the divide. Equally, I spent time with Amnesty International in Belfast, meeting those who felt that their lives had been ruined by the current situation.

It feels wrong to me that one part of the United Kingdom can be left behind with a near total ban on abortion. The situation is even more perverse now that the Republic has changed its legal position on the matter. In 2018, as we have heard, 1,053 women had to travel outside Northern Ireland in order to exercise the rights that would be available to them elsewhere in the UK. That shows the absurdity of the situation, because the abortions still took place, but the extra inconvenience has to be suffered. I think that we need to change that.

I want to return to the words of Lady Hale in her Supreme Court judgment. She said:

“I agree, for the reasons given by Lord Kerr and Lord Mance, that in denying a lawful termination of her pregnancy in Northern Ireland to those women and girls in these situations who wish for it, the law is incompatible with their Convention rights.”

She then explained that Parliament—she was very clear that this was for Parliament—could do three things:

[Huw Merriman]

“First, it may share the court’s view and approve a ‘fast track’ remedial order under section 10 of the HRA”—

the Human Rights Act 1998;

“Second, it may share our view and pass an Act of Parliament to put things right... Third, it may do nothing”

and see the matter taken further, through to Strasbourg. More tellingly, for me—this is why I think we have it within our gift and should enact the provision—she said the following:

“It is at this point that the democratic will, as expressed through the elected representatives of the people, rules the day.”

The Bill is perhaps not the best vehicle, but the law requires updating. We have an opportunity now to give people their dignity and their human rights.

Emma Little Pengelly: Will the hon. Gentleman give way?

Huw Merriman: I will take one intervention, given that I have made so many myself.

Emma Little Pengelly: It is also the case, as we have articulated—we have received thousands of emails from across Northern Ireland—that the democratic will of the people of Northern Ireland does not support what is outlined in the amendment. The hon. Gentleman has highlighted an issue with the court case, but this amendment goes well beyond that.

3.15 pm

Huw Merriman: I understand the hon. Lady’s point, because when I visited Northern Ireland I received a few choice emails from residents suggesting that I go back to where I came from. The reality is that this is the UK Parliament, and I believe that it is for this Parliament to take action. Even if I was wrong about that, for two years now the people of Northern Ireland have been unable to make those changes. We have conflicting polls—I could offer her one from Amnesty International. For two years there has not been the ability to legislate, so for how many more years are we to carry on, with people in Northern Ireland being without a vehicle for having their rights enforced?

I believe that is the fundamental point, because given that hon. Members argue, in relation to certain matters, that there should be no split down the Irish sea between Northern Ireland and the rest of the United Kingdom, I find it slightly perverse that they think that is okay when it comes to fundamental human rights. That is why I believe very strongly that we must make a change.

I will end with this, because I know that there is always a tendency—

Nigel Dodds: Will the hon. Gentleman give way?

Huw Merriman: I said that I would take only one intervention, if the right hon. Gentleman does not mind.

I say this, particularly to Members on these Conservative Benches: there might be technical reasons why they could be persuaded by the argument that this is a devolved matter—although I think legally that is wrong—but if we want to change, then we cannot change by abstaining, and if we want to make the point that we believe in equality and in human rights for all UK citizens, then it takes bravery. Do not just wear a badge or a

T-shirt; walk through the Division Lobby and stand up for people whose rights have been abused for far too long.

Stewart Malcolm McDonald (Glasgow South) (SNP): It was Lord Palmerston who said that the Schleswig-Holstein question had only ever been understood by three people: one had gone mad, one had died and one had forgotten what it was all about. Here, however, we are considering a set of political, constitutional, legal and moral issues that are hopefully of far less complexity than that diplomatic incident all those years ago. They are unquestionably complex issues. To many people outside this Chamber—and probably to some inside it—it is a straight yes or no, for example on new clause 1 and same-sex marriage. But we are legislators and must take into consideration all the complex constitutional, political and possibly economic—whatever it might be—pieces of the kaleidoscope before reaching an informed decision.

Of course, the West Lothian question, which presents itself in some guise for the Scottish National party in this debate, needs to be answered and explained. It is entirely correct that Members, particularly those who represent Northern Ireland constituencies, would expect an explanation for that from us. There has been an historic self-denying ordinance on the Scottish National party not to participate in matters, such as this, that are outwith the scope of the devolved settlement in Scotland. However, we made it clear four years ago, not long after the larger arrival of my colleagues here, that there may be times when we decide to do so. We said in the election campaigns of 2015 and 2017 that we would do so where we deemed it to be appropriate, and I believe that this is one such occasion.

We talk a lot in this place at the moment about hard borders. There is currently a hard border on civil rights and equal rights for LGBT people, and it runs down the Irish sea. It is notable that Scotland is the only part of the United Kingdom where a same-sex union in Northern Ireland can be converted into a full marriage. I beseech the Government to amend their legislation to allow for that to happen in England and Wales.

I say to members of the Democratic Unionist party—I single out the right hon. Member for East Antrim (Sammy Wilson), who is taking his seat and was frothing at the mouth when we heard from Members who have genuinely held positions in relation to this problem; doubtless he does as well—that we have a unique set of circumstances. I do not like this place interfering in devolved Administrations and institutions perhaps any more than he does, but there is no point in the Scottish National party trying to out-Sinn Féin Sinn Féin on these matters, as they have said it would be entirely appropriate. I take no pleasure or joy in having to do this—I wish it could be settled in the Northern Ireland Assembly. Sinn Féin are right that the Assembly is the proper place to take that decision, but we are where we are. I could not go back to my constituency, and I could not look someone from Northern Ireland who wants this change in the eye ever again if I abstained or did not seek to advance the cause of equality, which I can enjoy, and which every Member of this House can enjoy, but which they cannot.

I will not accept any accusations of not being consistent. When the Democratic Unionist party blocked equal marriage, I argued for it consistently. In the gruesome

history of the DUP's—[*Interruption.*] They might laugh, but during the party's gruesome history of anti-LGBT campaigning—and no, I will not calm down—I was consistent in standing up for equal rights, as were many other Members who have spoken in this debate. This is not simple—it is not black and white—but we face a set of unprecedented political circumstances in Northern Ireland. I do not enjoy them any more than anyone else, but voting for the Scottish National party to take part is entirely right and consistent, and I look forward to voting for new clause 1 when the Division is called.

Vicky Ford: As Members of Parliament, we often meet people who have suffered deep trauma and have been through challenging times, but the evidence that I heard when I served on the Women and Equalities Committee, which was looking at the issue of abortion in Northern Ireland, was one of the most harrowing experiences that I have had in over a decade of being an elected politician. I speak as someone who firmly believes in a woman's right to choose, but I also believe strongly, in sensitive matters such as abortion, that local people should be able to make their own decisions, and not have views imposed on them by people in another area.

I was born and raised in County Tyrone, and I know how sensitive issues on abortion and devolution are in Northern Ireland. During the Select Committee inquiry we heard from over 700 people, who had their own individual stories to tell about how the law and medical care in Northern Ireland affected them. I travelled to Northern Ireland three times. We held a number of public sessions, and also many sessions in private. The Select Committee report was agreed unanimously by all the Members who had taken part in those evidence sessions in Northern Ireland. The two Members who signed the minority report had not been to Northern Ireland to hear evidence.

Some cases were deeply traumatic. Sarah Ewart, who has been mentioned, was a young mum, newly wed, who was firmly opposed to abortion. At her 20-week scan, she was told that her baby had anencephaly, which means that the baby's head is not developing—there is no skull or brain—and the baby will not be born alive. Sarah spoke to her grandmother, who told her how having to give birth to a child with a similar condition meant she had nearly lost her own life. Sarah told us how, when she received the diagnosis, backs were turned. The doctors, midwives and nurses felt that they could not give advice, because they had been told that if they gave advice to a woman in those circumstances they risked being sent to jail for life. Sarah went to England to have her abortion.

We heard from another woman who was carrying a baby that she knew would not survive birth, and who was too sick as a mother to travel. She ended up having to carry her baby in her womb until the baby died, and then deliver a dead baby. We also heard from a woman who had been diagnosed when living in London as carrying a child who was going to die, and was wrapped around with love and support, and enabled to deliver the baby early on and terminate the pregnancy. When she moved back to Northern Ireland in similar circumstances, she did not receive that care.

To be balanced, we also heard from a mother who was told that her baby was almost certainly due to die. She decided not to have an abortion, and the baby is now a healthy teenager. Most worrying for me was the

evidence I heard from the chief medical officer, who believed that under the current regime, doctors, nurses and midwives in Northern Ireland could not carry out their duty of care obligations to women, especially women whose babies are going to die, so those mums' lives were being put at risk.

The UK Supreme Court has identified a breach of human rights in cases of fatal foetal abnormality, rape and incest. The UN committee has found grave and systemic breaches of women's rights in the same areas. Britain is a country that upholds human rights across the world. We cannot turn a blind eye to what is happening in our own country. There is no question but that the situation must be changed—the question is how. The Select Committee report contains a number of recommendations. The law on fatal foetal abnormalities needs to be changed. Women's lives should not be endangered—women should be loved and cared for at that time. The situation for healthcare professionals needs to be changed, so that that chilling effect no longer occurs. We need to provide more support for those who find themselves pregnant as a result of rape and incest, and we must address those human rights concerns.

The new clause tabled by the hon. Member for Walthamstow (Stella Creasy) goes much further. It suggests that we remove sections 58 and 59 of the Offences against the Person Act 1861, which would fundamentally change abortion law in England as well as in Northern Ireland. In England, we have the 1967 Act, which tells us how abortion can be done lawfully, but what happens if there is an unlawful abortion? We know that the vast majority of abortions today are not surgical procedures; they are medical procedures, such as taking a pill. What would happen if I was pregnant and my partner gave me that pill? How do we make sure that we can still prosecute an unlawful abortion if we have decriminalised it? I want to ensure that, before we change the rules or the law in England, we have gone through these circumstances and made sure our regime is robust. Before we decide to remove those sections, we need to make sure that our law throughout the whole UK is robust. I think that needs detailed consideration and does not just get done on a Tuesday afternoon in Westminster on the back of one Back Bencher's amendments.

Finally, the lack of a devolved Assembly in Northern Ireland is having many really serious consequences. We have heard Members talk about people having to wait for their cancer care. I have heard about delays to education spending and about delays to infrastructure projects. I have heard about the uncertainty that that gives to people's lives and people's businesses, and the impact it is having on the economy. We need the devolved Assembly and we need these laws to go through, but we do not need the Back-Bench amendments attached to them. For that reason, I will vote in the same manner as the Chair of the Northern Ireland Affairs Committee this afternoon.

3.30 pm

Ian Paisley: Thank you, Dame Rosie, for giving me the opportunity to speak during the Committee stage of this important Bill.

This Bill is called the Northern Ireland (Executive Formation) Bill, yet the debate has been pretty thin on how an Executive could be formed again in Northern Ireland. In fact, we have had a debate about every other

[*Ian Paisley*]

issue under the sun except what we are supposed to be debating. That is no reflection, of course, on the Chair; it is because of the amendments that have been tabled to try to frustrate the very important issue of how we form an Executive in Northern Ireland.

People give us lip service. They tell us, “We want to have an Executive in Northern Ireland. We want the Executive brought back.” Here is a Bill that would let us do that, give impetus to the negotiators and give a fair wind to what is going on in Belfast and in Stormont at this particular time but, instead of being an encourager or facilitator of those talks, this House—during the debate today and yesterday—has actually become a frustrator of those talks. It wishes to frustrate them for the obvious reason that it wants to debate other issues that could interfere and affect the strange but important counterbalance required between the parties to encourage them to get in to the talks, to make progress and to ensure they are not put off by what is happening outside the Assembly.

Emma Little Pengelly: It is fair to say that we have entered into the substance of some of these issues here today, and everybody is clear that the DUP and others in the House have strong views on the substance of a number of those issues. However, it is also clear that what we are asking people to do is to vote on the process—an inadequate process. Fundamental change by way of Back-Bench amendments is not the way to do this. It does not facilitate scrutiny and it will impact on the talks process. We can revisit this appropriately in October, if need be.

Ian Paisley: My hon. Friend makes an appropriate point. Either we decide to direct-rule all powers in relation to Northern Ireland and deal with the issues honestly, openly and transparently here, or else we give a fair wind to the Assembly, allow it to get up and running, and allow it to be responsible for the affairs it is supposed to be responsible for. Having a foot in both camps, and saying we might legislate on these issues and we may have an impact on those issues, sometimes gives an advantage to one party in Northern Ireland over the other. That is where the process today, being driven by Back Benchers, on some of the amendments is totally disgraceful and wrong. I know—I have said this as clearly as I possibly can—that that is not the intention of many Members and that they all want to see stability back in Northern Ireland, but that is the effect of what they are doing. The impact of what they are doing will have that counterbalance on the situation in Northern Ireland.

A year or so ago, the Northern Ireland Affairs Committee published a report, “Devolution and democracy in Northern Ireland”, on dealing with the democratic deficit, which listed 67 issues that were in deficit and required to be addressed. Not one of those issues has been the subject of a Back-Bench amendment today—not one of them—yet that is the list; that is the authorised version list of what needs to be put in place to address the democratic deficit. But oh, no: we have other subject matters, which parties here know are part and parcel of the ongoing debate in Northern Ireland and of the ongoing negotiation in Northern Ireland, and they could hold other parties to ransom if they are dealt with here in advance of the

outcome of the talks process in Northern Ireland. I think parties should waken up and recognise that they should be facilitating that process, not frustrating it.

Lady Hermon: Will the hon. Gentleman give way?

Ian Paisley: I really do not have time. The hon. Member is a cousin of mine. She knows that I always want to give way, but now I do not have time. Other Members wish to speak.

Lady Hermon *rose*—

Ian Paisley: I really cannot.

Lady Hermon: The hon. Gentleman—

Ian Paisley: I really cannot. I always give way to you, and I really cannot.

Lady Hermon: I think the hon. Gentleman needs to—

Ian Paisley: Please.

Unfortunately, the hon. Member for Walthamstow (Stella Creasy) is not here at the moment but the issue of abortion has been made the centrepiece of this debate. It is very important that we ask Members who support this to think about the framework that would be put in place, or would not be in place, as a result of that amendment if it is supported. There would be no framework for abortion in Northern Ireland. Think of the consequences of that.

No matter what people’s position is—I have a very clear position on abortion; other Members have taken the opposite view and they are entitled to that point of view, as I am entitled to my point of view—the fact and the impact of the matter would be that we would have unregulated abortions taking place in Northern Ireland. They would be so unregulated that we would have no idea of the scope of those abortions. Would the limit start at 12 weeks, as is proposed in the Republic of Ireland? Will it go up to 28 weeks? Will it go to full-term abortion? There is no framework. No one here proposing this could give us an answer on that point because they do not have an answer. The measure would just open the door to unregulated abortion.

Where would abortions take place in Northern Ireland? People might say, “Oh, we can do it the way we do it in—.” Well, I am sorry; there is no regulatory framework to allow it to happen. Who would carry out those abortions? Who would take part in them? These matters need to be properly scrutinised, regulated and legislated for, if that is the way Parliament would choose to go. That is why there has been a convention to leave those matters to the devolved Assemblies—since 1921. This has not just been the case since the 1990s; it has been the case since 1921, because it is at the local level that these matters can be properly regulated.

There would be no regulatory framework for sex selection. There would be no regulatory framework for deciding on the abortion of a living soul that would have a disability—none whatever. Those matters need to be properly regulated for.

Hon. Members have made the point that it is unlawful in Northern Ireland to do certain things that are legal here. I must say, Dame Rosie, we have got to nail that. If it is a criminal offence to facilitate and to encourage an

abortion illegally—outside of the law—in Northern Ireland, that same law applies in the rest of GB. One cannot facilitate or encourage illegal abortion anywhere in the UK, whether one is in Walthamstow or in any other part of the United Kingdom, including Northern Ireland. It should not be put about that there are different liberties on this issue; there are not. There are regulations that would apply in England, but none of them would apply in Northern Ireland under this measure. Even if Members take a different view from me on the principle point, they should think long and hard before they support this, because of the impact that it would have.

Let me read into the record of the House what the Supreme Court judgment in *R (A and B) v. Secretary of State for Health* said, as recently as 2017. It was confirmed that there is no right to abortion in any international treaties:

“The conventions and the covenant to which the UK is a party carefully stop short of calling upon national authorities to make abortion services generally available. Some of the committees go further down that path. But, as a matter of international law, the authority of their recommendations is slight”,

yet we are being told today that no, that is not the case. That is the law; that is what the international treaties say. How can Members tell us that they are campaigning on a great rights issue? There is no right under the international treaties to terminate an unborn life. That is the fact of the matter, and we must make sure that that right—the right to life—is upheld.

Other Members have indicated that they wish to speak for the rights of women. The biggest survey done on this matter in the past year, under ComRes, has shown that 66% of women in Northern Ireland, if they want to see changes to abortion laws, want those changes to be done exclusively in the Northern Ireland Assembly, which will take cognisance of the specific and peculiar needs that the Province has. That is what the surveys show. They do not indicate that they want this House to legislate for it in a day, or in a hop, skip, jump and a prayer manner that would lead to unregulated abortions.

It is important that we address one matter that was brought before the House last night. The Scottish National party made a principled case here to support what it has always done—their words, “a principled case”. It said that it would ensure that it would stand away from interfering in a devolved matter. It is important that we look at what was said on the record, at column 75. The SNP said that it does not vote on matters of devolution and that it sticks to that principle. If that was the principle, it is very disappointing that, today, tactically, the SNP has decided to change it. It is entitled, of course, to make that change, but it is not right to try to suggest that it is all the DUP’s fault, when we know that the leaks, which are worse than those coming out of Washington, indicate splits in the ranks of the SNP and that it has more problems internally on this matter and it is trying to use the cover of this matter to take away from its own splits.

Mr Nigel Evans (Ribble Valley) (Con): I have been an MP for 27 years and I was here for all the devolution legislation. I sat on the Opposition Benches and I was opposed to devolution, but I lost. I lost the referendum and I lost the argument. Therefore, I cannot see how anybody who believes in devolution, simply because they do not like the decisions that the devolved Administrations are taking, could be against it.

Ian Paisley: Thank you, Dame Rosie, for allowing us to make these points. I hope that we will be able to continue this debate and that we see the formation of an Executive in Northern Ireland. That is what we should really be about. I am happy at any point to debate any of those other 67 subjects, but I fear that this Chamber will echo to the one or two normal voices who come for Northern Ireland affairs. Unfortunately, the Bill has today become a Trojan horse for other matters that really should not have been allowed to come on to the agenda.

Paul Masterton (East Renfrewshire) (Con): Thank you for giving me the opportunity to speak, Dame Rosie. I had intended to speak last night on Second Reading, but my flight was delayed so I was not able to do so. I did, however, watch a large chunk of it on the television—until “Love Island” started anyway—and I was particularly struck by two excellent speeches from the hon. Members for Belfast East (Gavin Robinson) and for Belfast South (Emma Little Pengelly), who represent my old stomping grounds. I would like to touch on a couple of points that they made last night.

I often find these debates very telling in terms of the number of people, who for years have shown no interest in Northern Ireland and absolutely no interest in devolution, suddenly appearing as if they were the new-found single most important thing to their being. It is a bit frustrating and why I thought, as a Scottish Conservative who believes in and grew up under devolution and is a representative of one of the devolved nations, I would throw in my two cents.

I think we need to start with the pretty fundamental point that devolution in Northern Ireland does not exist at the moment. It has not existed for two years. There is no Executive and there is no Assembly. Arlene Foster is the former First Minister, and she is the First Minister in waiting of an institution that right now does not exist.

Sir Jeffrey M. Donaldson: It is not true to say that devolution does not exist in Northern Ireland. There are 11 district councils in Northern Ireland, with extensive powers given to them by this Parliament, which exercise power in my constituency and take very important decisions that affect the people I represent. So please let us not suggest that there is no form of devolution in Northern Ireland. Of course we would love to have our Executive and Assembly in addition to that, but local government is a devolved matter in Northern Ireland and continues to function very effectively as a devolved government.

Paul Masterton: I take the right hon. Gentleman’s point. I think he knows what I mean about that layer of government, but having benefited from the excellent services of Belfast City Council in my time in Northern Ireland I will uphold his comments about the quality of local governance.

We also have Members of the Legislative Assembly, who are the Members of no such Assembly. Some of them continue to do very good work in their communities but a large number do very little for the salary they are paid. We have to have this debate in the context in which it is held. That is why, as sorry as I feel for the hon. Member for Paisley and Renfrewshire North (Gavin Newlands) being slightly undermined by his party’s

[Paul Masterton]

switch in position overnight, I am pleased that the SNP has at least accepted the principle of the sovereignty of the Westminster Parliament. That is important, because this is the UK Parliament and, as Members of Parliament, it is our responsibility to represent and act in the best interests of all of the United Kingdom's citizens.

3.45 pm

I agree with the hon. Member for North Antrim (Ian Paisley) that it is a shame that this Bill has been hijacked. That was always going to happen. We must accept that the reason it has been hijacked is that, in this place, we have allowed this process to stumble on from six months to six months. I like the Secretary of State; she has been given a complete hospital pass in this role and she is doing the best she can. But every once in a while she has to say that the talks are going well and there could be progress. We reach a deadline, set another one and limp on, but eventually we will have to make a difficult call about how much longer we are prepared to accept and put up with that.

I come at the matter as a Scottish Member of Parliament. The system is different and the likelihood of Holyrood collapsing in this way is next to nil but, if it did, I would be so angry at every person in this place—whether I was an MP or not—for allowing that to happen. Remarks have been made about special needs education and the lack of legislation for free childcare. As the father of a five-year-old daughter who will start school in August and a three-year-old son who is going to start nursery, I would be absolutely furious if devolution in Scotland failed and led to the collapse of those services, and time and again MPs in my Parliament have washed their hands of the matter, saying, “This is too difficult. We don't want to touch this for political reasons.”

Mr Gregory Campbell: I share the hon. Gentleman's frustration. Does he agree that, if people in Scotland were then told, “There is a hiatus at the moment, but we, the Westminster Parliament, are going to single out one or two issues, which we know are divisive, and deal with them, but we will not deal with the other issues,” there would be extreme frustration and anger?

Paul Masterton: I would be incredibly frustrated by that. I will come on to the point about cherry-picking, which the hon. Member for Belfast East made last night. I do not pretend to be an expert on Northern Ireland just because I lived there for a bit and I still have friends there, but my strong instinct is that the people of Northern Ireland are not convinced that devolution is coming back any time soon, and that they do not particularly care who makes the decisions, as long as the decisions are made.

We heard the list of 67 issues from the Northern Ireland Affairs Committee report. I am frustrated with myself because, had I properly thought about this, there might have been good reason to table 67 discrete amendments—keyhole surgery amendments—to give Ministers incredibly limited powers, strictly for the purposes of doing certain things, such as implementing some of the strategies that have been gathering dust and making some changes to legislation. People in Northern Ireland want and need those changes now, but they do not particularly care who enacts them.

The point about cherry-picking is right. These are the wrong issues to use as test cases. What we are doing is messy, divisive and emotive but, by the same token, I do not think it is wrong to do it. Therefore, I will support new clause 1 and amendment 9. I think that they have been neatly and carefully drafted, to continue, as far as possible, the optimism that there will be a restored Executive and Assembly. If there is, those provisions will fall away. I will not support new clause 10 because—as my hon. Friend the Member for Chelmsford (Vicky Ford) and others set out—it goes too far in making underlying changes to legislation.

I will sit down and shut up now. I will just add that I find the whole situation in Northern Ireland completely unconscionable, but not because I am a dyed-in-the-wool Unionist, who bizarrely wants to roll back devolution—I am not. We have to accept that this is the United Kingdom's sovereign Parliament. Allowing Northern Ireland to effectively wither on the vine only serves the interests of Sinn Féin. Sinn Féin is the blockage to getting the Assembly up and running. I can see no evidence that that situation will change, certainly not in the next few months. Unless we change the underlying structure of how the Executive and Assembly are formed, it will be open to Sinn Féin to collapse them at any point in the future. At one point or another, we in this place must say that we will stand up in the interests of the people of Northern Ireland, whichever side of the community they are from, and, in certain discrete measures, neatly and tightly drafted, introduce the effective change that they need and are crying out for.

We shall be back here in six months' time, and I hope that a large number of those 67 issues will be up for consideration. I also hope—this is directed at the Government Front Bench—that we will deal with the legislation properly and will not try to rush it through in two days, which has led to all the issues of scrutiny that have been raised by Opposition Members.

I think that this is a bit of a dog's breakfast, but we are where we are, and I shall be supporting a couple of the amendments today. Let us hope that my negativity and pessimism are misplaced and that by the end of October we will have a brand-new shiny Executive, but I suspect that I will not be holding my breath.

Dr Roberta Blackman-Woods (City of Durham) (Lab): I rise to support new clause 1, along with amendment 9, tabled by my hon. Friend the Member for Kingston upon Hull North (Diana Johnson), and new clauses 10, 11 and 12, tabled by my hon. Friend the Member for Walthamstow (Stella Creasy).

The reality facing women in Northern Ireland is that, under current legislation, they can be sent to prison for life for ending a pregnancy. Abortion is not available to women in Northern Ireland in cases of fatal foetal abnormality, rape or incest. That is not a situation that we would tolerate for any of our own constituents, and we should not be tolerating it for UK citizens in Northern Ireland. The UK Supreme Court takes the same view, and has stated that the lack of access to abortion for women in Northern Ireland is a breach of their human rights.

I think it very unfortunate that the right hon. Member for Gainsborough (Sir Edward Leigh) and the hon. Member for Congleton (Fiona Bruce) sought to undermine committees of the United Nations and CEDAW to try

to make points that should not be made in the context of this very important issue. I think that that was unacceptable, and that all of us in the Chamber should be upholding the UN's findings and supporting all the reports and recommendations from CEDAW.

It is not even as if the legislation in Northern Ireland actually prevents women from having abortions. It prevents some women from having abortions—those who, for a variety of reasons, such as poverty or a set of family circumstances, are not able to travel to England. That is an appalling situation for women in Northern Ireland, and we must do something about it.

I thank all those who have campaigned for many decades in Northern Ireland to change the law relating to abortion. I also pay tribute to my hon. Friends the Members for Kingston upon Hull North and for Walthamstow, who have done so much in continuing to raise the issue in Parliament and with the Women and Equalities Committee. I suspect, however, that I am the only Member in the Chamber to have campaigned against the abortion laws in Northern Ireland for decades. I began campaigning with a group of women for the Abortion Act 1967 to be applied to Northern Ireland. We thought, even back then, that it was important for women throughout the UK to have the same access to abortion, wherever they lived, and for their human rights—although I doubt that was the language we used at the time—to be upheld uniformly.

Diana Johnson: I commend my hon. Friend on her perseverance over all these years of campaigning for this. Hopefully, we will see some change shortly, but it is important to recognise that there have been decades of campaigning by so many strong, brave women and men.

Dr Blackman-Woods: I thank my hon. Friend for those comments.

I want to address some of the comments made by Members in the Chamber, particularly those representing Northern Ireland constituencies. They will know that I do not often speak on Northern Ireland matters because I respect the fact that they are the elected representatives for the area. Nevertheless, as we have seen demonstrated today, the issues we are discussing are about upholding human rights right across the UK.

I, too, honestly wish that the issue of abortion rights and extending them to Northern Ireland was being addressed by an enlightened Assembly in Northern Ireland, but unfortunately, as we all know, the Assembly is not sitting and is not likely to sit for some time, so we have a decision to make this afternoon: do we sit on these Benches, twiddle our thumbs and think that maybe sometime in the next three, five or 10 years we will get around to making a decision about abortion and what is happening to women in Northern Ireland? I hope we do not make that decision.

We all assume that women in Northern Ireland are able to travel to England to secure an abortion, but of course, not all women can, so we still have women in Northern Ireland accessing backstreet abortions. It is hard to believe that this is happening in our country in this day and age.

I did not know decades ago that I was going to be in a situation one day where I could do something to secure better access to safe abortion services for women in Northern Ireland, but I am in that position, and all of

us in this Chamber are in that position today. I hope that we will set aside the arguments about devolution, important though they are, because at the moment we cannot get a solution to this problem through the devolved Assembly. What we have to do instead is wake up to the opportunity that we all have to stop women in Northern Ireland having to travel to England for an abortion and to enable them to access safe abortion services the way any other woman can in the UK. It is also wrong to say that this will open the floodgates to unregulated abortion; we heard from my hon. Friends the Members for Kingston upon Hull North and for Walthamstow about the frameworks that have been set out to deliver regulated abortion services in Northern Ireland.

This is not an issue that has been delayed for two-plus years while the Assembly has not been sitting; it has been an issue for four decades, if not longer, and we must act now to protect the women in Northern Ireland.

4 pm

Ged Killen (Rutherglen and Hamilton West) (Lab/Co-op): I rise to support new clauses 9, 10, 11 and 12 and to speak in favour of new clause 1 on the issue of same-sex marriage. I begin by placing on record my thanks to my hon. Friend the Member for St Helens North (Conor McGinn), who really is the very best example of an LGBT ally; I will come on to talk more about that in a moment. He is no longer in his place, but I am sure he will be back shortly.

Quite frankly, this issue has gone on long enough. We know the arguments. The Northern Ireland Assembly has already voted in favour of same-sex marriage, and that enjoys overwhelming public support. The historical anti-LGBT legislation in Northern Ireland came from this place, and the major advances on LGBT rights in Northern Ireland have happened when this place has legislated. We are not trampling over devolution, because there is no devolved government, and new clause 1 would allow until October for Stormont to get up and running again before these changes took effect. It would be so much more preferable for LGBT people in Northern Ireland to be able to look upon their Government in Belfast with pride as the Assembly finally righted this wrong and delivered equality, but if it is not able to do that, people in Northern Ireland should rightly be looking at their other Government here in London to do what is necessary.

As my hon. Friend the Member for St Helens North mentioned, this is personal for me. I am married to an Irishman and our marriage is not recognised where he is from. We can get on a plane in Glasgow as married men and arrive in Belfast as civil partners, despite never having left the UK, so it has been a great source of frustration and, at times, bemusement to me that, for the last two years, I have had to contend with the DUP talking about how much it does not want any regulatory divergence between Northern Ireland and the rest of the UK. But even if I was not married to a man from Northern Ireland, I would see it as my duty to stand side by side with LGBT people, no matter where they lived, and it just so happens that they live in the same country as me. The hon. Member for Paisley and Renfrewshire North (Gavin Newlands) could not take my intervention last night, but I am genuinely pleased that the SNP has decided to allow a free vote on this issue, because being an LGBT ally means action.

[Ged Killen]

On that point, I want to mention the Government, because I do not think it is good enough for Ministers to stand at the Dispatch Box and offer warm words about equality and call themselves allies. No one is in any doubt that this Government are perfectly legally entitled to introduce same-sex marriage in Northern Ireland; they are just refusing to do so. On the issue of LGBT rights, I am afraid that the Government and the Northern Ireland Office are badly letting people down in Northern Ireland. Recently, I asked the Secretary of State what her Department was doing and, in particular, why it had spent only £318 in recent years on advancing LGBT rights. She responded by telling me that it was “not the role of the Northern Ireland Office, nor the Government, to develop a framework or strategy to advance the rights of LGBT people in Northern Ireland.”

Page 3 of the Government’s LGBT action plan says:

“This ‘LGBT Action Plan’ explains how we will advance the rights of LGBT people both at home and abroad, and improve the way that public services work for them.”

It actually says “at home and abroad”. There is an entire section on the UK’s international obligations on this issue. We know that £5.6 million has been made available for programmes to be delivered through civil society organisations to advance the legal equality and rights of all Commonwealth citizens, regardless of gender, sex, sexual orientation or gender identity, yet just £318 has been spent on Northern Ireland and we have a Secretary of State who thinks that LGBT equality in that part of the world is nothing to do with her.

Over the weekend, we had a fantastic celebration of Pride in London. We had the Government’s GREAT Britain campaign tweeting out a reminder that in more than 20 countries where gay marriage is not legal, British embassies and consulates perform marriages for same-sex couples where one partner, or both partners, is a British national. What about Northern Ireland? What a kick in the teeth that is for people in Northern Ireland: just a friendly reminder on Pride weekend in London that people in other countries can get married in British consulates, but they cannot. These are not the actions of an ally.

This Government have within their gift the power to act. When they refuse to do so, they cease to be an ally and become an obstacle. Obstacles are something that we are all well used to in the LGBT community. They have included, “We can’t decriminalise sex between two men because it is perverse and sinful,” as well as, “We have to ban the promotion of homosexuality in schools; otherwise, people will think they have an inalienable right to be gay,” and, “We can’t have civil partnerships because that might lead to marriage, and we can’t have marriage because everybody knows that marriage is between a man and a woman.” In that context, “We can’t have marriage because of devolution,” is a pathetic excuse. People in Northern Ireland are not asking this Government for action; they are demanding it. This is their Government too. It is 50 years since LGBT people stopped waiting patiently for things to change and started fighting back. We are not going to start waiting patiently now.

Jim Shannon (Strangford) (DUP): It will come as no surprise that I cannot support these amendments. I say that with respect to all those who have spoken or will

speaking afterwards. I ask hon. and right hon. Members to respect my point of view, which might be very different from the views of others in this Committee. The reason is twofold. First, I say unequivocally that, in every word I utter, I do not judge how anyone chooses to live their life. I am a man of faith, as others will know. I believe God almighty will judge every one of us in this Committee, and I will have enough trouble explaining what I have done, never mind anybody else.

I believe the Bible is the inspired word of God, and I do not believe it can or should be altered. I believe what it says is true, and many of my constituents feel and think the same. They have spoken to me about it, and I have been contacted by many decent people who question the need to change the definition of marriage when civil partnerships provide more protection than is available for common law marriages. These people—my constituents, myself and others—are not homophobic and do not hate others. They treasure the word of God and have a right to their opinion that there is no legal reason or moral obligation to change the definition.

We have heard from the right hon. Member for Arundel and South Downs (Nick Herbert), and I sat on the Public Bill Committee that considered the Marriage (Same Sex Couples) Act 2013. Four members of that Committee—three Conservatives and me—opposed the Bill, and we secured a Government amendment that ensured the Northern Ireland Assembly would make a decision on this matter. The amendment was unanimously supported by all parties—Labour, Conservatives and Liberal Democrats, everyone supported it. That is the way it happened.

My right hon. Friend the Member for East Antrim (Sammy Wilson), as a Finance Minister in the Northern Ireland Assembly, made sure the proposal went through, so why is a change needed? This is a devolved matter and there is little doubt that, if Sinn Féin ever decide to act democratically and allow the Assembly to reconvene to discuss this redefinition, it would be one of the first items on the agenda. The devolved Assembly is the place for this decision.

It is simply inappropriate for this place to step in and help out with human rights when the rights to life and to education are threatened and in desperate straits. Members either believe in devolution or they do not. They either interfere in all things or they do not. It is not right to do this in this way.

It is right for the Secretary of State to introduce legislation to compel Assembly Members to take their seats and to break the Stormont Sinn Féin stalemate. It is right to force the institution to take its place and do its job, part of which is to discuss this matter. It is not right to take isolated decisions. I respect and work hard for every constituent, regardless of their age, race, gender, sexual orientation or faith, but I will not support new clause 1.

I cannot and will not support new clauses 10 to 12 on abortion. Like everyone else in this place, I am entitled to my firm opinion and, on behalf of my constituents, I make that very clear. I have listened to others with respect, and I believe that both lives matter. I have heard much about a woman’s right over her body, but I have not heard very much about the right of the little life within. The right of the unborn human offspring, from approximately the second week to the eighth week after

fertilisation, and the sanctity of life are very important to me and my constituents. I want to put exactly how I feel on the record today.

Mr Gregory Campbell: I assure my hon. Friend that many people in Northern Ireland will be glad to hear him refer to that, because very deep, profound and empathetic views have been expressed. That should be the case in such debates, but, all too often, we do not hear the case, to which he alludes, of the many millions of unborn children.

Jim Shannon: I thank my hon. Friend for what he says, which is exactly how I and many others feel. I am not afraid to use the term “baby”. I believe it is a life that has rights. Many Members have referenced the rights of the woman, and I believe in those rights, but not at the expense of another life.

As a father and a grandfather, my heart aches at the thought that anything would happen to any of my granddaughters that would foster thoughts of their having to consider this as an option. However, I would point out that there were abortions carried out in Northern Ireland last year; 12 pregnancies were terminated in NHS hospitals in Northern Ireland in 2017-18, which was one fewer than in the previous year. These take place when the woman’s life is at risk or there is a permanent or serious risk to her mental or physical health. There are laws in place in Northern Ireland that allow for necessary abortions currently—they work and they are used—but what we do not have is abortion on demand, which is what is being called for today in this place. I cannot and will not accept that.

Eddie Hughes (Walsall North) (Con): I seem to recall a campaign in Northern Ireland suggesting that 100,000 people were alive because the law on abortion in Northern Ireland had not been changed. Will the hon. Gentleman reflect on that?

Jim Shannon: I thank the hon. Gentleman for his intervention, and what he says is true—it is a fact. Those figures have not been refuted. Indeed, they have been endorsed. I thank him for reminding the House clearly of the 100,000 lives saved because of not having abortion on demand in Northern Ireland.

Last year, an abortion was carried out every two and a half minutes in England and Wales—that is of every hour, of every day of the week, with no holiday and no break. Was that the intention of the Abortion Act 1967? No, it was not, but it was the result. I heard the hon. Member for Walthamstow (Stella Creasy) say that she is speaking for women from Northern Ireland as no one is speaking for them. I seek gently to remind her that I am here, speaking on behalf of my constituents.

As of Monday evening, my office had received 443 emails on this issue, the majority of which were from women in my constituency, and 412 of the emails opposed any attempt by this place to change abortion laws in Northern Ireland through external interference, with some even labelling this as an attack on devolution and democracy. Just 31 asked me to support these amendments. That means that 92.5% of my constituents—the people I am paid to represent in this House—have asked me not to accede to this amendment. Their reasons replicate mine: some are opposed to what brings about abortion on

demand, and some are incensed that Members of this House will not “interfere” to bring about a resolution on urgent health and education matters, but will step in over our heads on a matter that was one of the last to be discussed at Stormont and to be voted against.

Members of this House cannot have it both ways to boost their own profile. Clearly, I speak for the majority of my constituents—I am happy to say that—and indeed for the 60% of those in national polls who would not be in favour of abortion on demand. I hope that I have spoken with gentleness and concern but am yet clear. The people of Strangford have been clear to me and we must also be clear: what is being asked here is not the desire of the people.

I end where I started, ever conscious of the time that you have allowed me, Dame Rosie, by saying that both lives matter and both rights must be upheld. This proposal protects neither, so I will not support new clauses 1, 10, 11 or 12. They do not represent the viewpoints of the majority of people in Northern Ireland.

Owen Smith: It is a pleasure to follow the hon. Member for Strangford (Jim Shannon), who spoke, as he always does, with sincerity, conviction and gentleness. I will respect his request that we are respectful of the views of others in this place, even when we do not agree with them. I also respect the views of right hon. and hon. Members from Northern Ireland who today have expressed their frustration that we are not debating what I suppose many in Northern Ireland would feel is the primary political issue of the day: the restoration of the Executive and the political process that is ongoing there. I feel, as he doubtless does, that we spend too little time in this place debating issues that affect people in Northern Ireland. Arguably, we are becoming strangers in this place to many of the issues that affect people in Northern Ireland, Wales and Scotland, as this place becomes a rather more English-centred Parliament, often by accident.

I do not believe, however, that the clauses that have been brought forward today are an attempt to hijack this debate. They are in some respects—new clause 1 and amendments 9 and 5, and the issues they pertain to—a reflection of the fact that, as Ron Davies, a former denizen of this place observed, devolution is “a process” and “not an event”. As someone who served the most recent Labour Government as an adviser in both Wales and Northern Ireland and who as a parliamentarian has served as shadow Secretary of State for Wales and for Northern Ireland, I think our attitudes to devolution are changing. In some respects, although we cannot have a hierarchy of rights, this debate is about the sense that some rights must be seen as universal and must, indeed, supersede the right to devolution. Those rights are, in particular, the rights we are talking about today: reproductive rights for women and the right for the LGBT people of Northern Ireland to be treated equally to their brothers and sisters throughout the rest of the UK.

4.15 pm

Paul Girvan (South Antrim) (DUP): On what trumps what and what is more important, issues with cross-party support that the Northern Ireland Assembly should bring forward to the Northern Ireland Executive have already been identified, and they include the institutional abuse scandal. What gives Members the right to trump

[Paul Girvan]

those sorts of issues? Let us be honest: the passing of certain legislation here puts people's lives at risk. I believe that the life of the unborn is a life. It is not a foetus; it is a life. There is the potential that legislation will pass and create a problem for the future.

Owen Smith: Let me agree with the hon. Gentleman partly. As I shall talk about in a moment, I do believe that this place should legislate on the late Sir Anthony Hart's recommendations on historic abuse. I am loth to suggest that there is a hierarchy of rights, but there are certain inalienable universal human rights that should be observed and afforded to people in every part of the world, including Northern Ireland. We are increasingly mindful of the fact that we in this place cannot allow ourselves to be hamstrung by the fact of devolution when it comes to the failure to see those rights observed for and afforded to women and the LGBT community in Northern Ireland. That is why this place, with lots of reluctance on the part of some Members, such as me, who are Unionists but who also believe fundamentally in devolution, is coming to the view that there should now be not just reports but legislation in this place to put in place those rights for Northern Ireland.

I support new clause 1, which was spoken to excellently and eloquently by my hon. Friend the Member for St Helens North (Conor McGinn), who has been a brilliant campaigner on the issue in recent years, and I also support the excellent work undertaken by my hon. Friend the Member for Kingston upon Hull North (Diana Johnson) and, indeed, my hon. Friend the Member for Walthamstow (Stella Creasy) in respect of women's reproductive rights in Northern Ireland. However, I wish to concentrate on two other issues that have not been spoken about much today but that are addressed in the series of new clauses and amendments: first, the pension for victims of the troubles in Northern Ireland; and secondly, the victims of the historical sexual abuse in care homes in Northern Ireland, which the hon. Member for South Antrim (Paul Girvan) mentioned a moment ago. When I was the shadow Secretary of State for Northern Ireland, I spoke from the Front Bench on these issues and devoted a lot of my time to them, and I shall simply repeat what I said from the Front Bench about what I think we ought to do.

Let me illustrate and humanise the issue of a pension for severely physically disabled victims of the troubles—those people in Northern Ireland who were injured through no fault of their own, of whom there are around 500—by talking a little about the case of a man I have met on many occasions and whom I greatly admire: Peter Heathwood. In 1979, Peter was in his flat in Belfast when loyalist gunmen broke in, dragged his wife down the hall by her hair, and shot Peter twice, paralysing him for life. The configuration of the building in which they lived meant that when the ambulance men arrived, they could not put Peter's damaged, broken body on to a stretcher, so he was put into a body bag. He was carried down the steps of his flat in the body bag. His father, Herbert, arrived at the scene thinking that his son, Peter, had died, and collapsed of a heart attack and died. Peter has been paralysed and in a wheelchair since 1979, unable to work, and surviving on benefits. He is a perfect, awful and tragic illustration of the reality of the lives of some 500 members of our

community, our country, in Northern Ireland who were injured during the troubles. He is a perfect illustration of why this Government—any Government in Northern Ireland or in this place—need to act with compassion and speed to help those people and to offer them a victim's pension, as has been talked about for so long, to give them the extra support that they need.

Many right hon. and hon. Members, particularly from the DUP, quite rightly point to the difficulty that is at the heart of the reason why this has not been done. It is that, among that 500, there are perhaps 10 people who were injured by their own hand, who, in the course of commissioning acts of terrorism, blew themselves up or shot themselves. The consideration, as always, has quite rightly been that it would be invidious if those people, having tried to perpetrate violence against the state and against innocent victims, were then supported by the state. I completely understand that, but I simply say that people like Peter are getting older. They will die at some point; many people have died in the intervening period. It was back in 2014, at the signing of the Stormont House agreement, that the state in our country effectively decreed that we should be offering this support to those people.

Bob Stewart: Will the hon. Gentleman give way?

Owen Smith: Let me finish this point then I will gladly give way.

My simple plea is that we must not let the perfect be the enemy of the good in this place. We should legislate to provide for these people. I think that that will happen, and I am pleased about that, but I urge the Secretary of State to get on with it.

Bob Stewart: It should not be beyond the wit of man to devise a system where someone who has actually caused damage to himself is not part of this scheme. Peter requires to be compensated as much as possible and as quickly as possible. It may well be that we will be bringing further measures back to the House, because, frankly, it does not look to me like we will get the Northern Ireland Executive up and running within the time period, and it is time for us to take some action to support people in Northern Ireland.

Owen Smith: I agree wholeheartedly with the hon. Gentleman. It should not be beyond the wit of man to create some sort of process and a mechanism to do this, but, to date, it has been beyond the wit of the men and women in this place and in Northern Ireland to do so. That is because of the thorny issue of how we define a victim in Northern Ireland. I understand that that is a complex area from which there would be many ramifications, but we really must legislate on this.

Finally, on the victim's pension, I want to pay tribute to the work of the WAVE group in Northern Ireland, which has been quite brilliant in supporting the victims of the troubles and in pressing the case for a pension. It is doing great work, and I know that the Secretary of State is a great fan of all that it has done. I also wish to pay tribute to Sir Anthony Hart, who, I was shocked to learn in the Chamber today, died just this morning. Sir Anthony was a very distinguished judge who took on a very difficult task in 2012 on behalf of the Assembly to undertake a review into the historical abuse in 22 homes run by the Catholic Church, the Church of Ireland and

Barnardo's in Northern Ireland between 1922 and the 1990s. It was the biggest such inquiry ever undertaken in the UK, and it found that there had been grievous abuse of boys and girls in these homes over a very long period, and he found—he undertook harrowing work—that there should be compensation to the tune of £7,000 to £100,000 paid out to those victims. Sir Anthony died this morning with his work unfinished, with the legislation not passed either by the Assembly or by this place, and that is a badge of shame for politicians in Northern Ireland and in this place. We desperately need to act on this, too, because those victims deserve it; they deserve Northern Ireland's politicians to do it, but if those politicians cannot, they deserve us in this place to take our responsibility and to legislate here.

Layla Moran (Oxford West and Abingdon) (LD): It is a pleasure to follow the hon. Member for Pontypridd (Owen Smith). I rise to speak in support of new clauses 1 and 10, and the string of amendments, especially amendment 9, which is a very important compromise amendment when it comes to what we are trying to do today. I will start with the issue of equal marriage.

It will not have escaped us all that it was London Pride just this weekend, and we had a message from the Prime Minister to the LGBTIQ+ community across the UK, in which she said:

“I will only be your Prime Minister for a few more weeks. But I will be your ally for the rest of my life.”

As other hon. Members have mentioned, an ally is not simply someone who stands up and says, “I'm with you.” An ally is someone who stands up and does something. In successive Prime Minister's questions, we keep hearing the word “legacy”, and what a legacy this would be for the Prime Minister. When she was Home Secretary, she helped—pushed by my dear friend Baroness Featherstone, the former Member for Hornsey and Wood Green—to put through the equal marriage legislation, and she could be the Prime Minister who allows that legislation to apply across the UK. I sincerely hope that is where we get to today.

I hear the worries about our having to take these decisions, but the fact is that there is no devolved legislature for us to supersede right now; the Northern Ireland Assembly has not sat for two years. I contacted Members of that body this morning to say, “We're doing this. Is there any particular message that you would like me to send to my fellow Members of Parliament?” Stephen Farry—an MLA for our sister party, Alliance—said that he would obviously much prefer it if MLAs were able to implement such measures themselves, but wanted to convey the following message: “Don't be frightened”. They are behind what we are trying to do. We forget that the democratically elected Northern Irish MPs who sit here, very rightly expressing the views of their constituents, represent just one of many parties in Northern Ireland, the majority of which support equal marriage, as was shown in the vote in 2015. The Alliance party has been challenging and requesting reform of the petition of concern for a while because of the outcome of the 2015 vote, so it is worth reminding ourselves that we should be—in this case, anyway—pushing at an open door. And we can see it ourselves; 76% of people in Northern Ireland want equal marriage.

I was grateful to be able to visit Belfast and speak to students at Lagan College. It is all a bit of a mess there right now, but the families of some of those students

would normally have voted for the DUP. The students said that they were embarrassed that Northern Ireland did not have equal marriage and that they would much rather see it brought in. They did not understand how society had moved so far in one direction, yet Northern Ireland was lagging behind.

Interestingly, Barnardo's has come out for equal marriage, as has the Children's Commissioner for Northern Ireland—and so have the businesses I have spoken to; they told me that Northern Ireland not yet having equal marriage sent a message to the workers they were trying to attract: “This is a slightly odd place.” That is not at all a reflection of what Belfast is actually like. Northern Ireland needs to move with the times. It is entirely right that this place does what Northern Ireland had already asked for before the power-sharing arrangements broke down, and it is for that reason that I am proud to be a co-sponsor of new clause 1.

I turn to the thornier issue of abortion. No one here can fail to be moved by what we have heard—not just by Sarah Ewart's story, but by all the others too. Until I became an MP, I did not realise that there was this extraordinary discrepancy between the law on abortion in Northern Ireland and in the rest of the UK. I simply did not know, because in the UK media, in general, this kind of thing is not really spoken about. So one of the very first things I did when I was elected was to sign the amendment that allows Northern Irish women to access abortion in the UK. We know that that is not enough—that such provision needs to be closer to home.

4.30 pm

Some have quoted polls suggesting that 64% of people in Northern Ireland do not want Westminster to legislate on abortion. The advantage of speaking last is that I have been able to look that up. The poll conducted was of 1,013 people. It was indeed the case that 64% of people agreed that this place should not legislate, but no mention was made of the fact that there was not a working Stormont. In a similar poll—Members can read it for themselves online and look at the numbers—the question made the position clear by asking whether, if Stormont was not working, Westminster should legislate on the issue, and 66% said that we should do so.

Eddie Hughes: My memory might be vague, but my recollection is that the Northern Ireland Assembly itself voted on this issue in 2016. That feels very recent consideration, regardless of that poll and its validity.

Layla Moran: That is the point—at the moment, the legislation cannot be pushed through. The Assembly voted and was then unable to do anything about it. Given the human rights abuses that have been identified by the Court, and given that this place has the power to uphold our international human rights obligations, it is entirely right that we take this issue on. That vote was in 2016, but the High Court rulings are recent, and we know that one is coming down the line that will probably end up putting this to bed.

I genuinely think that amendment 9 is a good compromise, with its sunset clause that makes the provision disappear as soon as power-sharing can resume. To those who say that we absolutely should not do this and that no one wants us to do so, I say that that is not true. If they cannot go as far as to support new clause 10, I suggest that they consider amendment 9, which does

[Layla Moran]

have that sunset clause and simply gives the Government the right to find a way through. That, surely, we can all support.

Lady Hermon: The hon. Lady is of course absolutely right. We do not have a functioning Assembly. We have not had one since January 2017 and there is no prospect of it any time soon. It is absolutely unacceptable that last year over 1,000 women had to leave Northern Ireland, their homeland, to seek an abortion in England, Wales or Scotland. That cannot be right. It should be done closer to home—that is, it should be made available. It is not compulsory; it is about making it available. It is entirely a woman's choice.

Layla Moran: I thank the hon. Lady deeply for her intervention, and for her tireless work on this issue.

In the end, this comes down to what is the right thing to do. We have polls that point in two different directions and voices here from different parts of the spectrum, but the question is what would we want for our own constituents—what is the right thing to do? It is surely wrong, particularly in cases of fatal foetal abnormality, rape, incest—things for which I did not realise women could not get abortions for anywhere in the western civilised world—that even in our own United Kingdom there are women who have to travel hundreds of miles to another country altogether, across the water, to access such provision.

We have an immense opportunity to right some really, really awful wrongs. I think that most people in this country would consider this a no-brainer. It should have already happened, but it has not because of process. Please let us not allow process to get in the way of doing what is right.

The Minister of State, Northern Ireland Office (John Penrose): This has been a difficult debate because it has laid bare some fundamental differences in approach. It has been, predominantly, a respectful debate between people who have strongly held and highly principled views on opposite sides of some very important and tricky cultural issues, but it has laid bare some fundamental differences of opinion and divisions in our society, in the Chamber and in parts of Northern Ireland at the very least.

There have been some barnstorming speeches, including from my good friend, my right hon. Friend the Member for Arundel and South Downs (Nick Herbert), whose speech was outstanding, and the hon. Member for Rutherglen and Hamilton West (Ged Killen), who made a passionate argument. I will not embarrass Members by going through them all, but I mentioned others when concluding the Second Reading debate. We also heard some rather quieter but equally respectful and careful comments and arguments from people such as the hon. Member for Strangford (Jim Shannon), who gave a measured and careful exposition of why he and his constituents feel the way they do, and my hon. Friend the Member for Congleton (Fiona Bruce), who spoke in a similar vein. It illustrates the care with which everybody has had to approach these issues. I am grateful for all the contributions that Members have made.

This is an important Bill, and we need to get it right; that was made clear on Second Reading yesterday. I will attempt to take the amendments in this group

in a sensible order and will be glad to give way when Members wish to probe the Government's position further.

In opening my remarks, I want to make clear the Government's view that many, if not most, of the amendments before the Committee relate to devolved matters. As many Members have said this afternoon, those devolved issues should rightly be the responsibility of the Northern Ireland Assembly. Our constitutional settlement for Northern Ireland is based on the fact that Parliament has devolved responsibility for these matters to local politicians. While Parliament retains its sovereignty in relation to these areas, we must tread extremely carefully.

However, the Northern Ireland Assembly is not sitting and has not been sitting for more than two years. That is a source of huge frustration not only to those of us here today, but to people in Northern Ireland and the country at large. That frustration is starting to boil over. Patience is wearing thin, and people are increasingly unwilling to wait much longer. The result is the long list of amendments before us, which would expand and lengthen in a whole range of areas a simple, straightforward Bill that only seeks to change two dates—that is all it seeks to do.

First, there are amendments on issues of conscience—same-sex marriage and abortion—on which there are traditionally free votes in Parliament. I would like to take this opportunity to confirm that my party does not intend to break that important principle today. These votes will be up to everyone's individual consciences, and I think I am right in saying that I have heard that from a number of other parties.

Mr Nicholas Brown (Newcastle upon Tyne East) (Lab): For the avoidance of any doubt whatsoever, the position is the same on our side.

John Penrose: That is a rare intervention from an Opposition Whip. I am delighted to hear that, as I am sure Labour Members are too.

There will be free votes on issues of conscience on both sides of the House. As I will set out, the Government are willing to accept some of the amendments on reporting commitments where Members do not wish to withdraw their amendments. However, most of those amendments ask the UK Government to report on devolved matters. As I said, those are not technically matters for us, and I hope the Committee will therefore tread carefully and think carefully about the way it uses those powers today.

The other broad category of amendments relates to requirements to debate certain matters, often the reports requested in other amendments. The Government would prefer not to accept those amendments, but we are happy to commit to making an oral statement to accompany and respond to the reports that are required under clause 3 of the Bill and which may be amended to be expanded. That oral statement, I hope, will provide the House with ample and proper set-piece opportunities to debate the issues raised by those reports for as long as the Speaker sees fit. I suspect, given prior performance, that those debates could go on for some time.

Lady Hermon: I am most grateful to the Minister for giving way so early in his speech. In the light of the untimely and shocking death of Sir Anthony Hart this

morning, will the Minister give a firm commitment that the Government—the Secretary of State for Northern Ireland is present in the Chamber—will implement at the earliest opportunity Sir Anthony's recommendations, which he made after very thoughtful and careful consideration? We are the losers without him, and it would be a wonderful testament to him and his legacy if the Government gave that firm commitment today.

John Penrose: If the hon. Lady will possess her soul in patience, I will come to that important point later; I want to take matters in the order in which they arose in the debate, but I will come to that—I am sure that she will pull me up if I do not.

I hope that a proper oral statement is an acceptable alternative to appropriating large swathes of parliamentary time to debate individual issues and reports separately.

On new clause 1, which proposes regulations for introducing same-sex marriage in Northern Ireland, I should start by saying that there are fiercely held and strongly principled views on both sides of the issue, as we have heard during the debate. Whether we are in favour of or against same-sex marriage, and whether we believe that devolution should trump human rights, or that human rights should trump devolution, I hope that we can all agree that this is a significant legislative proposal, in terms of its importance and complexity, and that therefore it must not be delivered without careful consideration and analysis of whether we are getting it right.

Personally, on a free-vote issue, I appreciate and sympathise with what the hon. Member for St Helens North (Conor McGinn) is trying to achieve, and I appreciate that many people in Northern Ireland are tired of waiting for their rights to be recognised on an equal footing with those of friends, family and neighbours across the rest of the UK. However, I also appreciate that that view is not universally held across Northern Ireland, as outlined by numerous Members, including the hon. Member for Strangford.

Mr Gregory Campbell: The Minister talks about human rights versus the devolution settlement. Does he agree that what came across in the debate, and hopefully it will be held not just here in Great Britain but in Northern Ireland, is that it is the careful selection and cherry-picking of some human rights issues but not others that causes the frustration?

John Penrose: Yes, I absolutely accept that there is great concern that by creating one list of amendments today we will, by omission, leave out some very important things indeed. I am afraid that is inherent in the frustration, which I referred to at the start of my remarks, about the fact that the Northern Ireland Assembly has not sat for well over two years now. I am afraid that frustration will only grow as that period lengthens. That is why the original purpose of the Bill, as my right hon. Friend the Secretary of State explained yesterday on Second Reading, is very simply to give a little more time for the Stormont talks to bear fruit. While those talks still have breath and life in them, I hope that everybody here will support that opportunity and wish the talks well.

Although I appreciate and sympathise with what the hon. Member for St Helens North is trying to achieve, I must at the same time issue a note of warning to

anybody considering voting for it. It is a technical note of warning, rather than one of principle, because the principles have been debated extensively during our discussions this afternoon—because this is a free-vote issue, the Government will not be putting across a principled view, one way or another. The technical point, which needs to be made to ensure that everyone is aware, is that, due to the current drafting of new clause 1, the changes that would need to occur before the first same-sex couple could legally marry in Northern Ireland are probably not achievable, just as a practical matter, by October. There are many policy questions to be worked through that have not yet been properly considered for the Northern Ireland-specific context, which might require a different response from the one in England, Wales and Scotland.

That applies to matters such as pensions, the conversion of civil partnerships, gender recognition—we have heard many of those points made in contributions this afternoon—protecting the rights to freedom of religion and expression, and allowing religious institutions via opt-in, rather than compelling them, to engage in and perform same-sex marriage ceremonies. I would issue a technical warning to colleagues who are considering supporting the new clause in principle. Whether Members agree with it or not, and however they balance the competing claims of devolution and broader human rights, they should bear in mind the fact that it may need substantial further work before it can achieve its intended effect.

4.45 pm

Amendment 13 deals with same-sex marriage reporting and would commit the Government to publishing a report on progress made in preparing legislation to make provision for the marriage of same-sex couples in Northern Ireland when publishing the overall progress report under clause 1. As I have mentioned, we are willing to accept it, but it would be afforded a free vote should it be pressed to a Division.

I turn to amendments on abortion, specifically amendments 11 and 9. We have mentioned that there are strongly held views, and this issue has attracted a great deal of debate over the past year. I can confirm that the Government would be content to accept amendments 9 and 11 on the basis that we are happy to report to Parliament on important matters on which everyone has strong views. I hope that the hon. Member for Kingston upon Hull North (Diana Johnson) will be appreciative of our willingness and good will in that area.

Given the tightness of time, I shall move on, as I want to make sure that I cover everything. There are other abortion amendments, notably new clause 10, tabled by the hon. Member for Walthamstow (Stella Creasy), and amendments 11 and 12, which are associated proposals that deal with statements and bits and pieces. What I want to say about new clause 10 is similar to what I said about new clause 1—different topic, same point. Regardless of how Members are minded to vote on the underlying principle, there are real and genuine concerns about the technical effectiveness of new clause 10, so I issue the same technical note of warning to anyone wishing to vote for it if they have made up their mind on the basic points of principle that have been debated extensively.

Stewart Malcolm McDonald: Can I check that, despite the technical warnings, which the Minister is probably quite right to issue, the Government would honour the result if new clauses 1 and 10 were accepted? Would they facilitate those requirements?

John Penrose: Absolutely. This is also a free-vote issue, so if this passes a vote it will go into law and become part of primary legislation. Ministers would be bound by it and Government would proceed. People should be aware that many of the same concerns that I expressed about new clause 1 apply to new clause 10, so there may be issues.

Vicky Ford *rose—*

Emma Little Pengelly *rose—*

John Penrose: I will give way to my hon. Friend the Member for Chelmsford (Vicky Ford), and then to the hon. Member for Belfast South (Emma Little Pengelly), but then I must make progress.

Vicky Ford: New clause 10 says that the Government should implement the full CEDAW recommendations. The first recommendation in the CEDAW report is to repeal sections 58 and 59 of the Offences Against the Person Act. Does he agree that repeal would affect all of the UK, including England as well as Northern Ireland?

John Penrose: I am not sure that I have time, but I could go through other technical concerns. That is only one of the potential issues—there are broader points that would need to be fixed. But the question is whether or not the House is interested in the principle here, I suspect, on a free vote.

Emma Little Pengelly: Is it not the case that the way in which new clause 10 is drafted is very broad and covers all the recommendations? There are many technical issues in those recommendations and there are many policy questions that need to be asked. It is wholly inappropriate that that should happen by regulation, with no scrutiny or process to decide what the policy should be on each and every recommendation.

John Penrose: As I mentioned in my response to new clause 1, it is entirely probable that it would not be possible to achieve this by October at all and, when we made those changes more broadly for the rest of the UK in previous years, that was done by primary legislation, not secondary legislation. The hon. Lady makes a valid point. I want to make sure, as people reach principled decisions on an issue of conscience, on a free-vote issue on both sides of the House, that they are aware of the technical concerns so they are making an informed principled choice as well.

I will move on to new clauses 4 and 8; I am trying to pick up speed so that I do not run out of time. These new clauses would oblige the Government to schedule a debate on the issue of progress towards meeting international obligations in relation to the reproductive rights of women, and on the issue of progress towards implementing marriage for same-sex couples in Northern Ireland. I have already mentioned that the Government intend to make an oral statement to accompany the report under clause 3. I hope that people will be comfortable with that and that the Opposition Front-Bench team will feel able not to press those amendments.

I will now move on to victims' pensions. Amendment 10 and new clause 2 commit the Government to publishing a report on progress towards preparing legislation implementing a pension for those seriously injured in the troubles, and for that report to be debated in Parliament. This is a very important issue and the UK Government take it very seriously. That is why the Secretary of State requested updated and comprehensive advice from the Victims' Commissioner, which we have recently received. The completion of that advice represents an important step in taking forward a pension for victims of the troubles. The Northern Ireland Office is therefore undertaking detailed work on the next steps, based on that advice, with factual input and support from the Northern Ireland civil service. We will keep the House fully updated on progress and we will therefore be accepting amendment 10 to provide a report on those issues.

Sir Edward Leigh: Will the Minister confirm what I understand from his answer to my hon. Friend the Member for Chelmsford (Vicky Ford): on a very narrow Bill, which is essentially about setting dates for the Northern Ireland Executive, we are going to change the entire abortion law of the entire United Kingdom?

John Penrose: No, I think I can probably reassure my right hon. Friend on that, but I would reaffirm to him that there are real technical concerns about the new clause and that those will have to be fixed. He is broadly right on the broader point that a very simple Bill, which is only supposed to change two dates, has ended up with a very large number of other amendments attached, so he has a broader underlying point at least.

Fiona Bruce: Will the Minister give way?

John Penrose: I will give way once more, and then I really must make progress because I do want to get through my speech.

Fiona Bruce: For the sake of clarification, the CEDAW report recommends the repeal of sections 58 and 59 of the Offences Against the Person Act 1861. Will that repeal affect the entirety of the UK, not just Northern Ireland? That is the question.

John Penrose: As I understand it, if we repealed that, yes it would. However, I think the point has been made elsewhere that that is not necessarily the route we have to go down because those sections have already been dealt with in different ways for the rest of the UK.

I do not want to revisit the substance of this, particularly as it has been debated extensively already, so with everyone's permission, I would like to move on—it being incredibly important—to the victims of historical institutional abuse. I express my sincere sadness at the death of Sir Anthony Hart. He was a dedicated public servant and a highly respected High Court judge. As chair of the historical abuse inquiry in Northern Ireland, he provided a comprehensive set of recommendations for redress to be delivered to victims and survivors of historical institutional abuse. I am sure our thoughts and condolences go to his family and friends after his unexpected and very recent demise.

I understand the frustration of victims and survivors of this terrible abuse. We absolutely must do everything we can to ensure that the victims and survivors get the redress that they deserve. Following recommendations by the Northern Ireland parties, the Executive Office is working with the Office of the Legislative Counsel to redraft the legislation required to establish the redress scheme. The Opposition propose that clause 3 include a requirement to publish by 11 September a report on progress made in implementing the Hart report, including a compensation scheme under a redress board. Given the importance of the matter, the Government are happy to accept the amendment, and will report back to Parliament on that vital matter.

Many people have been concerned about the collection of amendments in this group. They have been concerned about its size, its length, its composition and the set of priorities that it seems to reveal. I would just say, on a broader point, that the concerns that were uncovered in yesterday's Second Reading debate have become ever clearer and more specific during our debate and discussions in the Chamber today. The concerns are simply that, because people are getting worried about the failure of the Northern Ireland Executive and the Stormont Assembly to sit, there is a danger that the credibility of that Assembly, and with it the credibility of the Northern Ireland democratic settlement, will begin to be undermined—that it will begin to be eroded and, with that, we are starting down, potentially, an extremely dangerous slope, where the credibility of democracy, and of peaceful resolution of disagreements, is eroded in a historically bitterly divided society, and democratic solutions cease to be the obvious answer. That is something which we must avoid at all costs; to prevent that is an essential goal, which we must never lose sight of.

Vicky Ford: Many Members have come into the House who have not had a chance to listen to the longer debate. I wonder whether the Minister would clarify again which of the amendments that are related to ongoing reporting requests the Government accept.

John Penrose: Dame Eleanor, I had probably better not try your patience by going through them all. We have accepted a fairly large number of reporting requirements and we are happy to report back to this House on that basis. With my hon. Friend's indulgence, I will perhaps go through the individual amendment numbers with her separately afterwards. With that, I draw my remarks to a close.

Conor McGinn: I pay tribute to all those colleagues who have taken part in the debate; it was characterised by strongly held, sincere views, articulated in an environment and atmosphere of respect and understanding. Although I know that disagreement remains over the substance of the issues that we spoke about, it is my strong contention that new clause 1, which stands in my name, lends itself to be supported by the Committee of the whole House tonight and I will press it to a Division.

Question put, That the clause be read a Second time.

The Committee divided: Ayes 383, Noes 73.

Division No. 427]

[4.57 pm

AYES

Abbott, rh Ms Diane	Cooper, Rosie
Abrahams, Debbie	Cooper, rh Yvette
Ali, Rushanara	Corbyn, rh Jeremy
Allen, Heidi	Cowan, Ronnie
Allin-Khan, Dr Rosena	Coyle, Neil
Amesbury, Mike	Crausby, Sir David
Andrew, Stuart	Crawley, Angela
Antoniazzi, Tonia	Creagh, Mary
Ashworth, Jonathan	Creasy, Stella
Atkins, Victoria	Crouch, Tracey
Austin, Ian	Cruddas, Jon
Bailey, Mr Adrian	Cryer, John
Baldwin, Harriett	Cummins, Judith
Bardell, Hannah	Cunningham, Alex
Barron, rh Sir Kevin	Cunningham, Mr Jim
Bebb, Guto	Daby, Janet
Beckett, rh Margaret	Dakin, Nic
Benn, rh Hilary	Davey, rh Sir Edward
Benyon, rh Richard	David, Wayne
Berger, Luciana (<i>Proxy vote cast by Mr Gavin Shuker</i>)	Davies, David T. C.
Betts, Mr Clive	Davies, Mims
Black, Mhairi	Day, Martyn
Blackford, rh Ian	De Cordova, Marsha
Blackman, Kirsty	De Piero, Gloria
Blackman-Woods, Dr Roberta	Debbonaire, Thangam
Blomfield, Paul	Dent Coad, Emma
Blunt, Crispin	Dhesi, Mr Tanmanjeet Singh
Boles, Nick	Dinenage, Caroline
Bottomley, Sir Peter	Djanogly, Mr Jonathan
Bowie, Andrew	Docherty-Hughes, Martin
Brabin, Tracy	Dodds, Anneliese
Bradshaw, rh Mr Ben	Doughty, Stephen
Brady, Sir Graham	Dowd, Peter
Brennan, Kevin	Drew, Dr David
Brine, Steve	Dromey, Jack
Brock, Deidre	Duffield, Rosie
Brown, Alan	Eagle, Ms Angela
Brown, Lyn	Eagle, Maria
Brown, rh Mr Nicholas	Edwards, Jonathan
Bryant, Chris	Efford, Clive
Buck, Ms Karen	Elliott, Julie
Burden, Richard	Ellman, Dame Louise
Burgon, Richard	Esterson, Bill
Burt, rh Alistair	Evans, Chris
Butler, Dawn	Fabricant, Michael
Byrne, rh Liam	Farrelly, Paul
Cable, rh Sir Vince	Field, rh Mark
Cadbury, Ruth	Fitzpatrick, Jim
Cameron, Dr Lisa	Fletcher, Colleen
Campbell, rh Sir Alan	Flint, rh Caroline
Campbell, Mr Ronnie	Forbes, Lisa
Carden, Dan	Ford, Vicky
Carmichael, rh Mr Alistair	Fovargue, Yvonne
Caulfield, Maria	Foxcroft, Vicky
Chalk, Alex	Frazer, Lucy
Champion, Sarah	Freer, Mike
Chapman, Jenny	Frith, James
Charalambous, Bambos	Furniss, Gill
Cherry, Joanna	Gaffney, Hugh
Clark, rh Greg	Gapes, Mike
Clarke, rh Mr Kenneth	Gardiner, Barry
Clwyd, rh Ann	Garnier, Mark
Coaker, Vernon	George, Ruth
Coffey, Ann	Gethins, Stephen
Collins, Damian	Ghani, Ms Nusrat
Cooper, Julie	Gibb, rh Nick
	Gill, Preet Kaur

Godsiff, Mr Roger
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Mrs Helen
Grant, Peter
Gray, Neil
Green, Chris
Green, rh Damian
Green, Kate
Greening, rh Justine
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Griffiths, Andrew
Grogan, John
Gwynne, Andrew
Gyimah, Mr Sam
Haigh, Louise
Halfon, rh Robert
Hall, Luke
Hamilton, Fabian
Hammond, Stephen
Hancock, rh Matt
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harrington, Richard
Harris, Carolyn
Harrison, Trudy
Hart, Simon
Hayes, Helen
Hayman, Sue
Healey, rh John
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Hendry, Drew
Hepburn, Mr Stephen
Herbert, rh Nick
Hermon, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Kelvin
Hosie, Stewart
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Jenkyns, Andrea
Johnson, Diana
Jones, Andrew
Jones, Darren
Jones, Gerald
Jones, Helen
Jones, rh Mr Kevan
Jones, Mr Marcus
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Kawczynski, Daniel
Keegan, Gillian
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Killen, Ged
Kinnock, Stephen
Knight, Julian
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lavery, Ian
Law, Chris
Leadsom, rh Andrea
Lee, Karen
Leslie, Mr Chris
Letwin, rh Sir Oliver
Lewell-Buck, Mrs Emma
Lewis, Clive
Liddell-Grainger, Mr Ian
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lopresti, Jack
Loughton, Tim
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
Maclean, Rachel
Madders, Justin
Mahmood, Mr Khalid
Mak, Alan
Malhotra, Seema
Malthouse, Kit
Mann, Scott
Marsden, Gordon
Martin, Sandy
Masterton, Paul
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McLoughlin, rh Sir Patrick
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Moon, Mrs Madeleine
Moran, Layla
Mordaunt, rh Penny
Morden, Jessica
Morgan, rh Nicky
Morgan, Stephen
Morris, Grahame
Mundell, rh David
Murray, Ian
Nandy, Lisa
Newton, Sarah
Nokes, rh Caroline
Norris, Alex

O'Brien, Neil
Onn, Melanie
Onwurah, Chi
Opperman, Guy
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Penrose, John
Percy, Andrew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Philp, Chris
Pidcock, Laura
Platt, Jo
Pollard, Luke
Poulter, Dr Dan
Powell, Lucy
Pursglove, Tom
Quince, Will
Qureshi, Yasmin
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma (*Proxy vote
cast by Mr Pat McFadden*)
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Rudd, rh Amber
Ryan, rh Joan
Sandbach, Antoinette
Saville Roberts, rh Liz
Seely, Mr Bob
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Shelbrooke, Alec
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip (*Proxy vote cast
by Vicky Foxcroft*)
Skidmore, Chris
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, Angela
Smith, Cat
Smith, Eleanor
Smith, Jeff

Smith, Laura
Smith, Owen
Smyth, Karin
Snell, Gareth
Soames, rh Sir Nicholas
Sobel, Alex
Spellar, rh John
Starmer, rh Keir
Stephens, Chris
Stephenson, Andrew
Stevens, Jo
Stewart, Bob
Stewart, Iain
Stone, Jamie
Streeting, Wes
Stringer, Graham
Sturdy, Julian
Sweeney, Mr Paul
Swinson, Jo
Tami, rh Mark
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thomson, Ross
Thornberry, rh Emily
Timms, rh Stephen
Tomlinson, Justin
Truss, rh Elizabeth
Tugendhat, Tom
Turley, Anna
Turner, Karl
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaizey, rh Mr Edward
Vaz, Valerie
Walker, Thelma
Warman, Matt
Watling, Giles
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Williams, Hywel
Williams, Dr Paul
Williamson, Chris
Wilson, Phil
Wishart, Pete
Wollaston, Dr Sarah
Wood, Mike
Woodcock, John
Wragg, Mr William
Yasin, Mohammad
Zahawi, Nadhim
Zeichner, Daniel

Tellers for the Ayes:

**Chris Elmore and
Nick Smith**

NOES

Amess, Sir David
Baker, Mr Steve
Bellingham, Sir Henry
Beresford, Sir Paul
Blackman, Bob
Bone, Mr Peter
Braverman, Suella (*Proxy vote
cast by Mr Steve Baker*)
Bridgen, Andrew
Brokenshire, rh James
Bruce, Fiona
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Chishti, Rehman
Chope, Sir Christopher
Clarke, Mr Simon
Coffey, Dr Thérèse
Davies, Philip
Davis, rh Mr David

Dodds, rh Nigel
 Double, Steve
 Drax, Richard
 Duguid, David
 Eustice, George
 Foster, Kevin
 Gale, rh Sir Roger
 Girvan, Paul
 Goodwill, rh Mr Robert
 Gray, James
 Hair, Kirstene
 Harper, rh Mr Mark
 Hayes, rh Sir John
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Hughes, Eddie
 Johnson, Dr Caroline
 Jones, rh Mr David
 Kerr, Stephen
 Knight, rh Sir Greg
 Lamont, John
 Latham, Mrs Pauline
 Lefroy, Jeremy
 Leigh, rh Sir Edward
 Lewer, Andrew
 Little Pengelly, Emma
 Main, Mrs Anne

Mills, Nigel
 Morris, David
 Offord, Dr Matthew
 Paisley, Ian
 Paterson, rh Mr Owen
 Penning, rh Sir Mike
 Prisk, Mr Mark
 Pritchard, Mark
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Shannon, Jim
 Simpson, David
 Stevenson, John
 Streeter, Sir Gary
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Tomlinson, Michael
 Vickers, Martin
 Wheeler, Mrs Heather
 Wiggin, Bill
 Wilson, rh Sammy

Tellers for the Noes:

**Sir Jeffrey M. Donaldson and
 Gavin Robinson**

Question accordingly agreed to.

New clause 1 read a Second time, and added to the Bill.

5.15 pm

More than four hours having lapsed since the commencement of proceedings, the proceedings were interrupted (Programme Order, 8 July).

The Chair put forthwith the Questions necessary for the disposal of business to be concluded at that time Standing Order No. 83D).

New Clause 2

PENSION FOR VICTIMS AND SURVIVORS OF TROUBLES-RELATED INCIDENTS: DEBATE

“(1) A Minister of the Crown must, within the period of two sitting days beginning with the first sitting day on or after the day on which the report on progress made towards preparing legislation to implement a pension for seriously injured victims and survivors of Troubles-related incidents mentioned in section 3 is published, make arrangements for—

- (a) a motion to the effect that the House of Commons has approved that report to be moved in that House by a Minister of the Crown within the period of seven Commons sitting days beginning with the day on which the relevant report mentioned in section 3 is published, and
- (b) a motion for the House of Lords to take note of the report mentioned in paragraph (a) to be moved in that House by a Minister of the Crown within the period of seven Lords sitting days beginning with the day on which the relevant report mentioned in section 3 is published.

(2) In this section—

“Commons sitting day” means a day on which the House of Commons is sitting (and a day is only a day on which the House of Commons is sitting if the House begins to sit on that day);

“Lords sitting day” means a day on which the House of Lords is sitting (and a day is only a day on which the House of Lords is sitting if the House begins to sit on that day).—(*Tony Lloyd.*)

This new clause is linked to amendment 1 on a report on progress made towards preparing legislation to implementing a pension for seriously injured victims and survivors of Troubles-related incidents, and provides for the report to be debated in Parliament.

Brought up, and added to the Bill.

New Clause 6

HISTORICAL INSTITUTIONAL ABUSE IN NORTHERN IRELAND: DEBATE

“(1) A Minister of the Crown must, within the period of two sitting days beginning with the first sitting day on or after the day on which the report on progress made towards implementing the recommendations made by the Report of the Inquiry into Historical Institutional Abuse in Northern Ireland between 1922 and 1995 is published, make arrangements for—

- (a) a motion to the effect that the House of Commons has approved that report to be moved in that House by a Minister of the Crown within the period of seven Commons sitting days beginning with the day on which the relevant report mentioned in section 3 is published, and
- (b) a motion for the House of Lords to take note of the report mentioned in paragraph (a) to be moved in that House by a Minister of the Crown within the period of seven Lords sitting days beginning with the day on which the relevant report mentioned in section 3 is published.

(2) In this section—

“Commons sitting day” means a day on which the House of Commons is sitting (and a day is only a day on which the House of Commons is sitting if the House begins to sit on that day);

“Lords sitting day” means a day on which the House of Lords is sitting (and a day is only a day on which the House of Lords is sitting if the House begins to sit on that day).”

This new clause is linked to amendment 3 on a report on progress towards implementing the recommendations made by the Hart Report of the Inquiry into Historical Institutional Abuse in Northern Ireland between 1922 and 1995, and provides for the report to be debated in Parliament.

Brought up, and added to the Bill.

New Clause 10

INTERNATIONAL OBLIGATIONS

“(1) In accordance with the requirements of section 26 of the Northern Ireland Act 1998 regarding international obligations, the Secretary of State must make regulations by statutory instrument to give effect to the recommendations of the Report of the Inquiry concerning the United Kingdom of Great Britain and Northern Ireland under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

(2) Regulations under this section must come into force by 21 October 2019, subject to subsections (3) and (4).

(3) A statutory instrument containing regulations under subsection (1)—

- (a) must be laid before both Houses of Parliament;
- (b) is subject to annulment in pursuance of a resolution of either House of Parliament.

(4) If a Northern Ireland Executive is formed before 21 October 2019, any extant obligations arising under subsection (1) shall cease to have effect.”—(*Stella Creasy.*)

Brought up.

Question put, That the clause be added to the Bill.

The Committee divided: Ayes 332, Noes 99.

Division No. 428]**[5.16 pm****AYES**

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Allen, Heidi
Allin-Khan, Dr Rosena
Amesbury, Mike
Andrew, Stuart
Antoniazzi, Tonia
Ashworth, Jonathan
Atkins, Victoria
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Sir Kevin
Bebb, Guto
Beckett, rh Margaret
Benn, rh Hilary
Benyon, rh Richard
Berger, Luciana (*Proxy vote
cast by Mr Gavin Shuker*)
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Blunt, Crispin
Boles, Nick
Bowie, Andrew
Brabin, Tracy
Bradshaw, rh Mr Ben
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Burt, rh Alistair
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Campbell, rh Sir Alan
Campbell, Mr Ronnie
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Clark, rh Greg
Clarke, rh Mr Kenneth
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Collins, Damian
Cooper, Julie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crausby, Sir David

Crawley, Angela
Creagh, Mary
Creasy, Stella
Crouch, Tracey
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
Davey, rh Sir Edward
David, Wayne
Davies, Mims
De Piero, Gloria
Debonnaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty-Hughes, Martin
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Ellman, Dame Louise
Esterson, Bill
Evans, Chris
Fabricant, Michael
Farrelly, Paul
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Forbes, Lisa
Ford, Vicky
Fovargue, Yvonne
Foxcroft, Vicky
Freer, Mike
Frith, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
Garnier, Mark
George, Ruth
Ghani, Ms Nusrat
Gill, Preet Kaur
Godsiff, Mr Roger
Gove, rh Michael
Graham, Luke
Graham, Richard
Gray, Neil
Green, Kate
Greening, rh Justine
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Griffiths, Andrew
Gwynne, Andrew

Gyimah, Mr Sam
Haigh, Louise
Halfon, rh Robert
Hall, Luke
Hamilton, Fabian
Hancock, rh Matt
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harrington, Richard
Harris, Carolyn
Harrison, Trudy
Hart, Simon
Hayes, Helen
Hayman, Sue
Healey, rh John
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Hendry, Drew
Hepburn, Mr Stephen
Herbert, rh Nick
Hill, Mike
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Kelvin
Hosie, Stewart
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, rh Mr Kevan
Jones, Sarah
Keegan, Gillian
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Leadsom, rh Andrea
Lee, Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Loughton, Tim
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
Maclean, Rachel
Madders, Justin
Mahmood, Mr Khalid
Mak, Alan
Malhotra, Seema
Marsden, Gordon
Martin, Sandy
Matheson, Christian
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McMahon, Jim
McMorris, Anna
Mearns, Ian
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Moon, Mrs Madeleine
Moran, Layla
Mordaunt, rh Penny
Morden, Jessica
Morgan, rh Nicky
Morgan, Stephen
Morris, Grahame
Mundell, rh David
Murray, Ian
Nandy, Lisa
Newton, Sarah
Nokes, rh Caroline
Norris, Alex
Onn, Melanie
Onwurah, Chi
Opperman, Guy
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Penrose, John
Percy, Andrew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Philp, Chris
Pidcock, Laura
Platt, Jo
Pollard, Luke
Poulter, Dr Dan
Powell, Lucy
Quince, Will
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma (*Proxy vote
cast by Mr Pat McFadden*)
Reynolds, Jonathan
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Rudd, rh Amber
Ryan, rh Joan
Sandbach, Antoinette
Saville Roberts, rh Liz

Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Shelbrooke, Alec
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip (*Proxy vote cast by Vicky Foxcroft*)
 Skidmore, Chris
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Angela
 Smith, Cat
 Smith, Jeff
 Smith, Laura
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Starmer, rh Keir
 Stephens, Chris
 Stephenson, Andrew
 Stevens, Jo
 Stewart, Bob
 Stone, Jamie
 Streeting, Wes
 Stringer, Graham
 Sturdy, Julian
 Sweeney, Mr Paul
 Swinson, Jo
 Tami, rh Mark
 Thewliss, Alison

Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Tomlinson, Justin
 Truss, rh Elizabeth
 Tugendhat, Tom
 Turley, Anna
 Turner, Karl
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaizey, rh Mr Edward
 Vaz, Valerie
 Walker, Thelma
 Warman, Matt
 Watling, Giles
 Western, Matt
 Whately, Helen
 Whitehead, Dr Alan
 Whitfield, Martin
 Williams, Hywel
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Wishart, Pete
 Wollaston, Dr Sarah
 Woodcock, John
 Yasin, Mohammad
 Zahawi, Nadhim
 Zeichner, Daniel

Tellers for the Ayes:
 Chris Elmore and
 Nick Smith

NOES

Amess, Sir David
 Baker, Mr Steve
 Bellingham, Sir Henry
 Beresford, Sir Paul
 Blackman, Bob
 Bone, Mr Peter
 Braverman, Suella (*Proxy vote cast by Mr Steve Baker*)
 Bridgen, Andrew
 Brokenshire, rh James
 Bruce, Fiona
 Cameron, Dr Lisa
 Campbell, Mr Gregory
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chishti, Rehman
 Chope, Sir Christopher
 Clarke, Mr Simon
 Coffey, Dr Thérèse
 Cooper, Rosie
 Courts, Robert
 Davies, Philip
 Davis, rh Mr David
 Dodds, rh Nigel
 Donelan, Michelle
 Double, Steve
 Drax, Richard
 Duguid, David
 Elphicke, Charlie
 Eustice, George
 Fallon, rh Sir Michael
 Foster, Kevin
 Francois, rh Mr Mark

Gale, rh Sir Roger
 Girvan, Paul
 Goodwill, rh Mr Robert
 Grant, Peter
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Hair, Kirstene
 Harper, rh Mr Mark
 Hayes, rh Sir John
 Hermon, Lady
 Hollobone, Mr Philip
 Holloway, Adam
 Hughes, Eddie
 Jayawardena, Mr Ranil
 Jenkyns, Andrea
 Johnson, Dr Caroline
 Jones, rh Mr David
 Jones, Helen
 Jones, Mr Marcus
 Kane, Mike
 Kawczynski, Daniel
 Kerr, Stephen
 Knight, rh Sir Greg
 Lamont, John
 Latham, Mrs Pauline
 Lefroy, Jeremy
 Leigh, rh Sir Edward
 Lewer, Andrew
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma

Lord, Mr Jonathan
 Main, Mrs Anne
 Maskell, Rachael
 Maynard, Paul
 Mills, Nigel
 Offord, Dr Matthew
 Paisley, Ian
 Paterson, rh Mr Owen
 Penning, rh Sir Mike
 Pound, Stephen
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Raab, rh Dominic
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew

Ross, Douglas
 Shannon, Jim
 Simpson, David
 Stevenson, John
 Streeter, Sir Gary
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Tomlinson, Michael
 Vickers, Martin
 Wheeler, Mrs Heather
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wilson, rh Sammy

Tellers for the Noes:
 Sir Jeffrey M. Donaldson and
 Gavin Robinson

Question accordingly agreed to.

New clause 10 added to the Bill.

Nick Boles (Grantham and Stamford) (Ind): On a point of order, Dame Rosie. I know we have very important subjects that Members are keen to debate, so I do not want to detain you, but could you advise me how we can indicate our reaction to the grossly offensive attack by the President of the United States on Her Majesty's ambassador, and indeed on Her Majesty's Prime Minister? This afternoon, he has sent some messages that amount to gross discourtesy, and I am certain that many hon. Members will want to indicate that the United Kingdom will not be bullied by anyone, not even the President of the United States.

The Second Deputy Chairman of Ways and Means (Dame Rosie Winterton): I thank the hon. Gentleman for his point of order. As I am sure he will appreciate, this is not really a matter for the Chair. Obviously, he has put his views on the record and he will be well aware that mechanisms are available to him whereby he might be able to pursue this matter further. I am sure the Table Office would advise him on that, not that he necessarily needs that advice.

Mike Gapes (Ilford South) (Change UK): Further to that point of order, Dame Rosie. Have either you or Mr Speaker had any indication that the Government intend to make a statement about President Trump's remarks and, in particular, whether they would take reciprocal action as to any reduction in our diplomatic activity in the United States by responding in kind towards the US ambassador in this country?

The Second Deputy Chairman: I thank the hon. Gentleman for that point of order. The short answer is: no, I have not received any such indication. However, as I said, there are ways in which these issues can be raised in the House.

Clause 1

EXTENSION OF PERIOD FOR FORMING AN EXECUTIVE
Question proposed, That the clause stand part of the Bill.

The Second Deputy Chairman: With this it will be convenient to discuss the following:

Clause 2 stand part.

Amendment 14, in clause 3, page 2, line 13, leave out “21 October” and insert “4 September”.

This amendment would bring forward the date for a progress report to 4 September 2019.

Amendment 8, page 2, line 13, after “report” insert “and make an oral statement to Parliament”.

Amendment 6, page 2, line 15, at end insert—

“(1A) The report under subsection (1) must include a report on progress made towards protecting veterans of the Armed Forces and other security personnel from repeated investigation for Troubles-related incidents by introducing a presumption of non-prosecution, in the absence of compelling new evidence, whether in the form of a Qualified Statute of Limitations or by some other legal mechanism.”

The subsection would include placing a duty on the Secretary of State to report on the options available to ensure that veterans of the Troubles would be able to assist in a truth recovery process, for the benefit of bereaved families, without fear of prosecution.

Amendment 7, page 2, line 15, at end insert—

“(1A) The report under subsection (1) must include a report on progress made towards developing new prosecution guidance for legacy cases of Troubles-related incidents by the Attorney General for Northern Ireland to take into account whether or not the person who allegedly committed an offence had the means to do so because that person had been lawfully supplied with a deadly weapon, with a presumption in favour of prosecuting in cases where a person who has allegedly committed an offence had the means to do so because that person had been unlawfully supplied with a deadly weapon.”

The subsection would place a duty on the Secretary of State to report on progress made towards a new prosecution guidance taking into account whether or not the person who allegedly committed an offence had been lawfully armed.

Amendment 15, page 2, line 15, at end insert—

“(1A) The Secretary of State shall make a further report under subsection 1 on or before 9 October 2019 at least every fourteen calendar days thereafter until either an Executive is formed or until 18 December 2019, whichever is the sooner.”

This amendment would require fortnightly reports to be made after the conference recess until an Executive was formed, or until the December recess.

Amendment 18, page 2, line 15, at end insert—

“(1A) Before making a report under subsection (1), the Secretary of State must publish a report on or before 4 September 2019 on progress made towards preparing legislation confirming the application of the Armed Forces Covenant in the provision of public services in Northern Ireland.”

The subsection would include placing a duty on the Secretary of State to report on the preparation of legislation confirming the application of the Armed Forces Covenant in Northern Ireland.

Amendment 19, page 2, line 15, at end insert—

“(1A) Before making a report under subsection (1), the Secretary of State must publish a report on or before 4 September 2019 on whether the definition of “victim” in Article 3 of the Victims and Survivors (Northern Ireland) Order 2006 (Order No. 2953 (N.I. 17)) should be revised to apply only to a person who is injured or affected wholly through the actions of another person.”

The subsection would include placing a duty on the Secretary of State to report on the definition of “victim” in the Victims and Survivors (Northern Ireland) Order 2006.

Amendment 21, page 2, line 15, at end insert—

“(1A) The report under subsection (1) must include a report to be published on or before 4 September 2019 on progress made in Northern Ireland on—

- (a) the law on gaming machines;
- (b) the law on online gambling;
- (c) the number of people who are seeking treatment for problem gambling;
- (d) the services available to people seeking problem gambling; and
- (e) the level of support from the gambling industry for problem gambling.”

The subsection would include placing a duty on the Secretary of State to report on various matters related to the law on gambling in Northern Ireland and support for those experiencing problem gambling.

Amendment 22, page 2, line 15, at end insert—

“(1A) The report under subsection (1) must include a report to be published on or before 4 September 2019 on progress on the use of discretionary powers to provide assistance and support under section 18(9) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015. The report must cover—

- (a) how many times the Department has decided it is necessary to provide assistance and support for victims of human trafficking for whom there has been a conclusive determination that the person is a victim of trafficking in human beings;
- (b) the reasons the Department has decided it is necessary to provide assistance and support for victims of human trafficking for whom there has been a conclusive determination that the person is a victim of trafficking in human beings; and
- (c) the immigration status of those victims of human trafficking for whom there has been a conclusive determination that the person is a victim of trafficking in human beings who are receiving assistance and support beyond the relevant period.”

The subsection would include placing a duty on the Secretary of State to report on the assistance and support offered to victims of human trafficking in Northern Ireland from receiving a conclusive grounds decision.

Amendment 23, page 2, line 15, at end insert—

“(1A) The report under subsection (1) must include a report on progress made in preparing legislation to extend the reporting requirements of donations to political parties in Northern Ireland to all donations made after 1 January 2014”.

Amendment 24, page 2, line 15, at end insert—

“(1A) The report under subsection (1) must include a report on progress made in preparing legislation to make provision to recognise coercive control and stalking in Northern Ireland”.

Amendment 16, page 2, line 16, leave out “the report” and insert

“any report under this section”.

This is a consequential amendment.

Amendment 17, page 2, line 16, at end insert—

“(2A) A Minister of the Crown must, within the period of two sitting days beginning with the day on which a report under this section is published, make arrangements for—

- (a) a motion to the effect that the House of Commons has approved that report to be moved in that House by a Minister of the Crown within the period of three Commons sitting days beginning with the day on which the report under this section is published, and

- (b) a motion for the House of Lords to take note of the report mentioned in paragraph (a) to be moved in that House by a Minister of the Crown within the period of three Lords sitting days beginning with the day on which the relevant report mentioned in section 3 is published.

(2B) In this section—

“Commons sitting day” means a day on which the House of Commons is sitting (and a day is only a day on which the House of Commons is sitting if the House begins to sit on that day);

“Lords sitting day” means a day on which the House of Lords is sitting (and a day is only a day on which the House of Lords is sitting if the House begins to sit on that day).”

This amendment would require progress reports to be debated.

Clause 3 stand part.

Clause 4 stand part.

New clause 11—*International obligations: oral statement*—

“In the absence of Northern Ireland Ministers to address the matters identified by the Report of the inquiry concerning the United Kingdom of Great Britain and Northern Ireland under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the Secretary of State for Northern Ireland must make an oral statement to the House of Commons on progress on implementing recommendations in accordance with section 26(1) of the Northern Ireland Act 1998.”

New clause 12—*Requirement on Secretary of State*—

“If an Executive is not formed by 21 October 2019, nothing in this Act shall remove the requirement on the Secretary of State set out in section 26(1) of the Northern Ireland Act 1998 to direct action in the absence of ministers to ensure that all Northern Ireland departments comply with international obligations, and in particular the recommendations made by the Report of the Inquiry concerning the United Kingdom of Great Britain and Northern Ireland under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.”

New clause 15—*Northern Ireland: Armed Forces Covenant*—

“(1) The Secretary of State must make regulations to confirm the application of the Armed Forces Covenant in the provision of public services in Northern Ireland.

(2) Regulations under this section must be in force no later than 21 October 2019, subject to subsections (3) and (4).

(3) A statutory instrument containing regulations under subsection (1)—

(a) must be laid before both Houses of Parliament;

(b) is subject to annulment in pursuance of a resolution of either House of Parliament.

(4) If a Northern Ireland Executive is formed before the regulations under this section come into force, any regulations made under this section and any extant obligations arising under subsection (1) shall cease to have effect.”

This new clause would require UK secondary legislation to confirm the application of the Armed Forces Covenant in Northern Ireland.

New clause 16—*Armed Forces Covenant in Northern Ireland: debate*—

“(1) A Minister of the Crown must, within the period of two sitting days beginning with the first sitting day on or after the day on which the report on progress made towards preparing legislation confirming the application of the Armed Forces Covenant in the provision of public services in Northern Ireland is published, make arrangements for—

(a) a motion to the effect that the House of Commons has approved that report to be moved in that House by a Minister of the Crown within the period of seven

Commons sitting days beginning with the day on which the relevant report mentioned in section 3 is published, and

- (b) a motion for the House of Lords to take note of the report mentioned in paragraph (a) to be moved in that House by a Minister of the Crown within the period of seven Lords sitting days beginning with the day on which the relevant report mentioned in section 3 is published.

(2) In this section—

“Commons sitting day” means a day on which the House of Commons is sitting (and a day is only a day on which the House of Commons is sitting if the House begins to sit on that day);

“Lords sitting day” means a day on which the House of Lords is sitting (and a day is only a day on which the House of Lords is sitting if the House begins to sit on that day).”

This new clause is linked to amendment 18 on a report on progress made towards preparing legislation to confirm the application of the Armed Forces Covenant in Northern Ireland.

New clause 17—*Northern Ireland: Definition of victim*—

“(1) The Secretary of State must make regulations to amend the definition of “victim” in Article 3 of the Victims and Survivors (Northern Ireland) Order 2006 (Order No. 2953 (N.I. 17)) so that the definition applies only to a person who is injured or affected wholly through the actions of another person.

(2) Regulations under this section must be in force no later than 21 October 2019, subject to subsections (3) and (4).

(3) A statutory instrument containing regulations under subsection (1)—

(a) must be laid before both Houses of Parliament;

(b) is subject to annulment in pursuance of a resolution of either House of Parliament.

(4) If a Northern Ireland Executive is formed before the regulations under this section come into force, any regulations made under this section and any extant obligations arising under subsection (1) shall cease to have effect.”

This new clause would require UK secondary legislation to amend the definition of “victim” in the Victims and Survivors (Northern Ireland) Order 2006.

New clause 18—*Definition of victim: debate*—

“(1) A Minister of the Crown must, within the period of two sitting days beginning with the first sitting day on or after the day on which the report on whether the definition of “victim” in Article 3 of the Victims and Survivors (Northern Ireland) Order 2006 (Order No. 2953 (N.I. 17)) should be revised to apply only to a person who is injured or affected wholly through the actions of another person is published, make arrangements for—

(a) a motion to the effect that the House of Commons has approved that report to be moved in that House by a Minister of the Crown within the period of seven Commons sitting days beginning with the day on which the relevant report mentioned in section 3 is published, and

(b) a motion for the House of Lords to take note of the report mentioned in paragraph (a) to be moved in that House by a Minister of the Crown within the period of seven Lords sitting days beginning with the day on which the relevant report mentioned in section 3 is published.

(2) In this section—

“Commons sitting day” means a day on which the House of Commons is sitting (and a day is only a day on which the House of Commons is sitting if the House begins to sit on that day);

“Lords sitting day” means a day on which the House of Lords is sitting (and a day is only a day on which the House of Lords is sitting if the House begins to sit on that day).”

This new clause is linked to amendment 19 on a report on whether the definition of “victim” in the Victims and Survivors (Northern Ireland) Order 2006 should be amended by UK secondary legislation.

New clause 20—Law on gambling and support for those experiencing problem gambling in Northern Ireland: debate—

“(1) A Minister of the Crown must, within the period of two sitting days beginning with the first sitting day on or after the day on which the report on gambling in Northern Ireland mentioned in section 3 is published, make arrangements for—

- (a) a motion to the effect that the House of Commons has approved that report to be moved in that House by a Minister of the Crown within the period of seven Commons sitting days beginning with the day on which the relevant report mentioned in section 3 is published, and
- (b) a motion for the House of Lords to take note of the report mentioned in paragraph (a) to be moved in that House by a Minister of the Crown within the period of seven Lords sitting days beginning with the day on which the relevant report mentioned in section 3 is published.

(2) In this section—

“Commons sitting day” means a day on which the House of Commons is sitting (and a day is only a day on which the House of Commons is sitting if the House begins to sit on that day);

“Lords sitting day” means a day on which the House of Lords is sitting (and a day is only a day on which the House of Lords is sitting if the House begins to sit on that day).”

This new clause is linked to the amendment 21 on a report on progress made on the law on gambling in Northern Ireland and support for problem gambling, and provides for the report to be debated in Parliament.

New clause 21—Assistance and support for victims of human trafficking in Northern Ireland: debate—

“(1) A Minister of the Crown must, within the period of two sitting days beginning with the first sitting day on or after the day on which the report on assistance and support for victims of human trafficking in Northern Ireland mentioned in section 3 is published, make arrangements for—

- (a) a motion to the effect that the House of Commons has approved that report to be moved in that House by a Minister of the Crown within the period of seven Commons sitting days beginning with the day on which the relevant report mentioned in section 3 is published, and
- (b) a motion for the House of Lords to take note of the report mentioned in paragraph (a) to be moved in that House by a Minister of the Crown within the period of seven Lords sitting days beginning with the day on which the relevant report mentioned in section 3 is published.

(2) In this section—

“Commons sitting day” means a day on which the House of Commons is sitting (and a day is only a day on which the House of Commons is sitting if the House begins to sit on that day);

“Lords sitting day” means a day on which the House of Lords is sitting (and a day is only a day on which the House of Lords is sitting if the House begins to sit on that day).”

This new clause is linked to the amendment 22 on a report on progress made on the law on gambling in Northern Ireland and support for problem gambling, and provides for the report to be debated in Parliament.

Mr Dominic Grieve (Beaconsfield) (Con): Thank you, Dame Rosie; it is a pleasure to participate in this debate and to raise with the Committee, at this stage, potential

amendments to the legislation that I think are capable of improving it for Northern Ireland, as well as for our country as a whole.

I was a little bit startled when I read a tweet by my hon. Friend the Member for Lewes (Maria Caulfield) in which she, first, described the amendments as “Shameful”, which is of course a matter of her opinion, and secondly, went on to say that I had no interest in Northern Ireland. All I can say is that, having been in the House for 22 years, I have acted as a spokesman on Northern Ireland matters when we were in opposition; I served for six years, I think, on the British-Irish Inter-Parliamentary Body; I was chair of the Conservative Back-Bench committee on Northern Ireland in my early years in the House; I participate actively in the British-Irish Association annual conference; and I try to make myself as frequent a visitor to Northern Ireland as I can, sometimes to give talks and lectures, or, indeed, to visit people, and on a number of occasions I have been there on holiday. Whatever my views may be and however much my hon. Friend may think that they are erroneous, I can absolutely assure her that I have Northern Ireland at heart. I am a Unionist and it matters to me very much indeed.

The position on the amendments is fairly straightforward. There is provision in the Bill for a report to be made to the House on how progress is being made on setting up the Executive. I greatly welcome this measure. I apologise to my hon. Friend for the fact that I was not able to be present for the debate yesterday, but it was a debate on a principle that I entirely supported. However, the measure on the report does not go far enough. Quite apart from anything else, we are at the eleventh hour when it comes to the possibility of setting up an Executive, which I believe is massively desirable for the interests of the people of Northern Ireland. It therefore seems to me to be extremely desirable for Members to provide some further impetus and scrutiny for that process, which is why I chose in amendments 14, 15, 16 and 17, along with my right hon. and hon. Friends who support the amendments, to try to move and accelerate the process forward.

For example, amendment 14 would mean that, rather than the report coming back on 21 October, it would come back on 4 September. In addition, I chose to try to make provision for the close monitoring of the process thereafter by the House, by ensuring with amendment 15 that the Secretary of State would make

“a further report under subsection 1 on or before 9 October 2019”, which is when we come back from the conference recess, and

“at least every fourteen calendar days thereafter until either an Executive is formed or until 18 December 2019, whichever is the sooner.”

Amendment 16 is consequential to that.

Amendment 17 would provide that, in addition to what I have outlined, and so that the House may have an opportunity to indicate how it feels the direction of travel should go and to encourage the Government in their endeavours, there are opportunities within

“two sitting days beginning with the day on which a report under this section is published”

for

“a motion to the effect that the House of Commons has approved that report to be moved”.

There is a similar provision for the House of Lords, which their lordships will of course wish to consider in due course. I believe the amendments provide a sensible package that can help to facilitate the setting up of a Northern Ireland Executive, which I dearly want to see.

It has been raised with me, and I entirely accept, that Brexit also features in this matter, and so it should. Brexit threatens Northern Ireland more than almost any other part of the United Kingdom. It threatens it economically; it threatens it in terms of its security; and it threatens it in terms of its cohesion. For all those reasons, we should as a House—particularly, I might add, those of us who consider ourselves to be Unionists—be exceptionally troubled by the current direction of travel. In particular, I cannot escape the fact that I have listened with astonishment to a number of references from people who may be holding high office in the near future, one of whom appears to think that proroguing Parliament to achieve Brexit is an acceptable form of activity for the leader of the Executive, when in fact it is a constitutional enormity and a gross undermining of democracy.

I freely admit that one of the purposes of these amendments is to try to ensure that this extraordinary threat of really an unprecedented character made against this House that we should be prorogued can be banged on the head. Furthermore, the fact that we should be sitting in October to consider these grave matters in relation to Northern Ireland is, in my view, a good reason why these amendments should be supported. I am mindful of the fact that a further amendment, new clause 14, has, for perfectly understandable reasons, not been selected at this stage of the proceedings because of the nature of its scope. It would have effectively provided—I want to make this point very briefly—that Prorogation could not take place, because when these statements and motions should be made and passed, the House would have to be sitting. That is desirable, because as we approach the crisis that is impending on 31 October, if this House wishes to approve a no-deal Brexit, then so be it, but it should be here to do just that, and not pushed into the margins, as some have suggested in this entirely unconstitutional fashion.

Layla Moran: I am extremely grateful to the right hon. and learned Gentleman for giving way. I pay tribute to him for bringing forward these amendments, but is there not a sense of irony here? This Bill is meant to bring back the ability to debate laws in Northern Ireland, yet at the same time this place faces being shut down by whoever becomes Prime Minister. There is a huge irony here. If nothing else, this place should be safeguarding democracy, and I thank him for his amendments, because that is what they will do.

Mr Grieve: I agree with the hon. Lady. The process of debate is the process by which we continuously moderate each other's opinions, and by listening to each other, we grow in understanding of the points of view of the other and come to sensible decisions. Heaven knows, if I have tried to do anything during this Brexit process it is to try to encourage a sound process, to prevent catastrophic cliff-edge moments and to enable this House to make reasoned decisions. What this House then decides to do is a matter for the House, but the idea that we can or should be excluded from the process, as some seem to be willing to threaten, is an enormity. Our

democracy will not survive such an assault, and it is incumbent on every single one of us to take action to ensure that that does not happen.

Steve Brine (Winchester) (Con): I understand why my right hon. and learned Friend is speaking to amendments 15, 16 and 17, and I presume moving them formally when he gets asked, but obviously new clause 14, to which he has referred, was not selected. Do amendments 15, 16 and 17 work without new clause 14 being selected?

Mr Grieve: Yes, and I will tell my hon. Friend exactly why. First, the amendments work in their own right, so if we agree to them, they will provide a structured mechanism, which, short of Prorogation, will ensure that we have those opportunities to consider. If we enact these amendments, I have no doubt that, when the Bill goes to the other place, which is very familiar with the difficulties of our procedures, the Lords will include new clause 14, if they think it pertinent and right, and send it back to this House so that we can then consider it, which is exactly how our parliamentary processes work.

Steve Brine: I am sorry; let me phrase it in another way. Do these amendments, if moved and if passed, prevent the House from being prorogued?

Mr Grieve: If all the amendments, including new clause 14, were to be passed, yes, it would prevent this House from being prorogued, which is why I put them together as a package. I would like to emphasise that, even if we do not have new clause 14, my judgment is that it is worth having the other amendments in their own right. They send a clear signal about this House's priorities. They lay down a perfectly clear timetable, which is relevant to Northern Ireland in itself. That is why I disagree so much with the comments of my hon. Friend the Member for Lewes, who, as I say, rather startled me with her vehemence and her belief that I had some dreadful motives. My motives are twofold: first, they are in the interests of Northern Ireland and trying to get the Executive formed and, secondly, I freely admit that they are in the interests of trying to ensure that the worst dangers of Brexit are mitigated.

5.45 pm

Toby Perkins (Chesterfield) (Lab): The right hon. and learned Gentleman is absolutely right that the consequences for Northern Ireland of a no-deal Brexit are very serious. I am sure that he will be as astonished as I was that a survey of members of the Conservative and Unionist party found that a majority of his party members were actually willing to see the break-up of the Union and to see what could happen to Northern Ireland if that issue would stop Brexit. If he does not recognise his own party, in some ways he might not be alone. Can he give us any insight into how the Conservative and Unionist party has got to this place?

Mr Grieve: I find it very difficult to answer that question. I accept that, because of priorities in this House, it is often the case that insufficient attention is paid to Northern Ireland. During my career, I have had the inestimable benefit of having the views of large numbers of people in Northern Ireland imparted to me. I have been able to go, for example, to the annual conference of the Centre for Cross Border Studies, and

[Mr Grieve]

anybody who has gone to look at cross-border issues will realise just how catastrophic a no-deal Brexit would be. I would simply say to my hon. Friends that I appreciate that there are doubtless areas on which they are expert and I am most certainly not, and I do not claim to have the greatest expertise on Northern Ireland—I do not represent that place, although I love it very much—but it is a thing that matters to me very much and that should matter to every hon. Member in this House.

Sir Oliver Letwin (West Dorset) (Con): May I just take my right hon. and learned Friend back to the question he was asked a moment or two ago about whether these amendments, in the absence of new clause 14, will prevent Prorogation? Would he agree that there is at least a perfectly serious argument that might run in the Supreme Court—that is, that statute law trumps prerogative even where it does not directly take the prerogative on, and that if that were argued successfully, these amendments would be sufficient to prevent Prorogation?

Mr Grieve: Yes, I agree. It is perhaps, as lawyers would say, a moot point, but my view is that because it specifies in statute particular days on which things should be happening in this House, it is arguable that it therefore replaces the prerogative because the Queen in Parliament has decreed that certain things should happen by law, and that, of course, replaces the royal prerogative as exercised by Ministers.

Victoria Prentis (Banbury) (Con): As my right hon. and learned Friend knows, I have a great deal of sympathy with his position, but I am very concerned that we are giving problems to the judiciary that really should be resolved in this House. Does he agree?

Mr Grieve: Yes, I do. I agree entirely, and we should try to avoid doing that, but for the reasons that I have just given—before we start worrying about court challenges—the amendments that I have tabled, taken together, are worth having. After all, even if it does not go to court, it is a pretty clear signal to whoever is Prime Minister that this is what the House wants to be doing in October. I think that is worth having. Of course, we do at times hear that the rumours about Prorogation are completely misplaced and that nobody in their right mind would do it; in my judgment, nobody in their right mind should, so I very much hope that it will not happen, but these days one has cause at times to worry. For that reason, I think this is a very good series of amendments.

Of course, if the other place in its wisdom decides to look at the totality of our amendments, decides that new clause 14 would add value and places it in the Bill, this House would have an opportunity to consider that decision before the Bill goes through, and either to accept it or reject it.

Sir Oliver Letwin: I am very sorry for intervening again, but I think that it may be important later in the other place that this debate be brought out into the open here. Would my right hon. and learned Friend first agree that the reason why Mr Speaker quite rightly did not select new clause 14 is that it would not have been

within the scope of the Bill as unamended, but that, if amended by my right hon. and learned Friend's amendments, new clause 14 would probably be brought into scope? Secondly, does he agree that their lordships in the other place take a rather wider view of scope than is typically taken here, and therefore there is ample reason to suppose that, given the majorities we know to exist in the House of Lords, new clause 14 in some form is actually likely to be added to the package and therefore to be operative?

Mr Grieve: Yes, I do agree. That is certainly one of the reasons this should go to the other place. I slightly hesitate over the issue of scope, particularly because we have a ruling from the First Deputy Chairman that I would not seek in any way to impugn. It is perfectly clear ruling with a perfectly understandable base. I say no more about it than that.

Craig Mackinlay (South Thanet) (Con): Amendment 17 suggests that a motion be debated in this House and approved. We have seen in the past what we might describe as daisy-chain motions taking root in this place, many under his name and some under the names of others. Is it my right hon. and learned Friend's intention that we should have a similar daisy-chain amendable motion if such a motion comes back to the House in future under his amendment?

Mr Grieve: If we are seeking ways to find daisy chains, I can assure my hon. Friend that there are probably other ways in which they might be found. If the House wants to do something by resolution, a motion must be tabled. Therefore, either we will get to the point where we never, ever table a motion again—meaning, effectively, that our operation is completely brought to a standstill, which would be a total absurdity—or, I am afraid, he, like everybody else in this House, will have to live with the possibility that people may use a motion to raise matters that they want to raise. Of course, the question of the amendability of a motion, and all that, is not in our hands but those of Mr Speaker.

My hon. Friend brings me back to what worries me, because in what he said there is that little echo of the suggestion that it would all be so much better if this House could just disappear—vaporise—for the next three months so that whatever he thinks should happen is what ought to happen. As I was trying to point out, if we do not meet and debate and moderate each other's views, we are not a working democracy, and that is what we should at all times strive to be. I commend the amendments to the Committee.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): I rise to offer the SNP's support for amendments 14 to 17, which stand in the name of the right hon. and learned Member for Beaconsfield (Mr Grieve). I commend him for tabling these amendments and ensuring that there is a chance to debate this issue.

It is incredible that it has come to this—that this Parliament requires an amendment to legislation on the governance of Northern Ireland to stop the Executive riding roughshod over the democratically elected Chamber. More and more, the UK Government are like a Marx Brothers film, but without the laughs—a parade of wannabe comedians trying their best to recreate Freedomia in their own image, with the biggest joke of all reserved

for when the right hon. Member for Uxbridge and South Ruislip (Boris Johnson) enters No. 10, perhaps by zipslide. But at least Freedonia was fictitious.

Of course it would be easy for those on the Treasury Bench, now or at some point after the right hon. Gentleman takes his place, to finagle the use of the royal prerogative to prorogue Parliament—that is the benefit of the uncodified, antiquated constitution we have—but there can be no shortcuts to democracy. There can be no running away from the mess the Government have created for themselves and for the country, and no attempt to silence democratically elected Members, no matter how much the Government of the day wish to do so. I wholeheartedly agree with the right hon. and learned Member for Beaconsfield, who said:

“If you decide that parliament is an inconvenience, when in fact it is the place where democratic legitimacy lies in our constitution, and therefore it’s acceptable to get rid of it for a period because it might otherwise”

stop

“you from doing something that parliament would prevent, then it’s the end of democracy.”

Martin Docherty-Hughes (West Dunbartonshire) (SNP): The right hon. and learned Member for Beaconsfield (Mr Grieve) has raised the issue of proroguing Parliament being unconstitutional, but is not the reality that it is very constitutional, as a rule of the present United Kingdom of Great Britain’s unwritten constitution, and that it was aped in Canada twice?

Gavin Newlands: My hon. Friend, as per usual, makes a very good point. Obviously, we in the SNP support a written constitution, and when Scotland secures its independence, that is the route we will be taking.

The very act of asking the Crown to prorogue Parliament would involve the constitutional monarch in a profoundly political question. Given the fact that a majority of MPs have expressed opposition to the prospect of the UK leaving without a deal, the prorogation of Parliament to get a no-deal Brexit through would be unconstitutional, undemocratic and entirely untenable. We cannot have the no-deal clock being artificially run down by the Executive while Parliament is ordered to extend its holiday. The catastrophic impact of no deal on Northern Ireland and the rest of the UK cannot be allowed to happen. For those reasons, we will support the amendments tabled by the right hon. and learned Member for Beaconsfield.

I said last night that we on the SNP Benches are not blind to the situation in Northern Ireland, and accordingly we operated a free vote on matters of conscience contained in new clauses 1 and 10. I would like to add, however, that we still hold the principle of devolution very dearly. There are many of us in this place who followed that deeply held belief in the devolution principle by abstaining on this legislation who fully support equal marriage and, equally, many who support the right of women in Northern Ireland to safely access abortion in their own country. I would not want anyone in this place or watching at home to think that abstention in this case is opposition—it is not.

To conclude, I congratulate the hon. Member for St Helens North (Conor McGinn) on securing potential equal marriage rights for LGBTQ couples in Northern Ireland. That is a very welcome development, and he has done extremely well.

Dr Julian Lewis (New Forest East) (Con): I rise to speak in support of amendment 6, which stands in my name and the names of my right hon. Friend the Member for Sevenoaks (Sir Michael Fallon), my hon. Friend the Member for Plymouth, Moor View (Johnny Mercer) and 16 other Members. It relates to a topic that, by sheer coincidence, I was addressing the Chamber about on 9 July exactly 12 months ago to this day. That topic is the need for protection for our service personnel against repeated reinvestigation of alleged offences committed during the troubles, even though those have in many cases been previously investigated and there is little or no prospect of significant new evidence being forthcoming.

The amendment speaks for itself. It suggests that there should be

“a report on progress made towards protecting veterans of the Armed Forces and other security personnel from repeated investigation for Troubles-related incidents by introducing a presumption of non-prosecution, in the absence of compelling new evidence, whether in the form of a Qualified Statute of Limitations or by some other legal mechanism.”

It is very important to note that the word “amnesty” does not feature in the amendment. I was particularly pleased when, in another debate on this subject on 20 May this year, my hon. Friend, as I choose to describe him, the Member for Belfast East (Gavin Robinson), who is an authority on these matters, intervened to make the point strongly that what the Defence Committee has in mind—namely, a qualified statute of limitations—is not an amnesty in any way, shape or form.

Gavin Robinson *indicated assent.*

Dr Lewis: I am glad to see him nodding.

Lady Hermon: Will the right hon. Gentleman give way?

Dr Lewis: Of course I give way to the hon. Lady, just as I did 12 months ago to this day.

Lady Hermon: I am very grateful. Since the right hon. Gentleman’s amendment makes reference to “other security personnel”, will he confirm whether he and his colleagues have taken the view of the Northern Ireland Retired Police Officers Association, and will he elaborate on their opposition to any such amnesty or statute of limitations? That would be enlightening for the Committee.

Dr Lewis: I am afraid that we have got into a situation where people in Northern Ireland have become, to some extent, a prisoner of their own rhetoric. As I understand it, there is opposition to what people imagine is being proposed on the basis that it draws some form of moral equivalence between the forces of law and order and those people who went out, illegally armed, to commit terrorist offences. It does nothing of the sort. The only equivalence that anyone can or should read into such measures is the basic equivalence before the law that applies to everyone.

I have made this point before, and I am afraid that I am going to keep making it until one day more people accept it: already, in the form of the Northern Ireland (Sentences) Act 1998, such equivalence is quite clear. What that Act provides for is that if somebody has been convicted of not just one grave offence but even multiple

[Dr Julian Lewis]

murders, they might well be given a life sentence, but under that legislation no one will ever serve more than two years of that life sentence in jail. That has sometimes been thought to be something that applied to paramilitaries and terrorists but not to the armed forces, but in repeated debates on this subject it has been established very clearly and unambiguously in ministerial statements from the Front Bench that it applies to everyone. That does not create moral equivalence between the people it applies to; it simply creates the same equivalence before the law that applies to every British citizen, whether virtuous or villainous.

6 pm

Emma Little Pengelly: We have just had the conclusions of the legacy consultation and the release of a summary of the findings. Does the right hon. Gentleman agree that part of the confusion on a statute of limitations is that, due to the narrative around this, people do believe that this is an amnesty, but in fact it talks about limiting some circumstances, on the basis of fairness, which is very different from the principle of amnesty?

Dr Lewis: I am so grateful to the hon. Lady, and delighted that I gave way to her, because she has put that far better than I could.

What we are trying to come to here is a reasonable conclusion that would mean that, should compelling new evidence emerge—something that was overlooked and has now come to the fore, and that puts a completely different complexion on an allegation of a serious crime—indeed that would still be pursued, but where matters had been looked at previously, and where there was no compelling new evidence, a line should be drawn.

There is one more element that comes into this, which is the question whether such a qualified statute of limitations would conform to international law.

Mr Bob Seely (Isle of Wight) (Con): I am most grateful to my right hon. Friend for giving way, and I congratulate him and others on tabling the amendment. There are two issues here for me. First, on the point of fairness and equality, does he agree that it is deeply unfair that the state seems to be actively looking not to bring former terrorists to justice while actively looking to bring soldiers, who were there legally doing their job under the law, and protected by the law, to justice. Secondly—I talk to ex-service friends about this often—is he aware of the appalling signal it sends that the soldiers who were doing their job are not being protected by the law, either recently in Iraq or 20 or 30 years ago in Northern Ireland?

Dr Lewis: I thank my hon. Friend, who is an expert in these matters, for that perceptive observation. Certainly, on the differentiation between people who were lawfully armed, trying to preserve the peace and the good order of society, and those who went out unlawfully to try to disrupt that, I believe that my right hon. Friend the Member for Sevenoaks will address that very point in some depth, because it goes to the heart of his amendment.

Lady Hermon *rose*—

Dr Lewis: I will give way only one more time, as other Members wish to speak.

Lady Hermon: I am exceedingly grateful to the right hon. Gentleman, who is being very generous indeed. I think that it would be very helpful if he, and indeed his colleagues, clarified how many members of the British Army have been investigated, re-investigated and prosecuted in Northern Ireland. I think the numbers would be very instructive and interesting.

Dr Lewis: I am not an expert on the subject, but I think that the numbers at the moment are very low, but the threat—the sword of Damocles—is hanging over a very large number of people.

That leads me rather neatly to the final point that I want to make, about conformity with international law, which does not require a prosecution but does require an investigation. That is why the Select Committee on Defence—we have a further report coming out that relates not just to Northern Ireland, but to the wider context of other campaigns—has always sought to combine the notion of a qualified statute of limitations with that of a truth recovery process. What might loosely be termed the Nelson Mandela solution means that we would satisfy the requirement for an investigation but remove the sword of Damocles hanging over someone's head, because they would know that they would be required to say what they remembered of the events concerned, with an absolute assurance that no prosecutions would result. That would give the bereaved families the best chance of finding out the truth.

James Heapey: Will my right hon. Friend give way?

Dr Lewis: Very well, for the last time.

James Heapey: My right hon. Friend is very kind. I instinctively agree with the amendment that he has tabled. I am concerned about a statute of limitation, because if case law were applied would the other side not claim access to the statute of limitation as well? I would be grateful for his thoughts on that.

Dr Lewis: I thought that by implication I had covered that point. The likelihood is that anyone before the law would be able to lay claim to the statute, but the reality is that what my hon. Friend calls the other side—with their letters of comfort, among other things—are the last people who need to be worried about the present situation. We must not get hung up on the terminology. The people we have to protect are those where the records exist, but to whom letters of comfort have not been given—our armed forces veterans.

In conclusion, I want to—

David Simpson (Upper Bann) (DUP) *rose*—

Dr Lewis: How can I refuse the hon. Gentleman?

David Simpson: The right hon. Gentleman has made a good point about the letters of comfort. I have to say that the letters of comfort were given to republicans, but those who put on the uniform of the Crown forces are being pursued for doing their duty.

Dr Lewis: That confirms the very point that I was making, and it is why the main purpose of the amendment, although arguably it might be cited by people who are unlikely to be prosecuted, is to protect our service personnel, security forces and so on.

I would like to end—I really will end—by saying that I was encouraged in a debate in Westminster Hall on 20 May this year by the response of the Minister of State to points of the sort that I have made today. He said that I had

“mentioned the Nelson Mandela approach; I will come back to that point, because it is central to any potential action and solution”.

He said that a solution

“must allow not only the victims and the veterans, but the whole society in Northern Ireland, to draw a line.”

He said:

“There is not an exact comparison between Northern Ireland, which is a unique place, and South Africa, but there are many parallels. We must find some way of creating an approach that will allow people to get closure, truth and justice.”—[*Official Report*, 20 May 2019; Vol. 660, c. 248-250.]

That is what my amendment seeks to do, and I look forward to the Minister’s response.

Nigel Dodds: I want to speak to the amendments tabled in my name and those of my right hon. and hon. Friends, and by Government Members, in relation to the military or armed forces covenant and its application across the United Kingdom, and on the definition of victims, again on a UK-wide basis. In amendment 19, we refer to the Victims and Survivors (Northern Ireland) Order 2006, but we believe that we need a definition of victims on a UK-wide basis.

On the armed forces covenant, our amendment 18 calls for the Secretary of State to publish a report

“on progress made towards preparing legislation confirming the application of the Armed Forces Covenant in the provision of public services in Northern Ireland.”

This is important because, at the moment, despite the great service of so many in Northern Ireland in the armed forces of the United Kingdom over many decades, which has been recognised far and wide, and the dedication of Northern Ireland men and women in the services—and there are, therefore, many veterans—there is not the same application of the military covenant in Northern Ireland as there is elsewhere in the United Kingdom. We have of course talked about this issue in relation to the confidence and supply arrangements, and I look forward to the Minister saying something when he winds up about how we might progress this.

To give an illustration of just how difficult things are, just the other day—on 28 June—the Chairman of the Defence Committee, the right hon. Member for New Forest East (Dr Lewis), received a letter from the head of the Northern Ireland civil service, David Sterling, in which he replied to a previous letter asking about representation from the Northern Ireland Administration on the ministerial covenant and Veterans Board. The head of the civil service said that, unless and until there is an agreed position on participation by the Northern Ireland Executive, he was not in a position to attend or even to send another representative. This is how appalling the situation is: we cannot even have Northern Ireland represented.

Even if the Executive were back, there is no doubt that Sinn Féin would block the covenant’s application in Northern Ireland across a host of services and a host of Departments, as it has done. Of course, as we know, the armed forces covenant is not about giving preferential treatment to veterans; it is about making sure that they

do not lose out as a result of their service. By any stretch of morality and law, that should apply in Northern Ireland, as it does elsewhere in the United Kingdom.

We are looking for the Government to report on progress on that matter, and to ensure there is a legislative underpinning of the military covenant. Indeed, I notice today the campaign—I think it was in *The Sun* newspaper—for legislative underpinning of the military covenant. Indeed, I think I am right in saying that both the leadership contenders—certainly one—have signed up to it. I warmly welcome that, and we will certainly be sitting down to discuss, as part of the renewal of the confidence and supply arrangements, how we can actually move these things forward in detail.

The other amendment that I want to speak to very quickly is amendment 19 on the definition of a victim. I referred to this when debating the previous batch of amendments. The current problem in Northern Ireland is that the definition of victim applies equally to those who have been injured as a result of their own actions and in perpetrating terrorist atrocities. For instance, the Shankill bomber, who was injured—his co-terrorist was killed in a bomb explosion that killed many innocent people—is entitled, under the law as it currently stands, to be classified as a victim, and therefore eligible, under the proposals brought forward, for a victim’s pension. Innocent victims—those who were injured as a result of terrorist activities and the families of those who have been left bereaved—of course find that extremely agonising, and they want this appalling situation rectified. Our amendment asks the Government to bring forward a report on seeking to address this very pressing issue.

Richard Benyon (Newbury) (Con): Does the right hon. Gentleman agree with me that this is part of an attempt at historical revisionism that is going on in the Province, and that at this really important moment we need to send a very clear message that this is not some game to satisfy one side or the other, but about fairness, decency and reflecting the truth about what happened?

Nigel Dodds: The right hon. Gentleman has put the matter extremely eloquently and concisely, and he is absolutely right. We are bringing forward a simple request to plead for justice, decency and fairness. It cannot be right that innocent victims are left without a pension because victims of their own terrorist actions may benefit as well.

We have to address, therefore, the issues of the military covenant and the treatment of our veterans, of our victims, and of our armed forces personnel, which the right hon. Member for New Forest East raised so well previously. These issues must be addressed; and if they are not addressed by this Government in their last two years, certainly they must be tackled, going forward. Justice demands it.

6.15 pm

Emma Little Pengelly: Does my right hon. Friend agree that it is deeply frustrating that we have made these arguments time and again and yet they have been rebuffed by the Government and others as too controversial? All we are trying to do is something very basic indeed—to put into law the dictionary definition of a victim. A victim is a victim of an act by another person. That is a dictionary definition; that should not be controversial.

Nigel Dodds: I entirely agree with my hon. Friend, and I pay tribute to the work that she has done in this area over many years in Northern Ireland, grappling with those issues. It is frustrating that at times—I have to say this—certainly in the Northern Ireland Office, there has been a well of opposition that has served to obstruct these issues going forward. I do not speak about the current occupants of ministerial office; I am talking about a long record of institutionalised opposition to progressing some of these issues. I look forward to hearing what the Minister has to say, and I hope that, as a result of this debate, we will finally get movement on these important areas of justice and fairness for victims, our armed forces and our veterans.

Sir Michael Fallon (Sevenoaks) (Con): I hope that the right hon. Member for Belfast North (Nigel Dodds) will forgive me if I do not address his amendments directly. I thoroughly support them and hope that he feels encouraged after tonight to continue to pursue them when it comes to any further negotiation that may take place later in the year.

I shall speak to amendment 7, which stands in my name and that of my hon. Friends, although I should make it clear, as I think my right hon. Friend the Member for New Forest East (Dr Lewis) did, that I fully endorse amendment 6 as well, both in respect of preventing the re-investigation of cases—sometimes more than once—and his suggestion that a time limit should be considered, rather than an amnesty.

My amendment is narrower in its focus. It is designed to encourage the Secretary of State and the judicial authorities in Northern Ireland to focus on the difference between the soldier and the terrorist—the soldier, who had a duty to the state, who had a duty to protect life and property; and the terrorist, who went out to kill or to maim. That difference, which we discussed in the Chamber a year ago and have already begun to discuss again tonight, seems to have been forgotten, swamped by a kind of moral equivalence. In my view, the distinction should be clear: armed troops are not civilians. They have a duty to the state. They must obey the chain of command. They are issued with lawful weapons. They are trained how to use lawful weapons, and indeed they are punished if they are found to be misusing them. They do not, unlike the terrorist, set out each morning with the intent to kill. The terrorist, by contrast, has at some point acquired an unlawful weapon—an illegal gun or a bomb—and would be doing that only if he or she intended to do harm with it.

In recognising the problem, which has been alluded to, of the convention on human rights and the difficulty of treating one group separately from another, I would like the authorities in Northern Ireland, and in particular the Attorney General for Northern Ireland, to think more deeply in approaching this issue about the presumption of intent. I would like the report we are asking for in this amendment to consider future prosecution guidance that would properly take into account whether or not a lethal weapon was involved and whether or not it had been legally authorised or acquired. It is a narrow amendment, but I think it would help the authorities to pursue this matter more clearly.

Hilary Benn (Leeds Central) (Lab): I rise very briefly to support the amendments moved by the right hon. and learned Member for Beaconsfield (Mr Grieve),

although I have to say I find it extraordinary that we are even having a debate about Prorogation. I hope that the very idea of proroguing Parliament to deny Members of this House the chance to express a view about the Brexit process at the vital moment—whichever side of the debate one is on, it will have enormous implications for the future of our country—will seem to many so outrageous, so underhand and so shocking. I cannot really understand why any Member, when presented with the proposition, would not say, “Well, that is completely out of the question.” It is a direct threat to our ability to have our say and to express our views.

The second point I want to make is that, if the new Prime Minister were to think, “I might be able to get away with it,” and Prorogation were to happen, it is important that he understands—I am confident of this—that there would be many Members of the House who would be determined to sit, meet, debate and express their view anyway. I do not believe that the House of Commons would be silenced in those circumstances. It would profit the Prime Minister nothing if he were to attempt to do that. I hope the idea will disappear into the dustbin of history where it belongs. If we do not succeed in putting the idea there by persuading the new Prime Minister finally to come forward and say, “Okay, I will never do that in any circumstances,” then voting for the right hon. and learned Gentleman’s amendments tonight will be a very important step in helping it on its way.

Tony Lloyd (Rochdale) (Lab): Let me begin by addressing the issues raised by the right hon. Members for New Forest East (Dr Lewis) and for Sevenoaks (Sir Michael Fallon). We will return to this theme, so they will forgive me if my response today may be more truncated than I would prefer if there were more time. There can never be a question of moral equivalence between a member of our armed forces and somebody engaged in terrorism on behalf of a paramilitary organisation. We need to make that very clear. Whatever our disagreements, the agreement over the lack of moral equivalence is absolute and we should not be drawn down that track. That said, I am extremely uneasy about the approach taken by both right hon. Members.

The right hon. Member for New Forest East referred to our international commitments. One of our commitments is as a state party to the International Criminal Court and the treaties thereof. Article 29 of the Rome statute makes it clear that crimes that fall within the jurisdiction of the Court cannot be subject to a state-imposed statute of limitations. That is an absolute condition of the Rome statute. The right hon. Gentleman looks puzzled. I invite him to check that.

Dr Julian Lewis: I am not a lawyer, but my understanding is that the ICC, having been set up long after the troubles, does not have retrospective application, even if the hon. Gentleman’s interpretation of the law is correct.

Tony Lloyd: I did not necessarily automatically assume that the right hon. Gentleman was looking for retrospective legislation. That is an interesting point. The reality, however, is that for this state to now adopt retrospectively something that is imposed would be in contravention of article 29 of that statute.

I pray in aid the hon. Member for North Down (Lady Hermon), who made a point about the role of the police. The role of the police and of the armed forces is very similar. George Hamilton, the outgoing chief constable of the PSNI, has made it clear that he does not believe in any form of statute of limitations. He said:

“There cannot be different rules for different citizens.”

That is a fundamental challenge. The Police Federation for Northern Ireland made the point that it would be an insult to police officers who were killed or injured on duty. This is the real point: in the end, we ask our armed forces to sign an oath to uphold the Queen and Her Majesty’s laws—except for the Royal Navy, ironically, as my hon. Friend the Member for Ealing North (Stephen Pound), who served in the Royal Navy, knows. We are talking not about the massive and overwhelming majority who serve faithfully in our armed forces, but about the small minority who transgress the law.

The right hon. Member for Sevenoaks drew a distinction between terrorists and those who are lawfully armed, but those who are lawfully armed and misuse those arms do not deserve any protection. I say to the right hon. Gentleman and the right hon. Member for New Forest East that I am not minded to support their amendment, but we will continue to debate this.

The right hon. Member for Belfast North (Nigel Dodds) raised an interesting question about the definition of victims, but it is probably too difficult to debate the whole point today. When I have spoken to victims of terrorism—for example, those in organisations such as WAVE—they have made it clear to me that they want to move on. They believe that, after this amount of time, pragmatism says, “Let’s get on and ensure that those who have been denied those pensions now receive them.” I have a lot of sympathy for that view. They have waited a long time for some form of recognition.

Emma Little Pengelly: The shadow Secretary of State started by saying that there cannot be moral equivalence between the perpetrators of terrorism and our armed forces. Will he take the opportunity to say, just as clearly, that there should never be moral equivalence between the innocent victims of the criminal acts of another, and people who went out to kill and murder, and ended up accidentally injuring or killing themselves? There cannot be moral equivalence between those two.

Tony Lloyd: I have no difficulty in agreeing with the hon. Lady. The Victims’ Commissioner has sought not to change the definition of victim, which was fixed in 2006, because she also wants to move on. I am sure we will return to that.

On the armed forces covenant, I have considerable sympathy with the arguments made by the right hon. Member for Belfast North. We need to see what a report can bring forward and how far that can be of use without causing other problems.

I must refer to the important amendments in the name of the right hon. and learned Member for Beaconsfield (Mr Grieve), which go to the heart of our role as parliamentarians. Parliament can never abrogate its responsibilities and pass them to an Executive, or even to a new Prime Minister appointed by as many as 160,000 of our fellow citizens. That is unconscionable. We must insist that Parliament continues to sit.

The right hon. and learned Gentleman was right to say that nowhere would be as badly affected as Northern Ireland by a no-deal Brexit. I think he said that was “arguable”; it is actually unarguable. It would be catastrophic for security and the economy, and in its capacity to induce terrorism, as well as for the important question of identity. For many reasons, Northern Ireland needs us to prevent a crash-out Brexit. We had that debate yesterday, and I can think of few organisations in Northern Ireland that would disagree with the right hon. and learned Gentleman that we cannot afford a no-deal Brexit. The Northern Ireland national farmers union, the CBI, Manufacturing Northern Ireland and the Irish Congress of Trade Unions are all of the view that it would be disastrous. Parliament must be here to protect the people of Northern Ireland, to debate their future, and, in particular, to say that if this House of ours chooses to vote for a no-deal Brexit, it will have made a conscious choice. What we cannot allow is the House to be offered no choice at all, and the people of Northern Ireland to be held hostage to the ideologies of those who do not serve their interests.

6.30 pm

Johnny Mercer (Plymouth, Moor View) (Con): I ask the hon. Member for Rochdale (Tony Lloyd)—my hon. Friend—to think very carefully about the message that will come from this place tonight if he, in his rightful place as Opposition spokesman, concludes that he cannot support, and indeed, must vote against, some of the amendments tabled in my name and that of my right hon. Friend the Member for Sevenoaks (Sir Michael Fallon).

These issues are incredibly complex, and no one has suggested that they are not, but I ask my hon. Friend to think about the human element of what is going on. I ask him to think about the reality, rather than the legal methods that could theoretically be applied to people who have abused the system: the reality for hundreds of people in this country. Many are in their 70s and 80s, and some are in their 90s. Some will have dementia, and will have no idea what is going on around them. These are people whose families are trying to support them through this process and who, having simply signed up and served their country, have been caught up in a legal system that has totally failed them. We in this place can come up with plenty of calculations to justify not doing something about this, but it will only ever change—at some point—if we show a bit of courage, the sort of courage that they showed on operations on our behalf, and make clear whose side we are on.

No one has seriously suggested any equivalence, although it has been bandied about, between someone who woke up in Northern Ireland in the 1970s or 1980s and whose objective on that day was to take life, to take innocent life, and those young men and women—and they were young men and women, aged 17, 18, 19 or 20—who were asked to serve in a country that they did not want to go to and had never been to before, and to take part in an operation that they did not really believe in, and who ended up being involved in an incident over which they had very little control. There is no equivalence between those two scenarios, but the fact is that the first group have peace of mind and are leading their elderly lives in peace, while the second group are currently receiving letters asking them to contribute to the costs of very aggressive lawyers and the very aggressive inquests that are currently taking place in Northern Ireland.

Sammy Wilson: Is it not even more grotesque that these former soldiers can be summoned to an inquest or some legal process and receive no legal back-up from the Army, while those who are initiating cases against them can claim legal aid?

Johnny Mercer: My right hon. Friend is absolutely right. The Ministry of Defence, and this country—our nation, our Government—have been woefully slow in supporting individuals who are going through this process. I urge my hon. Friend the Member for Rochdale to think very carefully about the message sent by us—whichever party we are in, we ask these individuals to do our bidding on operations—before voting against amendments that do no more than request a report to start the ball rolling towards a place where there are protections for those who have served on operations in this country.

I will bring my hon. Friend back to the human case of just one individual in my constituency who I have raised time and again, and I make no apology for doing so once more. He has been diagnosed with liver cancer and has been charged; he has turned down treatment so he can fight the case and he will be dead before it comes to court. We are saying as a Parliament, “Thank you for your service,” but we do not quite have the courage to get that over the line and actually show whose side we are on by supporting two very basic but ultimately significant amendments tonight.

Gavin Robinson: It is a pleasure to follow my hon. Friend the Member for Plymouth, Moor View (Johnny Mercer), and I hope he and his colleagues the right hon. Members for New Forest East (Dr Lewis) and for Sevenoaks (Sir Michael Fallon) recognise that we will be supportive of their amendments.

I rise to speak to amendment 18. I will not refer to amendment 19; I have signed it so we can take as read that it has my support. Amendment 18 requires a report to be brought forward about the implementation of the armed forces covenant in Northern Ireland. Members may remember that I brought forward a private Member’s Bill on 6 February. It was supported by Members of Parliament right across the Chamber and from right across the country, all of whom accept that the armed forces covenant is a national commitment to those who served us. It does not respect devolution; it does not respect borders. It was our way as a nation of saying the service that individuals have given and the sacrifice they themselves have made, and their families in support of them, is worthy of recognition. As has been outlined by my right hon. Friend the Member for Belfast North (Nigel Dodds), it does not offer preferential treatment, but it ensures that those who served our country so well do not suffer any disadvantage: they are not precluded from accessing services because they have to move around, for example, or they do not lose out in their children’s applications to schools because they were not living within the catchment area at the time of application.

It is fundamentally wrong, fundamentally immoral, fundamentally unacceptable that the armed forces covenant does not apply equally in Northern Ireland. If every Member of this House accepts that to be the case, it is incumbent upon us all to support this Government bringing forward legislation that will ensure no Minister in a Northern Ireland Executive has the opportunity or

is given the freedom to abide by their political prejudice and frustrate the implementation of the armed forces covenant in Northern Ireland.

Emma Little Pngelly: Does my hon. Friend agree that this provides a really good opportunity for the British Government to say very clearly to British soldiers from Northern Ireland that they are as valued as British soldiers from any other part of this United Kingdom, and whether or not they get help should not rely on the whims, the bigotry and the hatred of a particular Minister from Sinn Féin in the relevant Department denying the rights and support that those soldiers need?

Gavin Robinson: I agree absolutely, and Members who have followed my contributions on this issue over the past number of years will recall time and again that I have shared correspondence that was sent from Michelle O’Neill, the then Health Minister, on 15 December 2016, when she indicated, “I am sorry, the armed forces covenant does not apply here.” She is wrong, but for as long as we refuse to take action, she is allowed to get away with her prejudice infecting the virtue of the armed forces covenant. It is not right.

Time and again, we have had updates in this Chamber and through the Defence Committee, on which it is a privilege to serve, where we hear in armed forces implementation reports that everything is great and that each of the eleven councils in Northern Ireland has an armed forces champion. Yet nobody ever then seeks to realise that our councils in Northern Ireland have no responsibility for health, for social services, for housing or for education. Indeed, in all the operative Departments where there is a meaningful a role to play and a meaningful gift to give to those who have served us so well, that responsibility falls to the Northern Ireland Executive. How bizarre!

My right hon. Friend the Member for Belfast North has relayed to the Chamber the fact that the head of the civil service said in a letter that he was sorry he could not attend the Veterans Board, because it was not previously agreed by the Executive. We are discussing an amendment to the Northern Ireland (Executive Formation) Bill that says that if it is in the public interest, senior departmental officials can take decisions, yet Northern Ireland is left with a representative from the Northern Ireland Office, which has no ministerial responsibility for or operational involvement in our health, education, social services or schools—none—yet we rely on the Northern Ireland Office when we are discussing a Bill that gives a senior departmental official the ability to decide to attend. I think that that is clearly in the public interest.

Mr Mark Francois (Rayleigh and Wickford) (Con): I thank my fellow member of the Defence Committee for giving way. Like him, I believe that it is a particular privilege to serve on that Committee. Can he confirm that the decision by the permanent under-secretary at the NIO not to attend the Veterans Board was discussed at our Committee only today and that, to put it mildly, we took a rather dim view of his view?

Gavin Robinson: That is indeed correct. I am grateful to my right hon. Friend for his intervention, although it was not the permanent under-secretary at the Northern Ireland Office but the head of the civil service in Northern

Ireland. Where the issue arises, the Northern Ireland Office does attend, but it has no involvement in the issues that matter most.

I want to put on record my disappointment yet again with the contribution from the shadow Secretary of State, the hon. Member for Rochdale (Tony Lloyd). When considering amendment 19, he accepted that there was no moral equivalence between a terrorist and a victim, but when faced with an amendment that he could support this evening, rather than saying, "I accept there is no moral equivalence and therefore I am going to do something about it," what was his response? He said that the victims wanted to "move on". I think there is an opportunity for the shadow Secretary of State to reflect on that, given the comments that were made yesterday in this Chamber about the partisan nature of amendments that were considered in the earlier debate. Given Labour Members' previous commitment always to play a constructive role when dealing with sensitive issues in Northern Ireland, they have doubled down this evening. That is hugely regrettable, and it is worthy of consideration and further reflection.

Sir Jeffrey M. Donaldson: I just want to add to the point that my hon. Friend is making. We have heard a lot from Opposition Front Benchers today about rights and about the need to ensure that Northern Ireland citizens are treated the same as citizens in the rest of the UK when it comes to rights, yet surely we in this House all agree that veterans of our armed forces have the right not to be disadvantaged by virtue of their service. Opposition Front Benchers are not prepared to do anything to address the fact that veterans in Northern Ireland are disadvantaged by virtue of their service. They have to go to the end of the queue when they leave service, and that is not right. That is not what the military covenant says, and the Opposition should reflect on that and do something about the rights of veterans in Northern Ireland.

Gavin Robinson: I agree with my right hon. Friend, although in fairness, the comments that we were talking about attached to the amendment on victims definition, and the shadow Secretary of State did indeed indicate that he would look at the report brought forward by the Government. But time moves on, and this is not a new issue. Today and yesterday, we have talked about the implementation of rights, and if something is right for armed forces personnel and veterans who live in Rochdale, it should be right for those who live in East Belfast and across Northern Ireland. I am grateful for the time that you have allowed, Dame Rosie, and I will now take my seat.

Fiona Bruce: I rise briefly to speak to amendments 21 and 22, which are in my name. In relation to the report under clause 3(1), amendment 21 would place a duty on the Secretary of State to report on the law relating to gambling and on support for those experiencing problem gambling. Amendment 22, similarly, would place a duty on the Secretary of State to report on the assistance and support offered to victims of human trafficking in Northern Ireland.

6.45 pm

John Penrose: I should probably start by formally begging to move that clauses 1 to 4 stand part of the Bill. If I do not say that, bad things will probably happen and we will not get to the important part of our proceedings.

I begin with the four amendments tabled by my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), which would require the first progress report under clause 3 to be made on 4 September, not 21 October. As he mentioned, fortnightly reports would then be required from 9 October until 18 December if an Executive had not been formed. Any report under clause 3 or any regulations under clause 2 would be subject to an approval motion in this House and a "take note" motion at the other end of the corridor.

The Government agree that Parliament must be kept closely informed of progress towards restoring an Executive in Northern Ireland, which is precisely what clause 3 provides for, and we are willing to consider or accept various other reporting obligations, as I made clear in response to the earlier group of amendments. I continue that good will and positive approach under this second group of amendments.

Given the fundamental importance of these issues, I am happy to confirm that we accept my right hon. and learned Friend's amendment 14, on the progress report to Parliament on or before 4 September. However, I have to disagree with him and oppose his other amendments.

The requirement for regular fortnightly reporting throughout the autumn, subject to a vote on each occasion, would simply be an excessive and unnecessary procedure. I also note that the requirement for fortnightly reports and motions would attach to many of the other reporting obligations on different topics that hon. and right hon. Members seek to add to clause 3. The amount of parliamentary time we booked up throughout September and into the autumn, should the Executive in Stormont not have been created, would start to mount.

I appreciate that what lies behind my right hon. and learned Friend's amendments is not solely a concern to keep abreast of the progress towards restoring the devolved Government in Northern Ireland. He is very clear that his interests are a great deal broader and are primarily motivated by concerns about Brexit. We happily accept amendment 14, but, for the reasons I have laid out, I hope he will understand that we are not minded to accept his other three amendments, which I hope he will not press after he has had a chance to consider my remarks.

I thank my right hon. Friends the Members for Sevenoaks (Sir Michael Fallon) and for New Forest East (Dr Lewis) for tabling amendments 6 and 7 on veterans. There is broad agreement, after a couple of urgent questions and a couple of debates in Westminster Hall and in the House over the past month, that the current legacy system is not working well for pretty much anyone. The system has to change, and it has to provide better outcomes. The system has to ensure that everyone is treated fairly, particularly the armed forces and police officers.

The draft Bill on which we consulted last year would require a new body investigating legacy cases to do so in a fair, balanced and proportionate manner. We have just finished consulting, and we have published the responses in the past week. Interestingly, there were strong and widespread views against either an amnesty or immunity from prosecution, and both my right hon. Friends were keen, and rightly so, to make clear the difference between those two proposals and the ideas proposed in their amendments.

[John Penrose]

There is widespread concern about former soldiers being pursued by vexatious and unfair court cases 40 or 50 years after they finish serving. Amendments 6 and 7 would require the Secretary of State to report on progress towards introducing a presumption of non-prosecution, and they would require the Attorney General for Northern Ireland to produce guidance on legacy cases with a presumption in favour of prosecution in cases where a weapon had been unlawfully obtained. That is a worthy attempt to make a distinction and to unravel the tendency in some cases for people to try to create moral equivalence between terrorists and Her Majesty's armed forces.

It is important to be clear that the specifics of the particular or associated issues that are being proposed here did not form part of the Stormont House agreement. They were not recommended or supported widely in the responses to the consultation either. There are also some other technical concerns about whether the UK Government can direct the Attorney General for Northern Ireland—I think that is problematic. In principle, however, the point is this: I intend to take the two amendments in the spirit in which I think they are intended. I think they are intended to be a valid and sincere attempt to move this issue forward.

It is time and past time that a solution was found to this issue. Whether or not the precise details of these specific proposals are approved of in all their details in the report or approved of only in part and other things perhaps brought forward instead is beside the point. The important thing is that these two reports could serve as a way to advance that cause, identify solutions and move this forward. It is overdue that we do so and I am delighted to support the amendments.

I now move on to the points made about the armed forces covenant, which several right hon. and hon. Members, particularly from the Northern Ireland Benches, put eloquently and with great passion. I am dealing here with new clauses 15 and 16, and amendment 18. As we have heard, the armed forces covenant is hardly a new policy and it has always extended, in principle, to Northern Ireland. We continue to need to strengthen the delivery of the covenant in Northern Ireland. We have heard today some concerning and sometimes shocking examples of occasions when it could and should have been applied but had not been. The principle of the covenant was formalised in the Armed Forces Act 2011. In accordance with the Act, the Secretary of State for Defence is legally obliged to publish an annual report, which sets out the key deliverables under the covenant. This report incorporates progress in delivering the covenant across the whole UK, including Northern Ireland. We also ensure that covenant delivery is kept on track through a number of committees and boards.

Everyone in this House has, as our Government and our Democratic Unionist party confidence and supply partners certainly have, consistently demonstrated a commitment to upholding the principles and universality of the covenant, which is evident in the work reported in each of the annual reports laid in the House. We will continue to report progress to Parliament, we recognise our commitment to our confidence and supply partners to have full implementation of the armed forces covenant across the UK, and we are committed to looking at further legislation if that is required.

Amendment 19 and new clause 18 relate to the definition of a “victim” and stand in the name of the right hon. Member for Belfast North (Nigel Dodds). The definition of a victim is laid down in legislation—the Victims and Survivors (Northern Ireland) Order 2006, which is the responsibility of the Northern Ireland Assembly. As a devolved matter, any change to this definition would need to be agreed with the parties in the Executive and, ultimately, by the Northern Ireland Assembly. The Government recognise that the definition of a victim is something that a number of right hon. and hon. Members have campaigned on for a number of years, and we commit to looking UK-wide at how we can make sure the victims are duly recognised and protected in law. I hope that, with this commitment and the one I made previously, the right hon. Gentleman is willing not to press his amendment.

Emma Little Pengelly: It is important to highlight what I believe is not an accurate description of the legal position. The 2006 order refers only to matters pertaining to the Commissioner for Victims and Survivors in Northern Ireland. There is no general definition of victim, and our argument is that a victim in Northern Ireland is the same as a victim across the UK. Sadly, there are many victims of terrorism across the UK, and this should rightly be a matter for the British Government, to be legislated on here.

John Penrose: I hope that the commitments I have just made and the words I was able to adduce have reassured the right hon. Member for Belfast North and his colleagues, and that on that basis they will be willing not to press their amendments. I think we are in agreement on the issue, but I am sure they will intervene on me if not.

Finally, let me turn to amendments 21 and 22, to which my hon. Friend the Member for Congleton (Fiona Bruce) spoke briefly and eloquently late on in our proceedings. The amendments would require reports on gambling and the progress towards looking after gambling addicts, and on people who were victims of human trafficking. On the basis that we have been willing to consider other reports, I am of course willing to respond to that request and to accept the amendments.

I hope we have managed to dispose of the various amendments in reasonably good order, that everybody will treat the Government's approach to those amendments in as constructive and positive a way as possible, and that we will therefore be able to dispose of the remaining business in Committee easily and straightforwardly. I therefore wish to do something quite unusual for a politician, which is to draw my remarks to a close, stop talking and sit down.

Question put and agreed to.

Clause 1 accordingly ordered to stand part of the Bill.

Clause 2 ordered to stand part of the Bill.

Clause 3

PROGRESS REPORT

Amendment made: 14, in clause 3, page 2, line 13, leave out “21 October” and insert “4 September”.—(Mr Grieve.)
This amendment would bring forward the date for a progress report to 4 September 2019.

Amendment proposed: 6, in clause 3, page 2, line 15, at end insert—

“(1A) The report under subsection (1) must include a report on progress made towards protecting veterans of the Armed Forces and other security personnel from repeated investigation for Troubles-related incidents by introducing a presumption of non-prosecution, in the absence of compelling new evidence, whether in the form of a Qualified Statute of Limitations or by some other legal mechanism.”—(*Dr Julian Lewis.*)

The subsection would include placing a duty on the Secretary of State to report on the options available to ensure that veterans of the Troubles would be able to assist in a truth recovery process, for the benefit of bereaved families, without fear of prosecution.

The Committee divided: Ayes 308, Noes 228.

Division No. 429]

[6.57 pm

AYES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Brady, Sir Graham
Braverman, Suella (*Proxy vote
cast by Mr Steve Baker*)
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey

Coffey, Ann
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Dorries, Ms Nadine
Double, Steve
Doughty, Stephen
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, rh Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Evennett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Mark
Ford, Vicky
Foster, Kevin
Francois, rh Mr Mark
Frazer, Lucy
Freer, Mike
Gale, rh Sir Roger
Gapes, Mike
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Gillan, rh Dame Cheryl
Girvan, Paul
Glen, John
Goodwill, rh Mr Robert
Gove, rh Michael

Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gyimah, Mr Sam
Hair, Kirstene
Halfon, rh Robert
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heapey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hinds, rh Damian
Hoey, Kate
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hurd, rh Mr Nick
Jack, Mr Alister
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, rh Mark
Latham, Mrs Pauline
Leadsom, rh Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, rh Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, Mr Ivan
Lewis, rh Dr Julian

Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Little Pengelly, Emma
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
May, rh Mrs Theresa
Maynard, Paul
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Mordaunt, rh Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Percy, Andrew
Philp, Chris
Pincher, rh Christopher
Poulter, Dr Dan
Prentis, Victoria
Prisk, Mr Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, rh Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Ryan, rh Joan
Sandbach, Antoinette
Scully, Paul

Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe (*Proxy vote cast by Jo Churchill*)
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, rh Rory
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross

Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Ayes:
Matt Warman and
Michelle Donelan

NOES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Bailey, Mr Adrian
 Barron, rh Sir Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Berger, Luciana (*Proxy vote cast by Mr Gavin Shuker*)
 Betts, Mr Clive
 Blackman-Woods, Dr Roberta
 Blomfield, Paul
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Butler, Dawn
 Byrne, rh Liam
 Cable, rh Sir Vince
 Cadbury, Ruth
 Campbell, rh Sir Alan
 Carden, Dan
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Jenny
 Charalambous, Bambos
 Clwyd, rh Ann
 Coaker, Vernon

Cooper, Julie
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Coyle, Neil
 Crausby, Sir David
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Daby, Janet
 Dakin, Nic
 Davey, rh Sir Edward
 David, Wayne
 De Cordova, Marsha
 De Piero, Gloria
 Debbonaire, Thangam
 Dent Coad, Emma
 Dhesi, Mr Tanmanjeet Singh
 Dodds, Anneliese
 Dowd, Peter
 Drew, Dr David
 Dromey, Jack
 Duffield, Rosie
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Ellman, Dame Louise
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Fletcher, Colleen

Flint, rh Caroline
 Forbes, Lisa
 Fovargue, Yvonne
 Foxcroft, Vicky
 Furniss, Gill
 Gaffney, Hugh
 Gardiner, Barry
 George, Ruth
 Gill, Preet Kaur
 Godsiff, Mr Roger
 Goodman, Helen
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Grogan, John
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hanson, rh David
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Sir Mark
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodgson, Mrs Sharon
 Hollern, Kate
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jones, Darren
 Jones, Gerald
 Jones, Sarah
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Laird, Lesley
 Lake, Ben
 Lamb, rh Norman
 Lammy, rh Mr David
 Lavery, Ian
 Lee, Karen
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lloyd, Stephen
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 Madders, Justin
 Mahmood, Mr Khalid
 Malhotra, Seema
 Marsden, Gordon
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 McCabe, Steve
 McCarthy, Kerry
 McDonald, Andy
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison

McInnes, Liz
 McKinnell, Catherine
 McMahan, Jim
 McMorrin, Anna
 Mearns, Ian
 Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Nandy, Lisa
 Norris, Alex
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Pearce, Teresa
 Pennycook, Matthew
 Phillips, Jess
 Phillipson, Bridget
 Pidcock, Laura
 Platt, Jo
 Pollard, Luke
 Pound, Stephen
 Powell, Lucy
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Emma (*Proxy vote cast by Mr Pat McFadden*)
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Robinson, Mr Geoffrey
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Saville Roberts, rh Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip (*Proxy vote cast by Vicky Foxcroft*)
 Slaughter, Andy
 Smith, Angela
 Smith, Cat
 Smith, Eleanor
 Smith, Jeff
 Smith, Laura
 Smith, Owen
 Smyth, Karin
 Sobel, Alex
 Starmer, rh Keir
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Stringer, Graham
 Sweeney, Mr Paul
 Swinson, Jo
 Tami, rh Mark
 Thomas, Gareth
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Turley, Anna
 Turner, Karl

Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaz, Valerie
Walker, Thelma
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin

Williams, Hywel
Williams, Dr Paul
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Noes:
Chris Elmore and
Nick Smith

Question accordingly agreed to.

7.11 pm

More than six hours having elapsed since the commencement of proceedings, the proceedings were interrupted (Programme Order, 8 July).

The Chair put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83D).

Amendment 6 agreed to.

Amendment made: 7, in page 2, line 15, at end insert—

“(1A) The report under subsection (1) must include a report on progress made towards developing new prosecution guidance for legacy cases of Troubles-related incidents by the Attorney General for Northern Ireland to take into account whether or not the person who allegedly committed an offence had the means to do so because that person had been lawfully supplied with a deadly weapon, with a presumption in favour of prosecuting in cases where a person who has allegedly committed an offence had the means to do so because that person had been unlawfully supplied with a deadly weapon.”—(*Sir Michael Fallon.*)

The subsection would place a duty on the Secretary to State to report on progress made towards a new prosecution guidance taking into account whether or not the person who allegedly committed an offence had been lawfully armed.

Amendment made: 9, in page 2, line 15, at end insert—

“(1A) The report under subsection (1) must include a review of the current legal framework on abortion in Northern Ireland with an analysis of how that framework could be amended by Parliament during the period when there is no Executive, subject to a sunset clause to respect devolution, in order to comply with the human rights obligations of the United Kingdom.”—(*Diana Johnson.*) [*Interruption.*]

The subsection would include placing a duty on the Secretary to State to report on the legal framework on abortion in Northern Ireland with an analysis of how that framework could be amended by Parliament during the period when there is no Executive, subject to a sunset clause to respect devolution, in order to comply with the human rights obligations of the United Kingdom.

Madam Deputy Speaker (Dame Eleanor Laing): No, no—we do not clap. The hon. Member for Kingston upon Hull North (Diana Johnson) deserves to be congratulated, but not by clapping.

We now come to amendment 10 to clause 3, to be moved formally. [*Interruption.*]

The Question is that amendment 10 be made. As many of that opinion say “Aye”. [*Interruption.*] To the contrary, “No”. [*Interruption.*] Order. I have to be able to separate the laughter from the cries of “Aye” and “No”.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): On a point of order, Madam Deputy Speaker. Did the Member who shouted initially say, “Not moved”?

Madam Deputy Speaker: I understand the point of order made by a long-serving Chief Whip, who understands these matters extremely well, but the hon. Gentleman has the right to change his mind.

Tony Lloyd: For clarification, Madam Deputy Speaker, the amendment is moved formally. [*Interruption.*]

Madam Deputy Speaker: Order. No, we are having no confusion on this matter. We are starting this matter again. [*Interruption.*] I would appreciate just a little less noise, because we are debating serious matters here and it is not amusing.

Amendment made: 10, in page 2, line 15, at end insert—

“(1A) Before making a report under subsection (1), the Secretary of State must publish a report on or before 4 September 2019 on progress made towards preparing legislation implementing a pension for seriously injured victims and survivors of Troubles-related incidents.”—(*Tony Lloyd.*)

The subsection would include placing a duty on the Secretary of State to report on the implementation of a pension for seriously injured victims and survivors of Troubles-related incidents.

Amendment made: 12, in page 2, line 15, at end insert—

“(1A) Before making a report under subsection (1), the Secretary of State must publish a report on or before 4 September 2019 on progress made towards implementing the recommendations made by the Report of the Inquiry into Historical Institutional Abuse in Northern Ireland between 1922 and 1995, including the establishment of a publicly funded compensation scheme under an HIA Redress Board, distinct from the Northern Ireland Criminal Injuries Compensation Scheme 2009.”—(*Tony Lloyd.*)

The subsection calls for a report on implementing the Report of the Inquiry into Historical Institutional Abuse in Northern Ireland between 1922 and 1995, published in January 2017, which was chaired by Sir Anthony Hart.

Amendment proposed: 15, in page 2, line 15, at end insert—

“(1A) The Secretary of State shall make a further report under subsection 1 on or before 9 October 2019 at least every fourteen calendar days thereafter until either an Executive is formed or until 18 December 2019, whichever is the sooner.”—(*Mr Grieve.*)

This amendment would require fortnightly reports to be made after the conference recess until an Executive was formed, or until the December recess.

Question put, That the amendment be made.

The Committee divided: Ayes 294, Noes 293.

Division No. 430

[7.14 pm]

AYES

Abbott, rh Ms Diane	Brennan, Kevin
Abrahams, Debbie	Brock, Deidre
Ali, Rushanara	Brown, Alan
Allen, Heidi	Brown, Lyn
Allin-Khan, Dr Rosena	Brown, rh Mr Nicholas
Amesbury, Mike	Bryant, Chris
Antoniazzi, Tonia	Buck, Ms Karen
Ashworth, Jonathan	Burden, Richard
Bailey, Mr Adrian	Burgon, Richard
Bardell, Hannah	Butler, Dawn
Barron, rh Sir Kevin	Byrne, rh Liam
Bebb, Guto	Cable, rh Sir Vince
Beckett, rh Margaret	Cadbury, Ruth
Benn, rh Hilary	Cameron, Dr Lisa
Berger, Luciana (<i>Proxy vote cast by Mr Gavin Shuker</i>)	Campbell, rh Sir Alan
Betts, Mr Clive	Carden, Dan
Black, Mhairi	Carmichael, rh Mr Alistair
Blackford, rh Ian	Champion, Sarah
Blackman, Kirsty	Chapman, Douglas
Blackman-Woods, Dr Roberta	Chapman, Jenny
Blomfield, Paul	Charalambous, Bambos
Boles, Nick	Cherry, Joanna
Brabin, Tracy	Clarke, rh Mr Kenneth
Bradshaw, rh Mr Ben	Clwyd, rh Ann
	Coaker, Vernon

Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crausby, Sir David
Crawley, Angela
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
Dakin, Nic
Davey, rh Sir Edward
David, Wayne
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Debbonaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Ellman, Dame Louise
Esterson, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
Fellows, Marion
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Forbes, Lisa
Fovargue, Yvonne
Foxcroft, Vicky
Frith, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greening, rh Justine
Greenwood, Lilian
Greenwood, Margaret
Grieve, rh Mr Dominic
Griffith, Nia
Grogan, John

Gwynne, Andrew
Gyimah, Mr Sam
Haigh, Louise
Hamilton, Fabian
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hermon, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hosie, Stewart
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Karen
Lee, Dr Phillip
Leslie, Mr Chris
Letwin, rh Sir Oliver
Lewell-Buck, Mrs Emma
Lewis, Clive
Linden, David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
Madders, Justin
Mahmood, Mr Khalid
Malhotra, Seema
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John

McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorris, Anna
Mearns, Ian
Moon, Mrs Madeleine
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O'Hara, Brendan
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Pidcock, Laura
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma (*Proxy vote
cast by Mr Pat McFadden*)
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Ryan, rh Joan
Saville Roberts, rh Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Baron, Mr John
Bellingham, Sir Henry

Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip (*Proxy vote cast
by Vicky Foxcroft*)
Slaughter, Andy
Smeeth, Ruth
Smith, Angela
Smith, Cat
Smith, Eleanor
Smith, Jeff
Smith, Laura
Smith, Owen
Smyth, Karin
Snell, Gareth
Sobel, Alex
Spellar, rh John
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Stringer, Graham
Sweeney, Mr Paul
Swinson, Jo
Tami, rh Mark
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, rh Emily
Timms, rh Stephen
Turley, Anna
Turner, Karl
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaz, Valerie
Walker, Thelma
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Wilson, Phil
Wishart, Pete
Wollaston, Dr Sarah
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
**Chris Elmore and
Nick Smith**

NOES

Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella (*Proxy vote
cast by Mr Steve Baker*)
Brereton, Jack
Bridgen, Andrew

Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Choqe, Sir Christopher
 Clark, Colin
 Clark, rh Greg
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, David T. C.
 Davies, Glyn
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinéage, Caroline
 Djanogly, Mr Jonathan
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, rh Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh Sir David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Francois, rh Mr Mark
 Frazer, Lucy
 Freer, Mike
 Gale, rh Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill

Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Greens, rh Damian
 Griffiths, Andrew
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoey, Kate
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hurd, rh Mr Nick
 Jack, Mr Alister
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Leigh, rh Sir Edward
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, Mr Ivan
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel

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

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

Tellers for the Noes:
Matt Warman and
Michelle Donelan

Question accordingly agreed to.

Amendment 15 agreed to.

Amendments made: 18, in page 2, line 15, at end insert—

“(1A) Before making a report under subsection (1), the Secretary of State must publish a report on or before 4 September 2019 on progress made towards preparing legislation confirming the application of the Armed Forces Covenant in the provision of public services in Northern Ireland.”

The subsection would include placing a duty on the Secretary of State to report on the preparation of legislation confirming the application of the Armed Forces Covenant in Northern Ireland.

Amendment 19, in page 2, line 15, at end insert—

“(1A) Before making a report under subsection (1), the Secretary of State must publish a report on or before 4 September 2019 on whether the definition of “victim” in Article 3 of the Victims and Survivors (Northern Ireland) Order 2006 (Order No. 2953 (N.I. 17)) should be revised to apply only to a person who is injured or affected wholly through the actions of another person.”

The subsection would include placing a duty on the Secretary of State to report on the definition of “victim” in the Victims and Survivors (Northern Ireland) Order 2006.

Amendment 21, in page 2, line 15, at end insert—

“(1A) The report under subsection (1) must include a report to be published on or before 4 September 2019 on progress made in Northern Ireland on—

- (a) the law on gaming machines;
- (b) the law on online gambling;
- (c) the number of people who are seeking treatment for problem gambling;
- (d) the services available to people seeking problem gambling; and
- (e) the level of support from the gambling industry for problem gambling.”

The subsection would include placing a duty on the Secretary of State to report on various matters related to the law on gambling in Northern Ireland and support for those experiencing problem gambling.

Amendment 22, in page 2, line 15, at end insert—

“(1A) The report under subsection (1) must include a report to be published on or before 4 September 2019 on progress on the use of discretionary powers to provide assistance and support under section 18(9) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015. The report must cover—

- (a) how many times the Department has decided it is necessary to provide assistance and support for victims of human trafficking for whom there has been a conclusive determination that the person is a victim of trafficking in human beings;
- (b) the reasons the Department has decided it is necessary to provide assistance and support for victims of human trafficking for whom there has been a conclusive determination that the person is a victim of trafficking in human beings; and
- (c) the immigration status of those victims of human trafficking for whom there has been a conclusive determination that the person is a victim of trafficking in human beings who are receiving assistance and support beyond the relevant period.”—(Nigel Dodds.)

The subsection would include placing a duty on the Secretary of State to report on the assistance and support offered to victims of human trafficking in Northern Ireland from receiving a conclusive grounds decision.

Amendment proposed: 16, in page 2, line 16, leave out “the report” and insert

“any report under this section”.—(Mr Grieve.)

This is a consequential amendment.

Question put, That the amendment be made.

The Committee divided: Ayes 289, Noes 292.

Division No. 431]

[7.40 pm

AYES

Abbott, rh Ms Diane	Allin-Khan, Dr Rosena
Abrahams, Debbie	Amesbury, Mike
Ali, Rushanara	Antoniazzi, Tonia
Allen, Heidi	Ashworth, Jonathan

Bailey, Mr Adrian	Dromey, Jack
Bardell, Hannah	Duffield, Rosie
Barron, rh Sir Kevin	Eagle, Ms Angela
Bebb, Guto	Eagle, Maria
Beckett, rh Margaret	Edwards, Jonathan
Benn, rh Hilary	Efford, Clive
Berger, Luciana (Proxy vote cast by Mr Gavin Shuker)	Elliott, Julie
Betts, Mr Clive	Ellman, Dame Louise
Blackford, rh Ian	Esterson, Bill
Blackman, Kirsty	Evans, Chris
Blackman-Woods, Dr Roberta	Farrelly, Paul
Blomfield, Paul	Farron, Tim
Boles, Nick	Fellows, Marion
Brabin, Tracy	Fitzpatrick, Jim
Bradshaw, rh Mr Ben	Fletcher, Colleen
Brennan, Kevin	Flint, rh Caroline
Brock, Deidre	Forbes, Lisa
Brown, Alan	Fovargue, Yvonne
Brown, Lyn	Foxcroft, Vicky
Brown, rh Mr Nicholas	Frith, James
Bryant, Chris	Furniss, Gill
Buck, Ms Karen	Gaffney, Hugh
Burden, Richard	Gapes, Mike
Burgon, Richard	Gardiner, Barry
Butler, Dawn	George, Ruth
Byrne, rh Liam	Gethins, Stephen
Cable, rh Sir Vince	Gibson, Patricia
Cadbury, Ruth	Gill, Preet Kaur
Cameron, Dr Lisa	Glendon, Mary
Campbell, rh Sir Alan	Godsiff, Mr Roger
Carden, Dan	Goodman, Helen
Carmichael, rh Mr Alistair	Grady, Patrick
Champion, Sarah	Grant, Peter
Chapman, Douglas	Gray, Neil
Chapman, Jenny	Green, Kate
Charalambous, Bambos	Greening, rh Justine
Cherry, Joanna	Greenwood, Lilian
Clarke, rh Mr Kenneth	Greenwood, Margaret
Clwyd, rh Ann	Grieve, rh Mr Dominic
Coaker, Vernon	Griffith, Nia
Coffey, Ann	Grogan, John
Cooper, Julie	Gwynne, Andrew
Cooper, Rosie	Gyimah, Mr Sam
Cooper, rh Yvette	Haigh, Louise
Corbyn, rh Jeremy	Hamilton, Fabian
Cowan, Ronnie	Hanson, rh David
Coyle, Neil	Hardy, Emma
Crausby, Sir David	Harman, rh Ms Harriet
Creagh, Mary	Harris, Carolyn
Creasy, Stella	Hayes, Helen
Cruddas, Jon	Hayman, Sue
Cryer, John	Healey, rh John
Cummins, Judith	Hendrick, Sir Mark
Cunningham, Alex	Hendry, Drew
Cunningham, Mr Jim	Hermon, Lady
Daby, Janet	Hill, Mike
Dakin, Nic	Hillier, Meg
Davey, rh Sir Edward	Hobhouse, Wera
David, Wayne	Hodge, rh Dame Margaret
Day, Martyn	Hodgson, Mrs Sharon
De Cordova, Marsha	Hollern, Kate
De Piero, Gloria	Hosie, Stewart
Debbonaire, Thangam	Huq, Dr Rupa
Dent Coad, Emma	Hussain, Imran
Dhesi, Mr Tanmanjeet Singh	Jardine, Christine
Djanogly, Mr Jonathan	Jarvis, Dan
Docherty-Hughes, Martin	Johnson, Diana
Dodds, Anneliese	Jones, Darren
Doughty, Stephen	Jones, Gerald
Dowd, Peter	Jones, rh Mr Kevan
Drew, Dr David	Jones, Sarah
	Jones, Susan Elan

Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Laird, Lesley
 Lake, Ben
 Lamb, rh Norman
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Lee, Karen
 Lee, Dr Phillip
 Leslie, Mr Chris
 Letwin, rh Sir Oliver
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Linden, David
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 Madders, Justin
 Mahmood, Mr Khalid
 Malhotra, Seema
 Marsden, Gordon
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McMahan, Jim
 McMorrin, Anna
 Mearns, Ian
 Moon, Mrs Madeleine
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Norris, Alex
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Peacock, Stephanie
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Pidcock, Laura
 Platt, Jo
 Pollard, Luke
 Pound, Stephen
 Powell, Lucy

Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Emma (*Proxy vote
cast by Mr Pat McFadden*)
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Rodda, Matt
 Rowley, Danielle
 Ryan, rh Joan
 Sandbach, Antoinette
 Saville Roberts, rh Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip (*Proxy vote cast
by Vicky Foxcroft*)
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Angela
 Smith, Cat
 Smith, Eleanor
 Smith, Jeff
 Smith, Laura
 Smith, Owen
 Smyth, Karin
 Snell, Gareth
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Stringer, Graham
 Sweeney, Mr Paul
 Swinson, Jo
 Tami, rh Mark
 Thewliss, Alison
 Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Turley, Anna
 Turner, Karl
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, Valerie
 Walker, Thelma
 Western, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Dr Paul
 Wilson, Phil
 Wishart, Pete
 Wollaston, Dr Sarah
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:
 Chris Elmore and
 Nick Smith

NOES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Baron, Mr John
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Braverman, Suella (*Proxy
vote cast by Mr Steve
Baker*)
 Brereton, Jack
 Bridgen, Andrew
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor
 Burt, rh Alistair
 Cairns, rh Alun
 Campbell, Mr Gregory
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, David T. C.
 Davies, Glyn
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinenage, Caroline
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard

Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, rh Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh Sir David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Francois, rh Mr Mark
 Frazer, Lucy
 Freer, Mike
 Gale, rh Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffiths, Andrew
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoey, Kate
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hurd, rh Mr Nick
 Jack, Mr Alister
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea

Jenrick, Robert
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Leigh, rh Sir Edward
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, Mr Ivan
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 May, rh Mrs Theresa
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew

Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Scully, Paul
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe (*Proxy vote cast by Jo Churchill*)
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, rh Rory
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig

Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William

Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:
Matt Warman and
Michelle Donelan

Question accordingly negatived.

Amendment proposed: 17, page 2, line 16, at end insert—

“(2A) A Minister of the Crown must, within the period of two sitting days beginning with the day on which a report under this section is published, make arrangements for—

- (a) a motion to the effect that the House of Commons has approved that report to be moved in that House by a Minister of the Crown within the period of three Commons sitting days beginning with the day on which the report under this section is published, and
- (b) a motion for the House of Lords to take note of the report mentioned in paragraph (a) to be moved in that House by a Minister of the Crown within the period of three Lords sitting days beginning with the day on which the relevant report mentioned in section 3 is published.

(2B) In this section—

“Commons sitting day” means a day on which the House of Commons is sitting (and a day is only a day on which the House of Commons is sitting if the House begins to sit on that day);

“Lords sitting day” means a day on which the House of Lords is sitting (and a day is only a day on which the House of Lords is sitting if the House begins to sit on that day).—[Mr Grieve.]

This amendment would require progress reports to be debated.

Question put, That the amendment be made.

The Committee divided: Ayes 289, Noes 293.

Division No. 432]

[7.54 pm

AYES

Abbott, rh Ms Diane	Buck, Ms Karen
Abrahams, Debbie	Burden, Richard
Ali, Rushanara	Burgon, Richard
Allen, Heidi	Butler, Dawn
Allin-Khan, Dr Rosena	Byrne, rh Liam
Amesbury, Mike	Cable, rh Sir Vince
Antoniazzi, Tonia	Cadbury, Ruth
Ashworth, Jonathan	Cameron, Dr Lisa
Bailey, Mr Adrian	Campbell, rh Sir Alan
Bardell, Hannah	Carden, Dan
Barron, rh Sir Kevin	Carmichael, rh Mr Alistair
Bebb, Guto	Champion, Sarah
Beckett, rh Margaret	Chapman, Douglas
Benn, rh Hilary	Chapman, Jenny
Berger, Luciana (<i>Proxy vote cast by Mr Gavin Shuker</i>)	Charalambous, Bambos
Betts, Mr Clive	Cherry, Joanna
Blackford, rh Ian	Clarke, rh Mr Kenneth
Blackman, Kirsty	Clwyd, rh Ann
Blackman-Woods, Dr Roberta	Coaker, Vernon
Blomfield, Paul	Cooper, Julie
Boles, Nick	Cooper, Rosie
Brabin, Tracy	Cooper, rh Yvette
Bradshaw, rh Mr Ben	Corbyn, rh Jeremy
Brennan, Kevin	Cowan, Ronnie
Brock, Deidre	Coyle, Neil
Brown, Alan	Crausby, Sir David
Brown, Lyn	Creagh, Mary
Brown, rh Mr Nicholas	Creasy, Stella
Bryant, Chris	Cruddas, Jon
	Cryer, John

Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
Dakin, Nic
Davey, rh Sir Edward
David, Wayne
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Debonnaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Djanogly, Mr Jonathan
Docherty-Hughes, Martin
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Ellman, Dame Louise
Esterson, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
Fellows, Marion
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Forbes, Lisa
Fovargue, Yvonne
Foxcroft, Vicky
Frith, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greening, rh Justine
Greenwood, Lilian
Greenwood, Margaret
Grieve, rh Mr Dominic
Griffith, Nia
Grogan, John
Gwynne, Andrew
Gyimah, Mr Sam
Haigh, Louise
Hamilton, Fabian
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hermon, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hosie, Stewart
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Karen
Lee, Dr Phillip
Leslie, Mr Chris
Letwin, rh Sir Oliver
Lewell-Buck, Mrs Emma
Lewis, Clive
Linden, David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
Madders, Justin
Mahmood, Mr Khalid
Malhotra, Seema
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Moon, Mrs Madeleine
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame

Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Pidcock, Laura
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma (*Proxy vote
cast by Mr Pat McFadden*)
Reynolds, Jonathan
Rimmer, Ms Marie
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Ryan, rh Joan
Sandbach, Antoinette
Saville Roberts, rh Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip (*Proxy vote cast
by Vicky Foxcroft*)
Slaughter, Andy
Smeeth, Ruth
Smith, Angela
Smith, Cat
Smith, Eleanor
Smith, Jeff
Smith, Laura
Smith, Owen
Smyth, Karin
Snell, Gareth
Sobel, Alex
Spellar, rh John
Stammer, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sweeney, Mr Paul
Swinson, Jo
Tami, rh Mark
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, rh Emily
Timms, rh Stephen
Turley, Anna
Turner, Karl
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaz, Valerie
Walker, Thelma
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Wilson, Phil
Wishart, Pete
Wollaston, Dr Sarah
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel
Tellers for the Ayes:
**Chris Elmore and
Nick Smith**

NOES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Baron, Mr John
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella (*Proxy
vote cast by Mr Steve
Baker*)
Brereton, Jack
Bridgen, Andrew
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Cartledge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo

Clark, Colin
 Clark, rh Greg
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Cox, rh Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, David T. C.
 Davies, Glyn
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinenage, Caroline
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Dorries, Ms Nadine
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, rh Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Mr Nigel
 Evennett, rh Sir David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Francois, rh Mr Mark
 Frazer, Lucy
 Freer, Mike
 Gale, rh Sir Roger
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gillan, rh Dame Cheryl
 Girvan, Paul
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffiths, Andrew
 Hair, Kirstene
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, rh Damian
 Hoey, Kate
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hurd, rh Mr Nick
 Jack, Mr Alister
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Lefroy, Jeremy
 Leigh, rh Sir Edward
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, Mr Ivan
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopez, Julia
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Maclean, Rachel
 Main, Mrs Anne
 Mak, Alan
 Malthouse, Kit
 Mann, Scott
 May, rh Mrs Theresa
 Maynard, Paul
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 McVey, rh Ms Esther
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel

Milton, rh Anne
 Mitchell, rh Mr Andrew
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris

Smith, Chloe (*Proxy vote cast by Jo Churchill*)
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, rh Rory
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Warburton, David
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggan, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:

**Matt Warman and
 Michelle Donelan**

Question accordingly negated.

Clause 3, as amended, ordered to stand part of the Bill.

Clause 4 ordered to stand part of the Bill.

New Clause 20

**LAW ON GAMBLING AND SUPPORT FOR THOSE
 EXPERIENCING PROBLEM GAMBLING IN NORTHERN
 IRELAND: DEBATE**

“(1) A Minister of the Crown must, within the period of two sitting days beginning with the first sitting day on or after the day on which the report on gambling in Northern Ireland mentioned in section 3 is published, make arrangements for—

- (a) a motion to the effect that the House of Commons has approved that report to be moved in that House by a Minister of the Crown within the period of seven Commons sitting days beginning with the day on which the relevant report mentioned in section 3 is published, and
- (b) a motion for the House of Lords to take note of the report mentioned in paragraph (a) to be moved in that House by a Minister of the Crown within the period of seven Lords sitting days beginning with the day on which the relevant report mentioned in section 3 is published.

(2) In this section—

“Commons sitting day” means a day on which the House of Commons is sitting (and a day is only a day on which the House of Commons is sitting if the House begins to sit on that day);

“Lords sitting day” means a day on which the House of Lords is sitting (and a day is only a day on which the House of Lords is sitting if the House begins to sit on that day).”—(*Fiona Bruce.*)

This new clause is linked to the amendment 21 on a report on progress made on the law on gambling in Northern Ireland and support for problem gambling, and provides for the report to be debated in Parliament.

Brought up, and added to the Bill.

New Clause 21

ASSISTANCE AND SUPPORT FOR VICTIMS OF HUMAN TRAFFICKING IN NORTHERN IRELAND: DEBATE

“(1) A Minister of the Crown must, within the period of two sitting days beginning with the first sitting day on or after the day on which the report on assistance and support for victims of human trafficking in Northern Ireland mentioned in section 3 is published, make arrangements for—

- (a) a motion to the effect that the House of Commons has approved that report to be moved in that House by a Minister of the Crown within the period of seven Commons sitting days beginning with the day on which the relevant report mentioned in section 3 is published, and
- (b) a motion for the House of Lords to take note of the report mentioned in paragraph (a) to be moved in that House by a Minister of the Crown within the period of seven Lords sitting days beginning with the day on which the relevant report mentioned in section 3 is published.

(2) In this section—

“Commons sitting day” means a day on which the House of Commons is sitting (and a day is only a day on which the House of Commons is sitting if the House begins to sit on that day);

“Lords sitting day” means a day on which the House of Lords is sitting (and a day is only a day on which the House of Lords is sitting if the House begins to sit on that day).”—(*Fiona Bruce.*)

This new clause is linked to the amendment 22 on a report on progress made on the law on gambling in Northern Ireland and support for problem gambling, and provides for the report to be debated in Parliament.

Brought up, and added to the Bill.

The Deputy Speaker resumed the Chair.

Bill, as amended, reported.

Bill, as amended in the Committee, considered.

Question put forthwith (Order, 8 July), That the Bill be now read the Third time.

Question accordingly agreed to.

Bill read the Third time and passed.

PETITIONS

Fields at Whalebones in Barnet

8.10 pm

Theresa Villiers (Chipping Barnet) (Con): I rise to present a petition to oppose plans to build over agricultural fields at Whalebones in High Barnet, in my constituency. An e-petition on my website on Whalebones has gained more than 1,250 signatures. The fields derive their name from the two massive jawbones of a blue whale, a local landmark that was erected over the driveway to Whalebones House in in the 1860s. The fields were owned by the late Gwyneth Cowing, a local artist, who was a redoubtable champion for Barnet’s natural environment. They are an oasis of green in the middle of a London suburb. It would be heartbreaking to lose so much of them to development and it would be a great loss to the natural environment in Barnet. We can build the new homes we need without loss of precious green space of this kind. My constituents are appealing to the developers, Hill, and the site owners to cancel their plans to build, so that the fields at Whalebones can be conserved for future generations.

The petition states:

The petitioners therefore request that the House of Commons urges the Government to urge Hill and the owners of the site, the Executors of the will of the late Gwyneth Cowing, to drop their plans to build at Whalebones.

Following is the full text of the petition:

[The petition of Residents of the Chipping Barnet Constituency,

Declares that we the undersigned object to the plans put forward by the developer, Hill, to build around 150 flats and houses on the fields at Whalebones in High Barnet; and further declares that an online petition launched by Theresa Villiers MP on this matter has received over 1250 signatures to date.

The petitioners therefore request that the House of Commons urges the Government to urge Hill and the owners of the site, the Executors of the will of the late Gwyneth Cowing, to drop their plans to build at Whalebones.

And the petitioners remain, etc.]

[P002486]

Lizanne Zietsman, Isle of Arran

8.12 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): This petition is from the residents of North Ayrshire and Arran, and many others from across the United Kingdom. The residents are deeply concerned by the UK Home Office’s decision to refuse Lizanne Zietsman leave to remain in the UK. They note that Lizanne has settled on the Island of Arran with her Scottish-born husband, John, and has built a successful business, employing local residents; further that she is a valued, respected and much loved member of the Arran community, which is bewildered, dismayed and genuinely upset that the UK Home Office has rejected her application to stay in the UK; and further that an online petition on this matter has received, at the latest count, more than 16,069 signatures, in just a few days, with the number rising as we speak. It is worth noting that population of Arran stands at about 5,000.

[Patricia Gibson]

It is extremely disappointing that the Immigration Minister has no time to meet me to discuss this matter further. This decision to force Lizanne to leave the UK by Friday 12 July is cruel and unnecessary, and it robs a rural community of one of its highly esteemed members, to no good purpose or benefit to anyone. It is not done in the name of these 16,069 and counting petitioners. The petitioners therefore request that the House of Commons urges the Home Office to reconsider this decision without delay and grant Lizanne leave to remain in the UK, so that she can continue to contribute to the Isle of Arran community.

The petition states:

The petition of residents of North Ayrshire and Arran,

Declares that we are deeply concerned by the UK Home Office's decision to refuse Lizanne Zietsman leave to remain in the UK; further that Lizanne has settled on the Island of Arran with her Scottish-born husband and has built a successful business employing local residents; further that she is a valued and respected member of the Arran community which is bewildered and dismayed that the UK Home Office has rejected her application to stay in the UK; and further that an online petition on this matter has received over 16,069 signatures.

The petitioners therefore request that the House of Commons urges the Home Office to grant Lizanne leave to remain in the UK so that she can continue to contribute to the Isle of Arran community.

And the petitioners remain, etc.

[P002488]

Hull Paragon Station Gate

8.14 pm

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): I am sure that you, Mr Speaker, will share my deep regret over the decision by TransPennine Express to close the gate to Hull Paragon station, which has had

a detrimental impact on the disabled people living in Hull and the surrounding area because the gate is right outside the drop-off point for people who are disabled. We have tried to talk to TransPennine Express to discuss the issue with the gate, but so far it appears to be unmoved, so I am hoping that this petition will move it towards doing the right thing.

The petitioners

“urge the House of Commons to put pressure on the government to work with First TransPennine Express and provide unrestricted access to the only pick-up and drop-off point...at Hull Paragon Station, by leaving the Anlaby Road gate open throughout the day.”

Special thanks go to Tracy Dearing for collecting the signatures.

Following is the full text of the petition:

[The petition of Residents of the United Kingdom,

Declares that it is wrong to restrict access to the only pick-up and drop-off point at Hull Paragon Station, by closing the Anlaby Road gates throughout the day; notes that for many disabled people, this is the only accessible route into the station (access to only disabled car parking spaces); further notes that First TransPennine's suggestion that people should call a mobile number and wait to be admitted will result in (a) disabled people being left vulnerable while waiting to be admitted, (b) longer journey and waiting times and (c) disabled people being treated differently to able bodied people and calls on First TransPennine to provide unrestricted access to this point.

The petitioners therefore urge the House of Commons to put pressure on the government to work with First TransPennine Express and provide unrestricted access to the only pick-up and drop-off point and disabled car parking spaces at Hull Paragon Station, by leaving the Anlaby Road gate open throughout the day.

And the petitioners remain, etc.]

[P002489]

Intentional Unauthorised Development

Motion made, and Question proposed, That this House do now adjourn.—(Iain Stewart.)

8.15 pm

Sir Oliver Heald (North East Hertfordshire) (Con): In my constituency of North East Hertfordshire, there have recently been intentional unauthorised developments of caravan sites on land bought by Travellers. This is becoming more common nationally and has been increasing locally.

It is important that the rule of law is upheld. To local residents who abide by the law, it just seems wrong that planning law can be flouted and treated with disdain. If planning permission is needed, it should be applied for in advance. My constituents are concerned that there should be a level playing field for the planning system. Unauthorised sites are frequently a source of tension between the travelling and settled communities. Although councils have some powers to deal with unauthorised sites, deliberate unauthorised development remains a significant issue.

In July 2018, there were 3,093 caravans on unauthorised sites nationally, of which 2,149 were on land bought by Travellers. The number of caravans on unauthorised sites increased by 17% between July 2017 and July 2018. So, what is going on? In a typical case, it seems that a Traveller will buy land where there would be little or no prospect of someone obtaining planning permission for a home. In my constituency, examples have included land in the green belt and land in a conservation area—I believe that all the sites were ones where planning permission to build a house or to develop a business had previously been refused.

On some occasions, on the Friday evening of a bank holiday a fleet of lorries, caravans and building equipment has arrived on a site, and people have started to lay internal roads and hard standing on the site without planning permission. In some instances, children are brought on to sites. This could be coincidental, or it could be designed to be used in later legal proceedings to demonstrate a family life for Human Rights Act purposes. Where notices are served by the council for enforcement or an injunction, they are ignored. As council enforcement proceeds, with a good deal of development already on site, applications are made for retrospective planning permission.

Jim Shannon (Strangford) (DUP): I have a deep interest in planning matters and am perturbed to hear what the right hon. and learned Gentleman has said. Does he agree that the purpose of the planning system is to ensure that there is protection for the environment and neighbourhoods, and that planners need to work with developers or potential developers to find a way forward? If no such way is found, swift and firm action must be taken by local councils and, ultimately, by the judiciary.

Sir Oliver Heald: I accept that point. It seems to me that we are trying to have an orderly planning system on which people can rely as a level playing field, equal for all. If the planning system is not enforced, we end up with a system that can be railroaded, which is in effect what is happening.

As I was saying, as council enforcement proceeds, with a good deal of development already on site, retrospective planning permission is applied for. The process is delayed, with the inevitable inertia of court or planning inquiry proceedings, and the scope for applications for adjournments, so months can pass into years. Perhaps a personal permission is eventually obtained on appeal. Then, I am told, more unauthorised development might take place for a family member here or a living room there. Over a period of years, the initial failure to apply for planning permission has been rewarded with a full caravan site. That might help to explain why the number of caravans on unauthorised sites has increased by 17% in the past year.

If a site is intentionally developed without permission, should it not be put back into the state that it was in before, and then a planning application could be made? Should not the enforcement notices all be followed, and then, from the position of anybody else applying in advance, we should have that proper process?

Sir Paul Beresford (Mole Valley) (Con): As the Minister is aware, I have had considerable difficulty in my constituency. Some of the sites have been fought over for 14 to 18 years. I have a very aggressive one at the moment. Perhaps the Minister might consider enabling the local authority to put a stop order on any development at all, emphasised and backed by the courts.

Sir Oliver Heald: That is a very constructive proposal and I would be interested to hear how the Minister responds to it. At the moment, if a site is intentionally developed without permission, there does not seem to be much of a disincentive to ignore planning law in the first place. The Government's planning policies and requirements for Gypsy and Traveller sites are set out in "Planning policy for traveller sites", which must be taken into consideration in preparing local plans and taking planning decisions. In theory, that encourages local authorities to formulate their own evidence base for Gypsy and Traveller needs and to provide their own targets relating to pitches required, which is a good thing. Where planning authorities are unable to demonstrate a five-year supply of deliverable sites, that in turn might make it more difficult for them to justify refusing planning applications for temporary pitches. However, where a council does what is suggested, that does not provide the certainty for the council or the local residents that is intended.

In preparing its local plan, East Hertfordshire District Council undertook a thorough process to establish Traveller needs. That was scrutinised by the planning inspector as part of the public examination of the draft plan and, after due consideration, the plan was approved by the Secretary of State and adopted in November 2018. Yet within weeks, it was being argued successfully on a retrospective planning appeal before another planning inspector that this did not adequately reflect Traveller need in the district because it did not include the appellant, who was not actually living in the district at the time of the council survey a few months earlier. Surely the local plan should have more force than that. There should be a period from adoption of the plan within which it is not possible to reopen issues such as that of need. The plan should be determinative—at least for a reasonable period.

[*Sir Oliver Heald*]

In a welcome January 2014 written ministerial statement, the Government sought to re-emphasise existing policy that

“unmet need, whether for traveller sites or for conventional housing, is unlikely to outweigh harm to the green belt and other harm to constitute the ‘very special circumstances’ justifying inappropriate development in the green belt.”—[*Official Report*, 17 January 2014; Vol. 573, c. 35WS.]

I asked the Minister whether that still applied.

In September 2014, the coalition Government published “Consultation: planning and travellers”. This made intentional occupation of land without planning permission a material consideration in any retrospective planning application for that site. Will the Minister confirm that that remains the case?

The guidance “Dealing with illegal and unauthorised encampments: a summary of available powers” was published in March 2015. Since then, there have been a number of debates in which hon Members, including my hon. Friend the Member for Mole Valley (Sir Paul Beresford), have highlighted these issues. On 9 October 2017, the then Housing Minister, my hon. Friend the Member for Reading West (Alok Sharma), said that the Government expected local authorities and the police to act and announced a review of the effectiveness of enforcement against unauthorised encampments, and made the point that this was not a reason for local authorities and the police not to use their existing powers.

On 12 October that year, the then Minister, my hon. Friend the Member for Nuneaton (Mr Jones), reiterated that the law must apply to everyone and agencies should work together to deal with wrongdoing. In April 2018, the Government launched a consultation and published their response in February this year. In it, the Government set out their intentions for further action on unauthorised developments and encampments, including:

“Practical and financial support for local authorities including new good practice guidance and funding for planning enforcement to support local authorities to deal with unauthorised encampments more effectively... Supporting traveller site provision through planning policy and the Affordable Homes Programme... Support for the travelling community to improve life chances”.

Many Gypsies and Travellers now live in settled accommodation—mostly in bricks and mortar—and do not travel, or do not travel all the time, but they do consider travelling part of their identity. The number of Traveller caravans is on the increase. In July 2018, the figure was 22,662—an increase of 29% since July 2008. There are concerns expressed by Select Committees of the House that this is leading to unsatisfactory conditions in unauthorised sites. It is also worth making the point that Travellers have the worst outcomes across a wide range of social indicators, so work to improve their life chances is welcome.

The Government have said that they will consider writing to local authorities that do not have an up-to-date plan for Travellers, to expedite the requirements of national planning policy and highlight examples of good practice. But this may be ineffective if the general view of councils becomes that, even if they prepare a plan and it is approved as part of the local plan by the inspector and the Secretary of State, such a plan can still be impugned within weeks in a retrospective

planning appeal. I understand that the Government intend to publish further consultations on options for strengthening policy on intentional unauthorised development, but action is needed now to uphold the rule of law, provide a level playing field, and remove the stress and tension caused to local communities by intentional unauthorised developments.

8.27 pm

The Minister for Housing (Kit Malthouse): I congratulate my right hon. and learned Friend the Member for North East Hertfordshire (Sir Oliver Heald) on securing this debate. He has been a persistent and formidable champion for his constituents, and has raised this issue with me on a number of occasions. I am pleased that we are now able to address it in the open air.

The Government take unauthorised encampments extremely seriously, and a lot of work is ongoing in this area. Both I and the Secretary of State have listened extensively to views from across the House on this highly important issue, and recognise the strong feelings and concerns that have been raised in recent debates and discussions. As both I and the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the Member for Richmond (Yorks) (Rishi Sunak), have stressed before in this Chamber, the Government are listening and taking action. We have listened to concerns raised in debates, discussions and correspondence, and we have sought evidence on the issue through consultation.

In February this year, we published the Government’s response to the “Powers for dealing with unauthorised developments and encampments” consultation, working with the Home Office and the Ministry of Justice. Since then, ministerial colleagues and officials have been working together closely towards delivering on the commitments made in that response. Among the concerns that have been raised by colleagues in the House and members of the public, there were particular concerns over fairness in the planning system, illegal activity and the wellbeing of travelling communities. Indeed, I can understand the frustration that is felt when it appears that the law does not apply fairly to all. We want to ensure that the system is fair, so we must take into account the concerns being raised—whether those concerns are from the travelling community or members of the settled community. This means ensuring that all members of the community have the same opportunities and are free from the negative effects of those who choose to break the law.

The responses we received to our consultation on unauthorised development highlighted several aspects that we need to improve on in order to address this issue. Our response put forward a package of measures, including consultation on stronger powers for the police to respond to unauthorised encampments, practical and financial support for local authorities to deal with unauthorised encampments, support for Traveller site provision and support for the travelling community to improve their life chances. My colleague the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the Member for Richmond (Yorks), recently provided a summary to the House on some of the work that the Government will be undertaking as a result. For the benefit of everybody here today, I will briefly reiterate some of these points, with consideration to what has been brought up by my right hon. and learned Friend.

First, let me address the concerns raised by my right hon. and learned Friend about intentional unauthorised development, and, in particular, how this type of development is taken into account when planning permission is sought retrospectively. The Government do want to ensure that fairness and confidence exists in the planning system, and I believe that this can be partly achieved through the strengthening of policy in this area. In 2015, the Government introduced a policy that made intentional unauthorised development a material consideration in the determination of planning applications and appeals. As set out in our response, we are concerned that harm is caused by the development of land that has been undertaken in advance of obtaining planning permission. We will therefore consult on options for strengthening our policy on intentional unauthorised development so that local authorities have the tools to address the effects of such developments. I hope that my right hon. and learned Friend will contribute to that consultation.

We know, however, that this is not only about having the necessary policies and regulations in place, but about local authorities having the powers and resources to enforce them. There is already an extensive range of powers in place, as set out in the 2015 guidance, to allow local authorities to clamp down quickly on unauthorised encampments. The Government expect authorities, working with the police as necessary, to use these powers to take swift and effective enforcement action. The responses to our consultation on unauthorised developments and encampments demonstrated that local authorities generally believe that the powers available to them under sections 77 and 78 of the Criminal Justice and Public Order Act 1994 are adequate. Local authorities have extensive planning enforcement powers under the Town and Country Planning Act 1990. The Government believe that, if used effectively, these are sufficient to tackle unauthorised development and reduce the risk of it occurring.

We note, however, that some local authorities may deal with unauthorised encampments less frequently than others, and the Government have heard that it can be difficult to develop expertise and good practice in all areas. We recognise that resourcing, training and skills are a concern in relation to planning enforcement. That is why we have committed to practical and financial support for local authorities, including new good practice guidance and funding for planning enforcement to support local authorities to deal with unauthorised encampments more effectively.

Sir Paul Beresford: There has recently been a meeting of every single local authority in Surrey. The Chancellor set it up and a number of other MPs went there. They would disagree totally with the Minister that we think that the legislation is adequate. It is inadequate.

Kit Malthouse: I hear my hon. Friend's view of the legislation, but, as I say, it is not the generally accepted view that came through in the consultation. I am more than happy to take a submission from the local authorities in Surrey if they believe that there are lacunae in their powers that mean they are unable to enforce successfully. However, there are local authorities across the country that do successfully enforce in this area. I would be more than happy to put his local authorities in touch with those local authorities who are successful in this

regard, particularly the one that is always held out as an example—Sandwell in the west midlands, which has a particularly assertive and successful policy in this area, and might, I am sure, be able to offer some tips and tricks on what is available in the armoury of legislation for local authorities to use.

We want to ensure that local authorities use their powers to full effect and, as I say, draw on good practice across the country, at county or district level, in the ways that they can work more effectively with police and neighbouring authorities.

Sir Oliver Heald: I am grateful to the Minister for giving way and for the discussions we have had. However, what about the point that a person who is in breach of an enforcement notice is still able to apply for retrospective planning permission? Surely, he should remedy the breach before he is allowed to do that. What about the point on the local plan where a council goes to the trouble of surveying the need and getting the thing looked at by the planning inspector, it is signed off by his boss and the Secretary of State, and then, two or three weeks or a month later, it is being argued that it does not adequately reflect the need?

Kit Malthouse: On my right hon. and learned Friend's first point, those are very pertinent issues that should be submitted as part of the consultation on how we can strengthen measures against intentional unauthorised development. I am very focused on this issue. In particular, during the Department's work, I was keen that we should enforce against that, because I agree that people need to have confidence in the planning system and know that there is a level playing field. If someone intentionally breaches the rules, there should be a higher bar for them to pass. However, we should bear in mind that a planning system with too much rigidity can often cause problems for those who stumble across the line or did not necessarily understand the rules in the first place, which can happen with ordinary domestic planning applications. I would be more than happy for him to submit that as part of the consultation. His second point has slipped my mind.

Sir Oliver Heald: It was about the local plan having considered need, been approved and then, within weeks, been impugned.

Kit Malthouse: I will come on to this in a moment, but, as my right hon. and learned Friend will know, along with all elements of a local plan, five-year supply is often the subject of legal challenge and challenge through the planning appeals process. I have consistently said to local authorities on all types of housing that if they want to be bulletproof on planning, they should aspire to a supply beyond five years. Too many authorities spend a lot of time in court arguing about whether they are at 5.1 or 4.8, but if they plan their area with authority and perspective—even as far out as 10 or 15 years—there is no argument to be had, particularly if it has been evidenced through the local plan process and supported by a planning inspector.

We want to ensure that local authorities use their powers to full effect and draw on good practice across the country and at county and district level. That can include ways in which public bodies can more effectively

[*Kit Malthouse*]

work with the police, neighbouring authorities and the travelling and wider communities—for example on welfare issues and clarifying roles and responsibilities, to move unauthorised encampments on efficiently and successfully.

We will in due course create a power to place this guidance on a statutory footing, to ensure that all local authorities are following this advice and using their powers effectively. Our package of support for local authorities includes a commitment to make up to £1.5 million of funding available to local authorities to support planning enforcement. The Ministry of Housing, Communities and Local Government will publish details of the fund and how to bid shortly. Alongside that, the Government will continue to keep local authorities' powers in this area under review, following the proposals to reform police powers where there are deliberate and repeated breaches of planning.

While we acknowledge that Government still have work to do on the issues associated with unauthorised encampments, I would like to reiterate the importance of appropriate levels of site provision provided by local authorities. The planning policy for Traveller sites requires local planning authorities to produce their own assessment of needs for Traveller sites in their area, to meet the needs and expected needs of the travelling community in the same way they would for the settled community, as my right hon. and learned Friend pointed out. However, when assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community. The Government have committed to produce guidance on the concentration of sites and have made clear that the Secretary of State will be prepared to review cases where concerns are raised that there is too high a concentration of authorised Traveller sites in one location.

I would like to relay to the House our ongoing work on enforcement against unauthorised encampments, as I am aware that this has been an area of particular concern to many Members across the House, including those who have attended previous debates. As I mentioned, the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the Member for Richmond (Yorks), has outlined this in previous debates, so I will try to keep my summary brief.

From listening to our consultation responses on the matter, we have identified a set of measures to extend powers available to the police, to enable unauthorised encampments to be tackled more effectively. Those include our commitment to seek parliamentary approval to amend sections 61 and 62A of the Criminal Justice and Public Order Act 1994. The Home Office will soon launch a public consultation on the specific nature of these measures, to take the proposals forward.

Sir Oliver Heald: The Minister is being very generous in giving way. I was on the Committee in 1994 that considered the Bill, which introduced the five caravan rule. That has been excellent, and the Government might want to reduce it to three. But of course, that is all about moving on trespassers in encampments that are unauthorised for that reason. This debate is about land that is owned by the developer where all the planning laws are being ignored. Is there anything more

he can say about toughening up on that and ensuring that people cannot drive a coach and horses through the planning laws?

Kit Malthouse: As I said earlier, I am keen for us to strengthen the measures that can be taken against intentional unauthorised development, on which my right hon. and learned Friend is very focused, and rightly so, but the process by which we get there means that we have to go through a consultation, which we will be doing shortly. I hope that both he and my hon. Friend the Member for Mole Valley (Sir Paul Beresford) will submit to that consultation whatever measures they think are appropriate.

I think it fair to say that on this issue, given the interest of a large number of Members, the Government have listened and announced a comprehensive package, which will be implemented over the next few months—as my right hon. and learned Friend will know, the wheels of Government often grind slowly—so that in time for next summer, when there will be an uptick in activity, we will have measures in place that will not only allow local authorities to enforce sensibly, but encourage them to provide more transit sites to which Traveller communities can legitimately be moved.

Sir Paul Beresford: As part of the consultation, will the Minister take it from me that we would like him to consider the ability for local authorities to step in quickly and put in place a legally binding stop notice on the development as the trucks are driving in, the caravans and kids are arriving and the green belt is being destroyed?

Kit Malthouse: I certainly share my hon. Friend's aspiration for local authorities to be able to move extremely quickly in these circumstances, and a lot of the measures that we are putting in place are intended to encourage them to do exactly that, with authority and in the safe knowledge that they are acting within the law. However, it is also critical that they have a legitimate place to which they can move Traveller communities, so in my view the provision of transit sites is one of the key issues. In my constituency, where we have the same issues—not necessarily with encampments, but certainly with summer visitors—unfortunately we do not have a transit site, and I have talked to my local authority about providing one so that those people who do arrive in Andover every summer can be moved somewhere legitimately and swiftly. I think that the two issues go together.

I would like to end by briefly updating Members on the work that the Government are doing on outcomes for Gypsy, Roma and Traveller communities, which my right hon. and learned Friend quite rightly raised. We are committed to continuing to address the serious disparities faced by these communities. On almost every measure, those communities are significantly worse off than the general population. The Government have been working to improve their outcomes, but we recognise that we need to go further. That is why we recently announced that the Ministry of Housing, Communities and Local Government will lead the development of a cross-Government strategy to improve their outcomes. We will work closely with other Departments, including the Race Disparity Unit within the Cabinet Office, the Department for Education, the Department of Health

and Social Care and the Home Office, to develop the strategy. The strategy will seek to tackle the inequalities faced by these communities across a range of outcomes highlighted by the race disparity audit, including housing, education and health.

I would like to conclude by thanking those Members who have participated in this important debate. The Government have listened to Members' concerns and are progressing on the commitments made in our response to the consultation and on the wider issue of unauthorised

development and encampments. I hope that over the next few months all those Members will participate in the various consultations that will appear, so that we can reach a settled policy around which we can unite in solving the problem, while improving the lives of Gypsy, Roma and Traveller communities.

Question put and agreed to.

8.43 pm

House adjourned.

Westminster Hall

Tuesday 9 July 2019

[MR ADRIAN BAILEY *in the Chair*]

Active Travel

9.30 am

Robert Courts (Witney) (Con): I beg to move,

That this House has considered Government support for active travel and local walking and cycling infrastructure plans.

It is an honour to serve under your chairmanship, Mr Bailey. I am delighted to have been granted this important debate on active travel, and I am particularly pleased to see so many Members from both sides of the House present to take part in it. I declare at the outset that I am a long-standing member of Cycling UK and a member of the all-party parliamentary cycling group. I also sit on the Transport Committee, and I am delighted to see our Chair, the hon. Member for Nottingham South (Lilian Greenwood), present. We are currently preparing a report on active travel, and although I am not speaking on behalf of the Committee this morning, I suspect there will be strong agreement.

I have been a keen cyclist for many years for leisure reasons, but in recent years I have noticed a gradual but significant change in the way in which cycling is viewed in this country. No longer are we cycling and walking just as a way of getting from A to B. Increasingly, cycling is seen as a crucial element of our approach to not just transport and alleviating congestion, but town planning, public health, obesity, mental wellbeing, air quality, the environment and, of course, climate change. The range of benefits that active travel provides forms the basis of the debate and of my reasons for urging the Government, through the Minister—it is very good to see him in his place—to do more to promote cycling and walking in our cities, towns and villages.

John Howell (Henley) (Con): My hon. Friend mentioned town planning. There is a crucial point on which the Government could be helpful. His constituency is very similar to mine: it has a lot of footpaths going across what is basically agricultural land. Does he agree that the Government should insist that, when development takes place, those footpaths are not allowed to be extinguished, so that we keep the network that allows us to walk and cycle?

Robert Courts: I am grateful to my hon. Friend and neighbour for making that point. He is right. Those of us who are lawyers know that expunging a footpath is, rightly, one of the hardest things to do in the law. Footpaths are protected, and I agree that they must remain so when new developments are built, to ensure that our latticework of footpaths continues to exist. I would extend that to bridleways as well, which similarly have an historical provenance. I ask the House to bear in mind that, although we tend to think of cycling and walking in the context of the strategy I mentioned, horse riders in areas such as mine and my hon. Friend's are also vulnerable, and ought to be thought about in the context of active travel as well.

Anneliese Dodds (Oxford East) (Lab/Co-op): The hon. Gentleman is making an excellent case. On planning, he will be aware that the bidding process for the housing infrastructure fund is quite unclear on whether cycling infrastructure will be funded or is just viewed as a cost. Does he agree that, ultimately, that infrastructure should be viewed as something that adds to the attractiveness of schemes, and should be favoured within them?

Robert Courts: I could not agree more—the hon. Lady makes an excellent point. The housing infrastructure fund is an important part of Government funding, and I would like cycle paths to be included. I am conscious that a great many Members wish to speak, but if time allows I will mention the B4044 community path from Eynsham in my constituency to Botley, which, although not in her constituency, is in the county she represents.

I have supported the path from Eynsham for many years; in fact, one of the first events I attended as a Member of Parliament was when I cycled along it on a cold winter's morning, accompanied by many others in yellow jackets. As it stands, it is quite a dangerous little lane to cycle on, but the potential is enormous for Eynsham, and even for going as far as Witney—there is a cycle path along the A40, which I used only this weekend when I went out to stretch my legs. Increased housing growth will be unlocked, facilitated and made sustainable by the use of cycling paths, so I could not agree more with the hon. Lady.

Wera Hobhouse (Bath) (LD): We also have a lot of urban footpaths and ginnels. Would it not make sense to have funds for signposting, so that people know how to get away from the main routes and use the often hidden, beautiful routes to get from A to B? Often it is the lack of signposting that prevents people from using all those opportunities.

Robert Courts: That is an excellent point. In rural areas such as mine, there are often such signposts. One of the joys of living in the country is that people can set out on those routes. I recommend to everyone the wonderful Ordnance Survey maps, which record everything down almost to the inch. However, in those areas where signposts are missing, I urge local authorities to look at installing them, because they make it much easier for those who wish to use footpaths.

David Simpson (Upper Bann) (DUP): We talk about infrastructure in urban areas, but one of the big complaints I receive is about infrastructure in rural areas. We are trying to encourage more children to cycle to school. It is not an easy problem to solve, but surely we should spend some money on infrastructure in rural areas to help children to get to school.

Robert Courts: That is an excellent point. Again, I entirely agree. I represent a largely rural area, although it has significant market towns. Given the obesity crisis in this country and how we would like children, in particular, to build exercise into their day-to-day life, it is better if infrastructure is in place that allows them to get to and from school easily, quickly and safely. Again, I am conscious of how many people wish to speak, but if I have time I will mention a cycle path on the A44 that is off the road and therefore entirely safe for people going from Oxford up to Woodstock. Confidence is increased if parents know that their children are going to and from school on a path that is off the road.

Sarah Newton (Truro and Falmouth) (Con): My hon. Friend is being incredibly generous in giving way, and I congratulate him on securing the debate. Most of the funding the Government make available for infrastructure investment is through the ambitious cities programme, which means that rural areas such as Cornwall and many others cannot access funding for cycling infrastructure. Will he join me in pressing the Minister, as we approach the comprehensive spending review, to enable us to build on the huge success of the ambitious cities programme with an ambitious towns programme?

Robert Courts: One of the main points of my speech is that I would like the comprehensive spending review to ensure that active travel is built into our infrastructure plans for the future, for urban areas, towns and, of course, rural areas such as those that many of us represent.

I will deal quickly with some of the benefits of active travel, though I suspect the House will not need a great deal of persuading. Active travel is not only safe, convenient and attractive, but a cost-effective way of delivering the benefits we would all like to see. Cycling and walking are healthy, enjoyable and flexible ways of making a local journey, or a longer journey in combination with a car or a train, and enable us to take cars off the road wherever possible. For wider society, active travel is clean, safe and attractive. It reduces the environmental costs, such as the congestion that I spoke of, reducing air pollution and greenhouse gas emissions.

Investment in active travel is also cost-effective for the taxpayer, which I am sure the Minister is aware of and will celebrate. The Department for Transport estimates that investment in cycling and walking yields on average £5.50 of benefits for every £1 invested. That is a significantly higher benefit-to-cost ratio than many large road and rail schemes, which tend to have benefit-to-cost ratios of between £1.50 to £1 and £2 to £1.

Mr Gregory Campbell (East Londonderry) (DUP): I am a keen walker. Does the hon. Gentleman agree that some of the biggest benefits for those who cycle and walk are the personal health benefits, particularly in today's climate of childhood and adult obesity? The active travel that he suggests, and which the Government will hopefully promote, will actively target obesity among young people and adults.

Robert Courts: I could not agree more. The health benefits are some of the most important. I started my speech by saying that there are many benefits, and health benefits—both physical and mental—are pre-eminent among them. I am sure we all realise that, as people who do jobs that are sometimes slightly stressful and sedentary as well. Speaking as a keen hiker and cyclist, there is nothing quite like getting on a bike or putting on hiking boots at the weekend and shaking off some of the stress. It certainly kills a number of birds with one stone.

I am delighted that the Government recognised the benefits of active travel with the adoption of the cycling and walking investment strategy in 2017, which set out their ambition to make cycling and walking the natural choice for shorter journeys, or as part of longer journeys, by 2040. It sets out aims and targets for 2025, including doubling cycling activity from the 0.8 billion cycle stages made in 2013 to 1.6 billion in 2025. I understand that the Government have commissioned research into how

the strategy's aims for 2025 can be met and that the research, when published later this year, is likely to suggest that significant additional investment in cycling and walking will be needed to meet the targets.

Stephen Lloyd (Eastbourne) (Ind): I completely concur with the hon. Gentleman. Eastbourne is a town that has been built up over many years. We have a wonderful cycling group called Bespoke, which I and the council very much support. We want to put in more cycling infrastructure, but the challenge is simply lack of funds. Towns such as Eastbourne will need Government funding to do what they really want to do in support of cycling. Does the hon. Gentleman agree?

Robert Courts: The hon. Gentleman makes a valuable point, which is very much in line with my points. Investment in cycling and walking in England has trebled since 2010. We spent roughly £2 per person annually in 2010; the figure is now around £7.50. That is a significant increase, but it is still some way behind the world's most cycle-friendly countries. The Dutch, for example, invest around £26 per person annually in cycling and have been doing so for around 40 years. That is probably the crux of the hon. Gentleman's point, and it may explain why 26% of trips are cycled in the Netherlands, compared with less than 2% in Britain. We are looking to address that strategic funding over the months and years ahead, but that will not happen overnight. Realistically, it may not even happen by 2025, but we need to start moving in the right direction. I ask the Government to use the forthcoming spending review period to increase investment in active travel. No doubt the Minister will address that point in due course.

It is not just a matter of central Government funding. When I was at the Bar and working in the centre of Oxford, I used to travel from where I live in Bladon, near Woodstock, down the A44, which, as I mentioned, has a wonderful, almost completely off-road cycle path. I was struck by the fact that it was not as well used as it ought to have been. A lot of the difficulty is in what happens at the other end. I make no criticism of where I used to work, but the difficulty arises when a cyclist gets off their bike. In my case, working at the Bar, if I needed to go to court or to meet clients, I needed to be in a presentable state. That is not easy if there are no adequate changing facilities at the other end. Some organisations provide those facilities, which is wonderful—I know that Oxfordshire County Council does—but we need to see more investment in the public and the private sectors. Once cycling facilities are in, that is all well and good, but people also need the facilities at the other end so that they can make themselves fit and ready for the working day.

The cycling and walking strategy also encourages local authorities to develop what are called local cycling and walking infrastructure plans for high-quality cycling and walking networks and then to prioritise schemes to deliver them. The Government have supported 46 councils so far to develop their local infrastructure plans, but there is no dedicated funding stream to help them to do so. Without that, local authorities may not be able to plan and develop comprehensive cycling and walking networks with any confidence. I ask the Department for Transport to work with the Treasury at the spending review to develop a dedicated funding stream to enable local authorities to implement ambitious local cycling and walking infrastructure plans.

That appeal is part of the joined-up thinking that we hear so much about in the House and that we would like to see more of. I ask the Minister to press for greater joined-up thinking to ensure that all Departments are pulling in the same direction. I make that appeal with particular passion, because of the B4044 community path I alluded to earlier. I want to mention it in a little more detail, and I have raised it repeatedly with the Minister's predecessor and the Secretary of State.

The B4044 is a key route between Eynsham, which will experience significant housing growth in the coming years, and Oxford. The path is the brainchild of Bike Safe, a passionate group of local cyclists who are campaigning for high-quality, safe, local cycle infrastructure. I commend the group's passion and drive, and will never forget my visit to the project in its early stages. The group has done very well in giving it such a high profile. I ask the Minister to work with Oxfordshire County Council to explore what can be done to deliver this crucial project at the earliest possible opportunity, either through the housing infrastructure fund or as a stand-alone project.

I also want to mention the Hanborough pedestrian bridge in the context of integrated transport networks. It is all very well having great train services, roads that are quick and easy, and cycle paths, but they must link up. We need people to be able to get on their bikes and get to the train station. They may want to get on a bus to get to the train station. When they get there, they want the trains to be regular and reliable. We need to ensure that the journey from home to workplace can be undertaken on public transport and in an integrated fashion.

The Hanborough pedestrian bridge is a good example, and I fully support it. It has been energetically and admirably pursued by Hanborough Parish Council and will provide safer access for pedestrians and cyclists seeking to get to Hanborough station, which is vital to my constituency because it serves not just the villages of Long Hanborough and Church Hanborough, but also Witney and wider West Oxfordshire. People need to be able to get on the cycle path and the footpath safely at that narrow pinch point over the bridge, and they also need to be able to leave their bike at the train station if there is not enough space to take it on the train.

It is also vital that the schemes we are discussing are safe for all users—I think particularly of those who are visually impaired or who have other restrictions on their travel. Any infrastructure that is put in ought to cater for all users in the community, including the vulnerable.

I welcome the Government's ambition to promote active travel, but I want to see further action to ensure that the encouraging words are joined by decisive action that will enable the targets of the cycling and walking investment strategy to be met and then enable us to go further still. That will require three things, which I look forward to hearing the Minister address in his remarks.

First, the Government should use the forthcoming spending review period to increase investment in active travel, with an eye to meeting, and if possible exceeding, the aims and targets of the cycling and walking investment strategy. Secondly, I ask the Department for Transport to work with the Treasury to develop a dedicated funding stream that will enable local authorities to implement ambitious local cycling and walking infrastructure plans to develop world-class local active travel networks. Thirdly, the Department for Transport should work across Departments, particularly with the Ministry of Housing,

Communities and Local Government, to ensure that its ambitions for active travel are supported and not undermined by other Departments. That way we can have an integrated strategy within Government to provide us with an integrated transport strategy in West Oxfordshire and all our constituencies.

Several hon. Members *rose*—

Mr Adrian Bailey (in the Chair): Order. Before I call Back-Bench speakers, I calculated prior to the debate that I could allow Back Benchers 2.66 recurring minutes each to speak. Having negotiated with the Front-Bench speakers, I think I can allow a hard three minutes for each speech. I also make it clear that, as Chair, I cannot interfere with the democratic right of a speaker to take interventions. However, I can exercise my democratic right to put any interveners at the end of the queue of speakers. Will speakers please bear that in mind in order to facilitate the debate? I call Ruth Cadbury.

9.49 am

Ruth Cadbury (Brentford and Isleworth) (Lab): Thank you very much, Mr Bailey. I did not see myself as a Front Bench; I am very much a Back Bench.

Mr Adrian Bailey (in the Chair): You are a Back Bencher who speaks first.

Ruth Cadbury: Thank you. I welcome this debate. I co-chair the all-party parliamentary group on cycling, and I congratulate the hon. Member for Witney (Robert Courts), who introduced the debate, as well as the Backbench Business Committee, which allowed it.

I will try to make points that others might not make, which is difficult as I am speaking at the beginning of the debate. The reasons for active travel are many and have already been mentioned: better air quality, the reduction of CO₂ emissions, less congestion and better health. I would add another: productivity. Many of us know schools that do the extra mile in the morning, and children who do that mile run or walk are better learners during the day.

It is no coincidence that a large number of City companies pushed the former Mayor of London, the right hon. Member for Uxbridge and South Ruislip (Boris Johnson), to go ahead with the east-west cycle route in London. They pushed for that because they knew that it would make their staff more productive at work, as more people cycling often reduces sickness and absence from work, and increases alertness during the working day. Since I have been more active over the last 10 years, I have certainly felt that I have higher energy levels.

When commentating on the Tour de France a few years ago, Chris Boardman made a YouTube video in which hundreds of people cycled behind him in Utrecht. He said that they were ordinary people going about their day-to-day life, and that he did not see "cyclists", but normal people going about their life, dressed for their destination and not the journey. The Netherlands did not come by its high levels of cycling and walking by accident; it was a conscious change of policy in the 1970s as a result of parents worrying about their children's safety. It took decades of serious financial support and leadership from the Government; that is what we need.

[*Ruth Cadbury*]

Issues in the justice system need to be taken on board. People will feel safe walking and cycling only when drivers are aware of more vulnerable road users and reduce risks such as close passing. We need training for professional drivers, sentencing for those who commit serious crimes, and, most importantly, investment from all Departments.

9.52 am

Andrew Selous (South West Bedfordshire) (Con): Cycling is a big part of the answer to the major issues that we are looking at across the House: climate change, congestion, pollution, obesity, poor physical health, poor mental health and social and economic exclusion. I am very excited about the possibilities offered by electric bikes, particularly for older people. For those who are frail or in poor health, who have longer journeys, who need to commute and look reasonably smart when they arrive, as my hon. Friend the Member for Witney (Robert Courts) mentioned, and who live at the top of a hill, as I do, electric bikes are part of the solution.

I want this country to be world leading in cycling; I do not want us just to inch up the rankings. In the Netherlands, 25% of people cycle, while in Germany the figure is 10%. In the UK, only 2% cycle. Let us get to the head of the pack, not just improve a bit. We all know that it makes sense. To that end, every new housing estate that we build in this country should have cycle paths connected to the local schools and employment areas. When people get to those places, there must be enough parking for their bikes; it is not just motorists who need parking. If people cannot park securely and safely, or wash and freshen up if they need to when they arrive, they will not cycle in the numbers that we want.

I look forward to Central Bedfordshire Council completing the “green wheel” around Leighton Buzzard in my constituency. We have spent money on cycle paths, but they run out. When they come to a busy road, they just stop, and they are not as connected as they should be. We also need to ensure that when we build new roads, we put in cycling infrastructure, because it is much more expensive to retrofit later. Cycling needs to hold its own in business cases. I was concerned to hear about a recent road scheme from which the cycle scheme was taken out because it was viewed as a problem, and it was thought that it would reduce the power of the business case. That is nonsense. It is wrong and should not happen.

I hope that the Department for Transport’s review will be completed well before the comprehensive spending review, and will provide the evidence that we need to get the necessary increase in funding. We also want fairness and equity of funding. It is not right that only 46 council areas get extra money. This matters in the constituency of every hon. Member in the Chamber, right across the country. We need fairness and equity to ensure that every part of the country benefits from the coming cycling revolution.

9.55 am

Dan Jarvis (Barnsley Central) (Lab): This debate comes at an important moment for active travel. Congestion on our roads is growing; we are in the midst of a public health crisis; obesity is on the rise; and we face a climate emergency.

Most of us remember our first bike. I loved riding as a kid, and have enjoyed teaching my children how to ride their bikes. I believe that our passion for exploring the world on two wheels as youngsters does not leave us as adults. However, that passion has a tendency to be overtaken by practicalities, by a lack of safe cycling infrastructure, and by a lack of confidence in a world where the car is king.

It is my job as a mayor, our job as MPs, and the job of those with whom we work closely in local authorities to do all that we can to enable people to walk, cycle and run if they want to. I recently submitted a bid for £220 million from the Department for Transport’s transforming cities fund. If that is approved—fingers crossed—it will unlock major improvements in transport networks across South Yorkshire. I have also brought on board the brightest and the best talent; there is none better than my new active travel commissioner, Britain’s most successful female Paralympian, Dame Sarah Storey, who is already making a huge impact.

In the Sheffield City region, nearly 40% of car trips are under 1 km, which is the equivalent of just a 15-minute walk. It is no surprise then that our motorways and major roads are under great strain. If we are to safeguard our health, our environment, and our economy, now is definitely the time to act. That is why I have been working closely with other metro mayors, their active travel commissioners, and experts such as British Cycling, Sustrans, the Ramblers and Living Streets. I am also working with Transport for the North to create policy that will shape the North’s infrastructure.

I will rattle through my five asks for the Minister; I hope he will be familiar with them. First, commit to long-term devolved funding for cycling and walking. Secondly, commit to minimum quality levels to ensure that no more public money is wasted on infrastructure that is not fit for purpose. Thirdly, reform policing and enforcement. Fourthly, enable innovation by keeping road traffic regulations under review. Fifthly, ensure that transport investment decisions account for the true cost to society of car use.

This debate is about much more than encouraging people to get on a bike or put on their walking shoes. People do not need to be encouraged; they need to be enabled. That responsibility lies with us and with national Government.

9.58 am

Chris Green (Bolton West) (Con): I congratulate my hon. Friend the Member for Witney (Robert Courts) on securing this important debate. I would put cycling and walking into two broad categories.

First, there are established areas where we need to enhance and improve the facilities. We sometimes see green paint slapped on the ground to mark out a cycle lane, but that does nothing for the cyclist—it does not improve safety or their ability to navigate those roads. We have to be cautious about a council or an area being able to claim that they have more and more miles of cycle tracks when those tracks are of almost no value.

As my hon. Friend the Member for South West Bedfordshire (Andrew Selous) mentioned, often those tracks stop and start, which is of no value to the cyclist who wants to carry on their journey. It would be far better to focus on repairing potholes. That is what many people on their bicycles would like—smooth, open roads where they can carry on cycling.

There are opportunities in new developments. The largest housing development in Greater Manchester, the Horwich loco works, of 1,700 houses, almost connects Horwich town centre with Horwich Parkway railway station. That should have been a wonderful opportunity to connect the town centre to its local railway station with a superb walking and cycling route. There was a master plan for that development, but it included zero information about cycling or walking. We hear national Government, the Mayor of Greater Manchester and our town or borough council leadership talking about their ambitions for cycling and walking, yet in the plan for the largest single housing development in Greater Manchester of 1,700 houses, there were no details about cycling and walking. There is a huge mismatch between that and what some people say about this important agenda.

We want more people to cycle and walk, for the obvious reasons that have been given: it is better not just for physical but mental health, and we want people to have active lifestyles and be more part of the community. However, those ambitions must link up to the reality on the ground. I am pleased that Bolton Council will, under its new leadership, form a liaison group with the local community and Horwich loco works to make sure the development has the interests of local people at heart. I will champion the cause of cycling and walking.

10.1 am

Lilian Greenwood (Nottingham South) (Lab): I congratulate the hon. Member for Witney (Robert Courts) on securing this debate, and I thank him for his contribution to the Transport Committee, which I chair. It has been looking at precisely the matter we are discussing. The Government's 2017 cycling and walking investment strategy—CWIS—is extremely welcome. As many Members have said, the economic, human and environmental cost of inactivity, climate change, air pollution and traffic congestion are huge. Active travel can help us to tackle all of those, if it gets the attention and funding it deserves but historically has not received. There are serious questions about the funding available for active travel and local cycling and walking infrastructure plans—LCWIPs, which we have been told are the main vehicle for delivering the Government's strategy.

We have been told that the funding framework for active travel remains challenging, because the wider framework for local transport funding is complex, short term and under severe pressure. When the Government published the CWIS, they described it as a £1.2 billion plan, but only a quarter was ring-fenced funding for cycling and walking schemes. The rest was for local authorities to decide how to prioritise. We know all too well the pressures on local councils from adult social care and children's services. Since the CWIS was published, the Government have stated that almost £2 billion is projected to be invested in active travel between 2016 and 2021. That is a good start, but it pales in comparison with spending on other modes, and equates to just £400 million a year, or 1.5% of the £26.4 billion that the Government spent on transport in England in 2017.

The Transport Committee has heard about the impressive ambitions of combined authorities and local authorities to increase cycling and walking in their area. I do not have time to go through them, but if they are to be achieved, as so many colleagues have said, dedicated funding is needed to deliver those improvements in LCWIPs to

enable the Government to succeed in delivering their strategy. Phil Jones, an independent transport consultant who has been very involved in the development of the local plans, told us that if LCWIPs are just a plan and sit on the shelf,

“it has been a complete waste of time”.

He told us that LCWIPs have to lead quickly to actual schemes on the ground, and he is right. If the Government want to deliver their strategy, which is essential and not a “nice to have,” they need to consider how their funding will ensure that that happens.

Funding is not the only issue; the Government need coherent and consistent policy. People will not walk and cycle if their roads and pavements are poorly maintained; they will not feel safe if cars are parked on pavements; it will not be good if estates have no pavements, which I often see. People will incorporate walking and cycling into a longer journey only if the public transport element is up to scratch.

10.4 am

Steve Brine (Winchester) (Con): I have three points to make and, not surprisingly as a former Public Health Minister, I will begin with health. I very much enjoyed working with the Minister's predecessor on creating some of the Government's plans. Part two of the child obesity strategy, which I was responsible for bringing into place, was important for the obesity crisis that we face in this country. It was not all about the sugar tax, although I place on record how important that is. It must continue, despite protestations to the contrary. The obesity strategy was about moving more and giving children options for cycling. As the Minister's predecessor said, it is about producing plans that mean a 12-year-old can cycle on the road with some sort of confidence.

My second point is on money and infrastructure. I was a vice chair of the all-party parliamentary cycling group when I first came to the House. We recommended in our “Get Britain Cycling” report, published in April 2013, that we should create a cycling budget of £10 per person. I pay tribute to the Government because, as has been said, investment in cycling and walking in England has trebled since 2010 from around £2 per person annually to around £7.50 per person. That is a success story. Another key recommendation of that report, which has been mentioned so many times since, is that local authorities should deliver cycle-friendly improvements to their existing roads. We will hear a lot this morning about new developments and how they must be connected up with cycle roads. They must, but just as most of our housing is existing housing, most of our roads are existing roads, and I want them to be transformed.

In Winchester we have a new local community action group called Cycle Winchester, which is campaigning to make the city better by bike. It is an excellent organisation that has arranged many mass cycle rides in the centre of Winchester, and it is working with the local council. We have something called the City of Winchester movement strategy, an important element of which will be a local cycling and walking infrastructure plan. Cycle Winchester is a very good, dedicated charity run by people who want cycling to be better in the area that I represent, but what support can the Government give to it? My hon. Friend the Member for Witney (Robert Courts) talked about the comprehensive spending review; surely, that is where we have to look.

[Steve Brine]

We have talked about the carbon emissions net zero ambition in this Parliament, which is important, but local authorities will have to deliver so much of that. They only intend to produce an infrastructure plan; the Government want them to produce it, but they do not require them to. My council has declared a climate emergency, but what does that mean for cycling paths and dedicated cycle routes? We have to keep cyclists and cars separate. That means dedicated cycle lanes and investment, and making sure that local authorities carry through with their intentions to make that happen.

10.7 am

Wera Hobhouse (Bath) (LD): I congratulate the hon. Member for Witney (Robert Courts) on securing this debate. As a lifelong cyclist, I could speak for hours about why cycling has become so difficult in this country. We know the benefits of cycling, but what are the barriers to more people cycling? I think they are habit and road safety, and the two things are linked. If our young children start by cycling and walking to school, that will become a lifelong habit, as it became for me; I used to cycle to school every day when I was growing up in Germany. But when I became a parent in this country, I was terrified of sending my children to school on their bikes because it was not safe.

Let us concentrate on school travel plans, to allow children to travel safely to school and, therefore, embed a habit early on that people will continue into their later lives. What does that mean? As a councillor for 10 years, I was actively involved in trying to create meaningful, continuous cycle routes to get from A to B. That is very difficult, but as I said in my intervention, we can use existing infrastructure by signposting routes properly away from the main traffic.

Where we cannot get away from the main traffic, the Government could legislate for 20 mph zones in every town and city. In fact, studies say that a continuous 20 mph zone may make congestion much less likely because, as happens on motorways, traffic flow is much better if everybody travels more slowly. Why not go ahead and introduce 20 mph zones in all towns and cities? That would make cycling and walking so much safer, even if cyclists and pedestrians were mixed with motorised traffic.

We have many opportunities, and there are many good news stories. My council, which became Liberal Democrat in the last local election, is looking actively at walking buses: schools are encouraging parents to let their children walk with a dedicated person. Use of the Bath to Bristol cycle route increases by 10% every year. Where we have such cycling opportunities, they are used, but they have to be attractive. It does not help that a lot of money is spent on capital projects rather than on revenue, which can mean that where we create cycle routes we cannot maintain them. There are many things that the Government and local authorities could do, but we should start by looking at our young people and make walking and cycling to school the first priority.

10.10 am

Mrs Sheryll Murray (South East Cornwall) (Con): I congratulate my hon. Friend the Member for Witney (Robert Courts) on securing the debate.

I would like to draw the Minister's attention to an excellent opportunity to support an important cycling infrastructure plan in my constituency. The route would link Liskeard, Looe and Plymouth and is expected to bring up to £3 million per year into the important local tourism economy. A detailed feasibility study has already been undertaken for the Looe Development Trust. That had widespread support, having been funded by Cornwall Council, the LEADER EU funding programme, Cornwall and Isles of Scilly local enterprise partnership, Liskeard and Looe Town Councils, Liskeard Town Forum, and the Cornish mining world heritage site. I have a copy of the report, which I am happy to give to the Minister after the debate.

Tourism is massively important to my local economy. Research shows that the proposed scheme could generate millions of pounds in extra spend with accommodation providers, local restaurants and shops and many other services. I also anticipate new businesses, including cycle hire businesses, creating new jobs in my beautiful constituency.

In Cornwall, we know the benefits that such trails can provide. There is already a fantastic route in north Cornwall, between Padstow and Bodmin along the Camel Trail. Its success is clear from all the cycle hire businesses and other successful businesses along the route. It would be great if we could repeat that successful venture in my constituency. It would bring health benefits and allow people to get on a bike in beautiful surroundings and a safe environment, which we do not always get in our cities.

Simon Pratt from Sustrans, the UK charity that makes it easier for people to walk and cycle, said:

"These trails fill a missing link in the national cycle network, connecting with Plymouth and Dartmoor to the east and Bodmin and the Camel Trail to the west. The Looe to Plymouth section in particular has been on our radar for many years and I hope that the time has come when it can now be delivered. As well as the tourism benefits, these trail routes are well connected to the railway network at Bodmin Parkway and Liskeard and offer more sustainable travel options for commuters and local people"

in a rural location. I would appreciate it if the Minister looked at this thorough, well thought-out proposal and worked with local partners to ensure its completion.

10.13 am

Dr David Drew (Stroud) (Lab/Co-op): It is a delight to serve under your chairmanship, Mr Bailey. I congratulate the hon. Member for Witney (Robert Courts) on securing the debate.

Let me start by mentioning horse-riding. I have to say this, because my horse-riders have been on to me. Pat Harris of the Mid Cotswolds Tracks and Trails group tells me that there are 2.9 million regular horse riders and half a million carriage users. They do not like being left out of debates about cyclists and pedestrians, because they feel they are an important part of the group of non-motorists.

On cycling, a couple of weeks ago we had a very interesting session upstairs, which was led by members of the science community. They mentioned that the number of cyclist and pedestrian accidents had flatlined recently. That is sad—obviously, we want the number of accidents to reduce considerably—but they reminded us that there are ways in which side-on accidents can be prevented. If we "think bike" when we come to a road junction, we should always be looking to avoid anything coming into conflict with us.

I am a keen cyclist. The problem is that it is getting increasingly difficult to cycle, particularly during the winter. Sadly, our roads are deteriorating beyond all recognition. Potholes are a nightmare for cyclists, but my biggest bugbear is leaves. Because we do not sweep up leaves any more, they all get pushed to the side of the road, where cyclists cycle, and they get wet and freeze. I challenge anyone to stay on a bike while going over such a slippery surface. My plea to the Minister is to ask local authorities to undertake decent road maintenance so that cyclists are prioritised. I suspect that an awful lot of accidents involving cyclists—notwithstanding the even more serious accidents involving other road users—occur because people come off their bike as a result of the road surface.

The real reason why people do not walk nowadays—the reason they do not walk their children to school in particular—is air quality. Particularly in built-up areas, the quality of the air leads people to use their cars. That is counterintuitive and wrong. We have to get children back to walking as their main way of getting about; otherwise, we will have increasing issues with obesity, which has been mentioned, and all the things that come from that. We must ensure that the Government address and prioritise these issues.

10.16 am

Dr Sarah Wollaston (Totnes) (Ind): We have heard the environmental, health and economic cases for cycling. I fell in love on a tandem and I am still cycling 40 years later, so perhaps I should add that there is a case to be made for cycling's benefit to your love life, and for the sheer joy of cycling.

We need to focus on how to make cycling happen. We should look across the water to see how it is done elsewhere. There is a formula to it: it requires consistent, long-term political support both locally and nationally, and the right funding. We spend £7.50 per person on it, but other countries, where this works and cycling has been transformed, spend between £10 and £35 per person. Will the Minister therefore continue his predecessor's commitment to the ambition of doubling per-person investment in cycling? That is what we need.

When we have that level of spend, we can go to the next stage: ensuring that councils can employ people to develop expertise in the long term to put these schemes in place. We need consistent rather than stop-start funding. One of the problems with competitive bids for funding is that some areas do very well, but others, such as mine, lose out altogether. We need much more consistency, so that we do not focus, as others have said, just on cities or even towns, but look at rural areas.

We need to spend not just on infrastructure, but on services and maintenance for our network, and to join up the network. Disgracefully, in my area there is still a gap in national cycle route 2, partly because of the prejudice cyclists sometimes face. For example, a bridge, half of which was paid for with public money, is still blocked to cyclists unreasonably by its owner, South Devon Railway. That prevents a critical join-up. I would like councils to have the power to sweep some of this nonsense out of the way, because this has been going on for more than nine years.

We need to fix those problems and join the network up, and look at links with other infrastructure, such as the rail network. We must also look at traffic calming.

There are 20 mph speed restrictions on 75% of the network in urban areas, and they work. We should look at that, and at introducing traffic calming in rural areas where we have quieter routes for cyclists.

We know what works. Will the Minister look at the evidence base and assure us that we will implement what we need if we are really to have a revolution and get people to enjoy the benefits of cycling?

10.19 am

Daniel Zeichner (Cambridge) (Lab): I join my fellow members of the Transport Committee in thanking the hon. Member for Witney (Robert Courts) for bringing the debate. On walking, when we took evidence, it was clear that the original cycling and walking investment strategy was woefully unambitious in its targets. I hope that today the Minister will confirm much stronger targets for the future.

On cycling, I agree with the points made by my hon. Friend the Member for Nottingham South (Lilian Greenwood), the Chair of the Select Committee, and the hon. Member for Totnes (Dr Wollaston) on the £1.2 billion figure, which is frequently wheeled out when in fact only a quarter of that is genuinely available for cycling. I also agree on stop-start funding; there is too much competitive bidding. Local authorities spend time setting up teams and then running them down after only a brief period of effectiveness.

I have two new points to introduce. However good a local cycling and walking infrastructure plan might be, our major strategic roads are run by Highways England, and sadly its relationship with cycling is not as good as it should be. We heard evidence from the Office of Rail and Road that that is one area where Highways England certainly needs to improve. Sadly, there are examples from my patch of Cambridge; one is from just a few days ago. People think of Cambridge as an exemplar, but Highways England does not seem to have noticed that if it shuts down a major cycleway but gives people only five days' notice and does not provide proper diversions, people will be, quite rightly, very unhappy. Sadly, negotiations with Highways England over cycling-safe-and-friendly roundabouts and road junctions continue to be difficult. Although Highways England is good at building bridges and roads, it needs to be an agency not just for road building but for mobility. It really needs to improve its communications.

My main point is to echo the call by the hon. Member for South West Bedfordshire (Andrew Selous) for an electric bikes revolution. I have had my electric bike for four years, and it is transformational. I am grateful to Dr Lynn Sloman, the Transport for Quality of Life team and the Bicycle Association for highlighting how well other countries in Europe are doing, and how we are falling so far behind. A million electric bikes were sold in Germany last year; just 60,000 were sold in our country. By head of population, the Dutch are doing 25 times better than we are. Electric bikes are a simple solution to the transport crisis, so why on earth are we not doing better?

Although I welcome the improvements to the cycle to work scheme, that only benefits people who are in work, and many, many others need to be helped. The French offered a simple subsidy to encourage people and promoted it.

My mantra for many months has been revoke and remain. It is now revoke, remain and recharge.

10.22 am

Stephen Morgan (Portsmouth South) (Lab): It is a pleasure to serve under your chairmanship, Mr Bailey. Active travel is an integral part of our arsenal when it comes to tackling climate change, but not enough people are involved. Cycling makes up just 2% of trips taken in the UK, and in a European Commission report on rates of cycling in 28 countries, the UK feebly features in 24th place. How can we change that? We must see widespread reform and structural overhaul.

With headlines this weekend showing that eight people were killed in London in five days, it is clear that better infrastructure is required. We need separated and dedicated cycle routes. We need adequate pedestrian bridges and underpass tunnels. As a colleague said, active travel should be for the many, not the brave. We need major reform that puts the UK on a level playing field and ahead of European leaders in active travel.

Following work undertaken with local organisations such as Portsmouth Cycle Forum, and from cycling around my city—I do not drive; I use my Brompton to get around Portsmouth—I have seen at first hand how disjointed infrastructure can be a major obstacle in getting people out and active. While the increases in funding for cycling and walking infrastructure are welcome, the problem faced in Portsmouth is that the local authority, which has seen unprecedented cuts under the Government's reign of austerity, does not have the capacity to go searching for poorly signposted funding. As the Local Government Association said,

“Too often funding is provided in the form of short-term capital grants linked to bidding processes with strict criteria. This stop-start funding...doesn't allow councils to develop long-term sustained plans.”

I ask the Minister: why have the Government not yet provided any dedicated funding to deliver local cycling and walking infrastructure plans? When will they begin to do so?

Portsmouth's geography and conditions would make it an ideal trailblazer for active travel. It could be a world leader, as is demonstrated by the ambitions in our document, “A City to Share”, which I urge the Minister to read. It is clear that as a society we will be better, healthier and greener if we properly invest in walking and cycling infrastructure. I therefore urge the Minister to visit Portsmouth and meet with the Portsmouth Cycle Forum.

10.24 am

Jim Shannon (Strangford) (DUP): I thank the hon. Member for Witney (Robert Courts) for setting the scene for us all. The main town in my borough, Newtownards, is classified as a central business district town or a commuter town. There have been recent moves to expand the Glider service into Newtownards and supply a park and ride for the area. There are also plans, though the city deal, to extend the greenway to enable people to avail themselves of cycle-to-work schemes.

I am fully supportive of the cycle-to-work schemes run in co-operation with Sustrans, which helps workplaces become cycle-friendly employers. That accreditation was developed with the EU project “Bike2Work”, with Cycling UK the recognised provider for the UK. Site auditing and advisory work is provided by Sustrans for organisations in Northern Ireland. Sustrans says:

“We support employers to encourage their staff to consider active travel in their daily routine. Being a cycle-friendly employer brings real benefits by promoting staff health and well-being, reducing absenteeism, increasing productivity and saves organisations money”,

so clearly there are benefits. I believe that in this kind of scheme, there should be funding—at least a token amount, as a gesture—to encourage employers to provide the facilities needed.

The Department for Infrastructure in Northern Ireland has shown that it practises what it preaches, as it became the second UK organisation to receive international recognition as a cycle-friendly employer. It is to be congratulated, but if funding was there, I honestly believe that more employers would help us to make the goal of carbon-neutral commuting a reality for many people. There are many benefits to this, yet when it comes to funding, we are not so forward-thinking. That needs to change. There is an appetite for change in our cities—and indeed in our lives.

“Bike Life”, the UK's biggest assessment of cycling in cities, showed that 81% of people in Belfast want more protected bike routes to make cycling safer, even when that could mean less space for other road traffic. Almost three quarters of Belfast residents surveyed supported more investment in cycling, with 71% saying that Belfast would be a better place to live and work if more people cycled. There is a movement and a need for change.

Sustrans, in its mission to educate people, put it succinctly:

“Research shows that keeping physically active can reduce the risk of heart and circulatory disease by as much as 35% and risk of early death by...30%. It's recommended that adults take part in 2.5 hours of moderate activity per week. But...activity levels in the UK are low: only 40% of men and 28% of women meet these minimum recommendations. One way to achieve this target is to do 30 minutes' exercise at least five times a week—the perfect length of time for short, local journeys on foot or by bike.”

The charities and institutions are doing their part, but I believe we can do more in this place to make cycling a priority for health and the environment. That must come from increased funding. That puts the onus on the Minister to make the case to his colleagues in the Exchequer.

10.27 am

Matt Western (Warwick and Leamington) (Lab): I congratulate the hon. Member for Witney (Robert Courts) on bringing forward this clearly important issue. Like him, I sit on the all-party parliamentary group for cycling. I am a keen cyclist; according to *The Sun on Sunday*, I am a “fanatic”—I am not sure how that came to be. I would say I am an advocate; let us leave it at that. In that vein, I put it on record that I am a member of my local Cycleways group, which I congratulate on its campaigning work, as well as Sustrans. It is important that we have such bodies who speak out and campaign in these areas.

We have heard about the generic benefits we can get from cycling: the great health advantages, both mental and physical; the reduction in congestion as a result of using existing capacity more efficiently; and the improvements to air quality from taking more polluting vehicles off the road. That is particularly relevant to my constituency, which sadly every few weeks registers the worst air quality in the country.

We have also heard about how the lack of safe provision on our roads is deterring new cyclists and road users from taking up a really important form of transport. Last week's tragedy in Battersea, in which a young design student, Giovanna Cappiello, was killed, is a reminder of how vulnerable people can feel. Our thoughts are with her friends and family. The priority must be to make our routes, particularly routes to schools, safe, to encourage behavioural change, and to encourage the next generation to think about how they move.

Let me focus briefly on a scheme in my constituency and in Kenilworth, which adjoins it. The Kenilworth to Leamington scheme is a three-mile route that has been talked about for 20 years, although no progress has been made. I believe it would be transformational. It would cost just £3.5 million, including a bridge that would cost £1 million. A petition has been signed by more than 1,000 people. The route would enable students and academics to access the University of Warwick from the town of Leamington far more easily. That would reduce queues and congestion, particularly on the A425. I encourage Warwickshire County Council to look closely and favourably at this scheme, because its expenditure on cycling is a fraction of the £7.50 average.

Infrastructure is holding us back, but as we have heard, a revolution is coming, particularly through e-bikes. In Germany, 960,000 e-bikes were bought last year. That compares with 64,000 in the UK, which was up by just 1,000 on the year before. France has a subsidy of €200 for every e-bike. That is driving active travel, particularly among women, who make up 58% of participants, while 21% of those who use the scheme are retired. Half of e-bike trips replace a car trip; that is the advantage. We need a revolution.

10.31 am

Holly Lynch (Halifax) (Lab): It is a pleasure to serve under your chairmanship this morning, Mr Bailey, and I congratulate the hon. Member for Witney (Robert Courts) on securing this debate and on his passionate and articulate opening remarks. As the MP for Halifax, right in the heart of Yorkshire, I am truly blessed because our cycling routes and footpaths have so much to showcase. They featured in the Tour de France, and the now annual Tour de Yorkshire—my hon. Friend the Member for Barnsley Central (Dan Jarvis) has been a passionate advocate for that.

Today I wish to advocate one infrastructure scheme—the Queensbury tunnel. The campaign proposes to convert a disused railway tunnel that was constructed in 1878 but closed in the 1950s into a cycle route to connect Bradford with Calderdale. The tunnel is a magnificent feat of Victorian engineering. It is about one and a half miles long, and at the time it was the longest tunnel on the Great Northern railway. We are the masters of up-cycling our heritage in Yorkshire, and restoring and repurposing that historic tunnel for the modern world as part of a regional cycle route would offer a positive environmental impact, as well as an economic one, as there would be yet another Yorkshire gem for cyclists, and visitors more broadly, to come and see.

Despite all that promise, however, the tunnel is currently slated for abandonment by its custodian, Highways England's historical railways estate. The campaign therefore has a sense of urgency. We could soon find that the

tunnel is lost for ever, and that that incredible example of Victorian engineering is scheduled to be filled in with concrete. To restore the route would cost around £16 million. That sounds like a lot, but the tragedy of the abandonment proposal is that such work is likely to cost in the region of £5 million pounds—money that would be funded by the taxpayer but provide no local benefit at all. Latest extensive research suggests that to invest in the tunnel's restoration would return £2.31 for every £1 invested.

An alternative future for the tunnel would be transformational. Restoring the tunnel with a cycle path would place it at the centre of a cycle network that connects Halifax to Bradford and Keighley, and would boost sustainable travel. It would add another landmark structure to the Great Northern railway trail, making it one of the most spectacular foot and cycle paths anywhere in the country. It would further enhance our area's cycling credentials, becoming both the longest continuous incline in England, and the longest re-used railway tunnel. I encourage the Minister to come and visit that tunnel if at all possible. I have no doubt that if he spends five minutes with the wonderful campaigners, Norah McWilliams and Graeme Bickerdike, whose passion for the tunnel is infectious, he will be left with little option but to consider investing in it and in its future at the heart of Yorkshire's cycling heritage.

Several hon. Members *rose*—

Mr Adrian Bailey (in the Chair): Order. Many requests have been made to the Minister, and I am sure we all wish to hear his response. I want to give him the maximum time to respond, which is 10 minutes, so if the Opposition speakers can ensure that I am able to call the Minister at 10.48 am, that would be helpful.

10.34 am

Ronnie Cowan (Inverclyde) (SNP): It is a pleasure to serve under your chairmanship, Mr Bailey, and on behalf of the Scottish National party I congratulate the hon. Member for Witney (Robert Courts) on securing this debate. I am grateful to my colleagues from the Transport Committee, and for the work of the Committee Clerks during our recent evidence sessions on active travel. Today we have heard about the health, productivity, environmental, economic and even enhanced love life benefits of cycling, and we all recognise the need for fair funding. We have also touched on the enjoyment of cycling. I have great memories of cycling as a kid; having a bike gave me freedom and independence—something that I have continued to enjoy throughout my life.

Let me speak about what is happening in Scotland and my constituency of Inverclyde. If we are to improve our cycling and walking infrastructure, we need an accurate understanding of people's current patterns of travel. It is therefore helpful that Cycling Scotland's annual cycling monitoring report examines trends and statistics at both national and local level. Such work gives us an important insight into current rates of cycling participation. There is significant potential for growth in cycling in my constituency. Nearly 60% of journeys made in Inverclyde are under 5 km, which relates in some way to the fact that 35% of households have no access to a car for private use. Some 24% of households have access to a bike, yet in 2015-16, just 0.4% of people usually cycled to work.

[*Ronnie Cowan*]

A similar picture can be found among school students. In 2016 only 0.8% of primary school students cycled to school, while the average percentage of high school students who cycled to school was 0.1%.

Some will feel tempted to explain those statistics by highlighting the weather in the west of Scotland or the hilly topography of Inverclyde, but it is clear that a great many more people could start cycling if Inverclyde had a more suitable cycling infrastructure. Cycling Scotland is actively working to address that deficit through two main areas of activity in Inverclyde. First, Bikeability Scotland cycle training is a programme for schools that is designed to give children the skills and confidence to cycle safely, and to continue using that mode of travel into adulthood. Secondly, the Cycling Friendly programmes promote local cycling by making workplaces, schools and communities more cycling friendly.

Improving cycling infrastructure is undoubtedly part of the solution in reaching that goal. Locally, Cycling UK has worked with an associate group, the Inverclyde Bothy, on a range of actions related to cycling and walking. Such work includes delivering on road cycling training, working with health authorities to identify opportunities for people to ride a bike, establishing a walking network, liaising with local partners such as Sustrans to identify priority areas for cycling network enhancements, improving safety on the path network, and ensuring that new land and housing developments include plans to promote cycling.

Our local cycling and walking network is greatly enhanced by such work, and I wish to mention the efforts of Cycling UK's development officer, Josh Wood, and project manager, Shona Morris, whose local expertise and passionate advocacy for cycling has made a real difference. Other organisations include Community Tracks, which is led by Stewart Phillips—the Phillips family and biking in Inverclyde go back generations—and Sustrans, which plays a vital role in supporting local initiatives.

If we were to design and implement a system to support cycling from scratch, I am not sure that we would design what we currently have. Across every constituency a patchwork of organisations, responsibilities and funding streams lobby on behalf of our cycling infrastructure, and that is before we even consider issues such as walking. Since we cannot turn back the clock, we have to live with our current circumstances, but perhaps we can envisage a more efficient way of delivering improvements and streamlining the work undertaken by that patchwork of groups.

More broadly, the Scottish Government committed up to £51 million for active travel infrastructure in 2019-20. In announcing that funding, the Cabinet Secretary for Transport, Infrastructure and Connectivity, Michael Matheson MSP, highlighted the importance of high-quality infrastructure in the Scottish Government's ambitions for cycling. Representatives from Cycling UK, the walking charity Living Streets, and Sustrans, were united in calling for England to follow Scotland's lead and allocate 5% of transport spending to active travel, with a view to increasing that to 10% in future. If we are serious about tackling climate change, air pollution, traffic congestion and the health ramifications of inactivity, we must show a commitment to our cycling and walking infrastructure. The long-term costs of not treating that issue as a priority will be significant. In conclusion, I thank those organisations

that promote cycling and walking in my constituency, and I urge hon. Members to ensure that the relevant authorities, from local councils to the UK Government, allocate sufficient funding to match our ambitions for active travel.

Mr Adrian Bailey (in the Chair): Admirably disciplined.

10.39 am

Matt Rodda (Reading East) (Lab): It is a pleasure to serve under your chairmanship, Mr Bailey. I am grateful for the opportunity to speak in this important debate. I thank the hon. Member for Witney (Robert Courts) and my hon. Friend the Member for Portsmouth South (Stephen Morgan) for securing the debate and I commend the many excellent points we have heard this morning.

The Government have admitted, albeit under pressure from the Opposition, that the UK and the world as a whole face a climate emergency. We have just 11 years to dramatically reduce carbon dioxide emissions and we need to take practical steps now to protect the planet for future generations. Changes in the way we travel have a vital part to play in responding to this emergency and, as has been discussed this morning, walking and cycling can play an important role in that.

Were the UK to achieve the same cycling culture and levels of infrastructure as the Netherlands, we could reduce carbon gas emissions from cars by as much as a third, and that is not to mention the many social and economic benefits, such as tackling the air pollution crisis and reaping health benefits by reducing sedentary lifestyles, which in turn could save the NHS up to £9 billion per year. I will return to the central point about climate change later and outline some of the other many advantages of encouraging walking and cycling.

Before addressing those points, it is important to consider where we are as a country, so that we can fully understand the scale of the challenge. Mr Bailey, we need to be honest about this challenge; the UK quite simply has a poor track record of encouraging cycling and walking, and the Government are missing their own targets to increase walking and cycling. There are a number of reasons for that. The most fundamental point is the lack of investment. We have too much car-dependent development on the edge of cities or in the countryside, as colleagues have mentioned today. To make matters worse, the budget for the police has been cut severely since 2010, leading to a lack of traffic officers to tackle speeding and to educate motorists. It is hardly surprising, as colleagues have mentioned, that according to the British social attitudes survey, many people believe cycling is simply too dangerous to try, even though they are well aware of the health and lifestyle benefits.

Despite the Government's failure, there are signs of improvement at a local level, and there has been real leadership from some mayors and local councils. I commend the imaginative mini-Hollands scheme in London, which has made a significant difference in a number of boroughs. I visited parts of Waltham Forest that have been transformed, with dedicated cycle paths, improved pavements and selective road closures, all of which have made a huge improvement in walking and cycling. More people are choosing active travel and there has been a real change in the atmosphere in the streets, which are now easier to get around on foot or by bike, after years of being

dominated by cars. There are many other benefits. Trade has increased for local retailers as more people shop locally in these areas, which has encouraged further walking and cycling.

In Manchester, the Mayor's cycling tsar, Chris Boardman, is focusing on reducing the risk of accidents at crossings, a point that was well made earlier in the debate, which are often the most dangerous places for both cyclists and pedestrians. He has also worked on joining up local routes. His emphasis on asking the public what they want and on low-cost paint and plastic transformation is leading the way; I believe that it is making it easier to introduce real change at a local level.

There are many more examples of this, not least in my constituency where a new cycling and walking bridge over the Thames at Reading has significantly increased active travel. Imaginative work is being done around the country. We heard from my hon. Friend the Member for Barnsley Central (Dan Jarvis), who is Mayor of the Sheffield City Region, and other colleagues about their local authorities. I commend this work, wherever it is occurring.

Encouraging active travel will also breathe new life into our towns, as I mentioned earlier, by reclaiming the urban realm and creating public spaces that are free from traffic and accompanying pollutants, fostering environments that are pleasant places to live and work. There is no doubt that this is a significant task, but we have the benefit of clear examples to show us how it can happen. Cities in the Netherlands, Germany and Denmark experienced steep declines in cycling until policy changes in the 1970s put them on a trajectory to become the most cycle-friendly places in the world. We must have the same ambition in the UK.

We should follow these examples and make a massive step change in funding to match the most successful towns and cities in Europe, as called for by organisations such as Cycling UK. There must be significant investment in infrastructure to develop dense, continuous networks of cycle paths that are physically separated from traffic, including building cycling and pedestrian bridges or tunnels, as we heard earlier. Cycling should be for the many, not the brave. People must also be encouraged and given the confidence to cycle, so there needs to be training and support for all who need it, including affordable bike access for all. Support for e-bikes is vital, particularly for those who are less physically able.

We know that cycling and walking are hugely important. They can play a vital part in helping us tackle climate change. There are health benefits and real benefits in terms of reducing air pollution. Yet, the Government are failing to meet the targets. Mr Bailey, I believe that we need a programme of concerted action with a step change in investment, which is why Labour would improve investment in cycling and walking, to encourage the sort of transformation we have seen and heard about on the continent.

We would take other practical steps, as referred to by other hon. Members. For example, we would encourage use of canal and river tow paths, safe routes in parks and quiet streets to create green ways into cities and towns. We would work with industry—a point that has not been discussed—to develop a proper industrial strategy for cycling, which is very important and would focus on both conventional and e-bikes. We would support cycling and walking by our wider transformation of investment

in transport, bringing the railways back into public ownership to deliver better value for passengers and to encourage more people to walk to the station. More investment in bus travel would also encourage walking to bus stops. Encouraging brownfield redevelopment rather than greenfield building would encourage better access to towns and villages from new development.

I am conscious of time, so I will conclude. Walking and cycling are hugely important if we are to tackle climate change and lead healthier lives. It is clear that determined action can make an enormous difference, whether in northern Europe or closer to home in the UK. We need action now, not delay, and I urge the Minister to change the Government's approach.

10.46 am

The Minister of State, Department for Transport (Michael Ellis): I congratulate my hon. Friend the Member for Witney (Robert Courts) on securing this popular debate about active travel, local walking and cycling infrastructure. I am delighted to have had the opportunity to hear the contributions of hon. Members from across the House, who spoke about how cycling improves productivity, health and even one's love life, according to the hon. Member for Totnes (Dr Wollaston). I need to do more cycling for all those reasons, all of which are acknowledged. I was also pleased that my hon. Friend and the hon. Member for Stroud (Dr Drew) mentioned equestrianism. Active travel includes horse riders and bridle paths—this debate includes them.

The good news is that the Government are committed to increasing cycling and walking and to making our roads safer for those who walk and cycle. That is borne out by the facts and the investment that has been put in.

Judith Cummins (Bradford South) (Lab): Queensbury tunnel is a 1.4 mile long former railway tunnel in my constituency that links Queensbury to Halifax. This vital piece of infrastructure is threatened with abandonment by Highways England. Given the wide range of support from across the House, including from all five Bradford MPs, my hon. Friend the Member for Halifax (Holly Lynch) and the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith), will the Minister agree to meet us and to step in so that this can be stopped? It is directly at odds with the Government's cycling and walking strategy.

Michael Ellis: I am happy to explore that issue. I will ask my officials to liaise with Highways England about it, and I will write to the hon. Lady.

Our ambition is to make cycling and walking the natural choices for short journeys, or as part of longer journeys, by 2040. That ambition will be realised through the statutory cycling and walking investment strategy. The strategy represents a shift in approach from the short-term, stop-start and spasmodic interventions of previous Governments, which were referred to by hon. Members, and towards a strategic, long-term approach up to and beyond 2040.

In the short term, the Government have set an aim to double cycling activity to 1.6 billion stages per year, increase walking to 300 stages per person per year, and increase the percentage of children aged five to 10 who usually walk to school to 55% by 2025. Far from a lack of investment, this Conservative Government have massively increased the budget and the ambitions for cycling and active travel generally.

[Michael Ellis]

We know what the benefits are, but it is worth rehearsing them. Increased levels of active travel have huge benefits, including for health, mental health and wellbeing; road congestion; air quality; economic productivity, which was mentioned by the hon. Member for Brentford and Isleworth (Ruth Cadbury); and increased footfall in shops. For society as a whole, it means lower congestion, better air quality and more vibrant and attractive places and communities. As a former tourism and heritage Minister, I recognise that attractive places help with wellbeing, but also help economies.

In relation to health, illness as an outcome of physical inactivity costs the NHS up to £1 billion per annum, with further indirect costs calculated at £8.2 billion per annum. As forms of physical activity, cycling and walking can and do provide particularly high benefits for physical and mental health. Walking or cycling for just 10 minutes a day can contribute towards the 150 minutes of physical activity that we want adults to do per week, as recommended by the chief medical officer.

I know that my hon. Friend the Member for Witney, who called this debate, recognises that our aims and targets are challenging, particularly that of doubling cycling activity within five or six years, by 2025. Achieving our ambitions requires co-ordination of a complex delivery chain comprising Government Departments, yes, but also agencies, third sector organisations and hundreds of local authorities.

Andrew Selous: Will the Minister give way?

Michael Ellis: I am conscious of time, and I will not be able to give way much, but I will give way.

Andrew Selous: Will the Minister address the issue of parking? If we want employees to cycle to work, will there be a requirement for new office developments to have sufficient parking places?

Michael Ellis: We are looking, with the Ministry of Housing, Communities and Local Government and other Departments, at a wide range of issues, including charging points and the like, so we will be able to address that question, and I hope to come back to it. As I say, achieving our ambitions requires co-ordination of a complex delivery chain, and we have made good progress.

Dr Wollaston: Will the Minister give way?

Michael Ellis: I will just make some progress, if I may. Given all the contributions, I want to address the points that have been made.

We have made good progress in delivering the commitments set out in the strategy, and the overall number of cycling and walking stages increased in 2017. We recognise, however, that there is some way to go. We also face challenges in attracting higher levels of activity, particularly among certain socioeconomic groups and broader ethnic groups, and we want to work on that too. Those are challenges that we must address.

In the limited time available, I want to move on to the all-important issue of funding, which a number of hon. Members raised. This debate comes at a crucial time in the delivery of the cycling and walking investment strategy, as the Government prepare for the next spending review. As my hon. Friend the Member for Witney

mentioned, that will be the vehicle for identifying the funding required across Government to meet the strategy's 2025 aims and targets.

The Government recognise the scale of the challenge. When the cycling and walking investment strategy was published in 2017, it identified £1.2 billion of funding projected for investment in cycling and walking between 2016 and 2021. Since then, local authorities have added their part and allocated an additional £700 million to safe infrastructure and other active travel projects. Between central Government and local government, that is almost £2 billion being invested in cycling and walking over this Parliament. That is a good investment. Spending on cycling and walking in England has doubled from £3.50 per head to around £7 per head in this four-year spending review period alone. I will always accept that there is more we can do and that there is more to be done, but doubling investment is a good achievement.

Many of the decisions on the allocation of those funds will be made by the relevant local body, in line with the Government's devolution and localism agenda. We do not want to centralise everything from Whitehall; we want to let local authorities make those decisions where possible. That is an important point in the context of this debate, and one that I will return to shortly, but I want to say something else about additional funding, beyond the £2 billion I have already mentioned.

The transforming cities fund of £2.5 billion is helping to improve local transport links, including cycling and walking routes, which will make it easier for people to travel between often more prosperous city centres and frequently struggling suburbs. Some £220 million of capital and revenue funding is available through the Department for Environment, Food and Rural Affairs clean air fund from 2018 to 2020. That can be used by eligible local authorities to support measures such as improving cycling. There are funding streams coming from different quarters.

In 2019 alone, we have announced £21 million for Sustrans, which the hon. Member for Inverclyde (Ronnie Cowan) mentioned, to deliver a range of activation projects to upgrade the national cycle network across England. We have also provided £2 million to support the Big Bike Revival and Walk to School programmes, launched a £2 million e-cargo bike grant programme and published refreshed cycle to work guidance, which clarifies the position in respect of employers providing cycles and equipment costing more than £1,000—we are helping them to do that for their employees. There are a number of schemes across Government, with different funding streams and pockets of funding that have been allocated—vast sums of money, and rightly so, going in this direction.

As we have heard during the debate, cycling and walking deliver a range of benefits, including for health and the environment. That is why Ministers and officials at the Department for Transport work closely with many other Departments to ensure that our policies are properly joined up—hon. Members have mentioned working across Government, and that does happen. I want to ensure that cycling and walking feature prominently in strategies such as the sports strategy, the childhood obesity plan and the “Prevention is Better Than Cure” approach involving the Department of Health and Social Care, the Department for Digital, Culture, Media and Sport, and MHCLG. We want to work together.

Ruth Cadbury: Will the Minister give way?

Michael Ellis: I am afraid I have less than two minutes left, so I will have to continue.

I will just address the issue of safety, which I think the hon. Lady mentioned. We will achieve our ambitions only if people feel safe when cycling and walking, and that is something the Department has prioritised in recent months. I recognise that concerns about safety are a disincentive to a number of people. Following a major cycling and walking safety review, we published a Government response setting out 50 separate actions, including reviewing guidance in the highway code and encouraging local councils to invest around 15% of their local transport infrastructure funding on cycling and walking infrastructure.

However, it is not just about the scale of investment, although that is massive; it also has to be the right investment in the right places. This is why my Department is supporting the preparation of local cycling and walking infrastructure plans. We are currently providing a £2 million package of technical and strategic support to 46 local authorities, including Portsmouth, Oxfordshire and dozens of others. The support package will assist with the development of their plans, often made in partnership with the local enterprise partnership. Local cycling and walking infrastructure plans do not come with dedicated funding for implementation, but local bodies are able to channel investment for cycling and walking from a range of areas.

I welcome the contributions from hon. Members during our all too brief debate. I welcome the ideas proposed. As I stated at the outset, the Government are committed to increasing cycling and walking and to making our roads safer for vulnerable users such as cyclists, pedestrians and equestrians. As we start to develop the next phase of the cycling and walking investment strategy, I welcome all ideas for how we can achieve our collective ambition. In my view, there is a cross-party, non-political, collective ambition to make cycling and walking the natural choice for short journeys, or as part of longer journeys, across the country.

10.58 am

Robert Courts: I thank all hon. Members for an outstanding debate and for all their contributions. I also thank the hon. Member for Portsmouth South (Stephen Morgan) for co-sponsoring the debate with me.

I will not go through everything that everyone has said, but there are a few points I would like to emphasise. One of the great joys of these debates is that, no matter how many points we think we have covered when writing a speech, there are always some that we have not, and other hon. Members always come along and raise them. The hon. Member for Bath (Wera Hobhouse) and my hon. Friend the Member for Winchester (Steve Brine) made an excellent point about school travel plans: cycling must be safe for a 12-year-old. I know how passionately my hon. Friend feels about that, having known for many years of his drive to promote environmental and active travel agendas in his city.

Dedicated cycle lanes were another issue that my hon. Friend raised, as did the hon. Member for Portsmouth South and my hon. Friend the Member for Bolton West (Chris Green). There is no point having a cycle lane if it is not safe and it conflicts with traffic. The hon. Members for Stroud (Dr Drew) and for Nottingham South (Lilian Greenwood) rightly mentioned unsafe road surfaces. I will also put in a big plug for electric bikes and technology, as the hon. Member for Cambridge (Daniel Zeichner) and my hon. Friend the Member for South West Bedfordshire (Andrew Selous) did.

The hon. Members for Barnsley Central (Dan Jarvis) and my hon. Friend the Member for South West Bedfordshire mentioned enjoyment and health, as did the hon. Member for Brentford and Isleworth (Ruth Cadbury), who also mentioned the daily mile. Of course, it is the fun and exercise that are so important, and we should not lose sight of that.

I agree entirely with the point made by the hon. Member for Strangford (Jim Shannon) about routine. I also very much agree with the hon. Member for Halifax (Holly Lynch) and others on the importance of reusing old railway lines; I wish we did more of that in our countryside. Of course, an integrated transport—

Motion lapsed (Standing Order No. 10(6)).

Electrical Products: Online Sales

11 am

Carolyn Harris (Swansea East) (Lab): I beg to move,

That this House has considered the regulation of online sales of electrical products.

It is a pleasure to serve under your chairmanship, Mr Bailey. I am pleased to have the opportunity for this short debate. The Minister knows that this issue is of deep concern to me, especially given an incident in my constituency in March 2015, in which my constituent, Linda Merron, died in a house fire after buying an electrical product on eBay. Since then, I have campaigned to improve how the likes of eBay, Amazon, Alibaba and Facebook allow the sale of unsafe electrical goods directly to the public.

Jim Shannon (Strangford) (DUP): Does the hon. Lady agree that, with online marketplaces, it is much harder to trace supply chain operators? Transparency can be almost non-existent. Consumers may often be under the impression that they are buying from the marketplace directly, rather than from a trader. Does she agree that we must do something to regulate this online industry through enhanced legislation?

Carolyn Harris: I most certainly agree with the hon. Gentleman; it is rare that I do not. That is exactly why I set up the all-party parliamentary group for home electrical safety: to help to find solutions, particularly for this wild west of electrical goods sales, whether the goods are fake, unsafe, second-hand or recalled. I pay tribute to Electrical Safety First, which helps with the administration of the all-party parliamentary group, brings together several important stakeholders, and campaigns tirelessly to prevent electrical fires in people's homes.

Patricia Gibson (North Ayrshire and Arran) (SNP): I pay tribute to the full extent of the hon. Lady's work in this area, for which, I am sure, we are all grateful. Does she agree that it is shocking that 80% of fires in Scotland are caused by faulty electrical goods? People who buy these goods are often not aware of the danger that they are bringing into their home. Does she agree that we need a public education programme as well as better regulation, particularly of online sales?

Carolyn Harris: I certainly do. Anything that we can do to help to prevent any fire is of the utmost importance.

The Minister will be aware of the all-party parliamentary group's recently published report, "The Problem with Online Sales of Electrical Products", which I sent to the Department. It followed consultation with Electrical Safety First, the Chartered Trading Standards Institute, the Anti-counterfeiting Group, the Local Government Association, London Fire Brigade and others who attended all-party parliamentary group meetings. I also reached out to the online platforms Amazon and eBay, to request their input into the report. Only eBay responded, and I am grateful to it for doing so. Its representatives attended a session of the all-party parliamentary group, at which they gave a presentation. I am disappointed by the lack of engagement by the online sales platforms, and their total disinterest in helping to find solutions to these problems.

I will always remember the words of an Amazon executive who sat in my office and, when challenged, said, "We are just a landlord", washing the company's hands of all responsibility. So far as I am concerned, Amazon is totally disengaged, showing a complete disregard for consumer rights, safety and the work of the Office for Product Safety and Standards. The Minister needs to tackle these online platforms, just as she has tackled Whirlpool in recent weeks.

Gerald Jones (Merthyr Tydfil and Rhymney) (Lab): I thank my hon. Friend for the case she is making in her own inimitable style. Does she agree that more needs to be done not only on online platforms, as she mentions, but on second-hand sales between individuals, to create a much safer environment for the sale of electrical goods?

Carolyn Harris: Yes. It terrifies me when I see second-hand shops selling electrical goods that we do not know the provenance of. That brings me on to a really important point about Whirlpool.

The Government say that they take issues of consumer safety very seriously, and recently took unprecedented action on unsafe tumble dryers. Overnight, Whirlpool issued a 21-page list of 650—or thereabouts—recalled models. Have the Minister and her Department looked at the list? This morning, I saw numerous listed machines on Amazon, Facebook and eBay. The TCFS83BGP is one example, and anybody looking on their phone will find numerous models on sale today, even after the recall.

The Minister needs to take immediate action to stop these sites selling recalled models. Will she commit to an immediate review of the list, and to stopping those online platforms selling those machines? Will she also commit to enforcement action against any company allowing the placement of unsafe products on the market? As Electrical Safety First highlighted in its briefing to MPs for the debate, many sites sell recalled and substandard electrical goods.

Despite eBay's willingness to engage, there are many significant problems on that site. In recent weeks, Electrical Safety First informed me that was to intervene in a case involving an eBay listing for non-UK CCTV equipment. The product did not comply with the low voltage directive for CE marking, or the Plugs and Sockets etc. (Safety) Regulations 1994—the plug did not comply with BS 1363, as required by the regulation, making it illegal—and there were no manufacturer markings.

It was only as a result of the charity's work that the consumer was able to get her money back, as neither eBay, nor trading standards nor Citizens Advice were able or willing to help the purchaser. The listings are still available, and the seller is still selling non-compliant products. I am of course happy to pass to the Minister the details provided to me by Electrical Safety First. However, the issue I go back to every time is: why do the online sales platforms not have basic checks and algorithms in place to proactively comply with the law? Why can their algorithms not prevent recalled and non-compliant electrical goods from being uploaded?

To prevent cases like this, the all-party parliamentary group report recommends five specific areas of action. First, online marketplaces enable the sale of counterfeit and substandard electrical goods with little effective oversight or transparency. The all-party parliamentary group and I believe that legislation should be introduced

to ensure that online marketplaces take responsibility for what is sold on their sites. Sellers must be clearly identifiable and accountable, and there should be a legal responsibility on online marketplaces to remove counterfeit and unsafe products as soon as possible, and to co-operate fully with enforcement agencies.

Secondly, although enforcement agencies, on the whole, have sufficient powers, they need the resources to enforce them properly. The Government should ensure that all enforcement is adequately funded, reversing funding cuts where necessary, especially post Brexit. Thirdly, there needs to be improved co-operation and information sharing between different tiers of enforcement and with online marketplaces. Jurisdictional limits and the reach of the different tiers of enforcement bodies are insufficiently clear, and are a barrier to effective enforcement. Although the large organisations under discussion have primary authorities—an example is eBay working with Westminster—the OPSS should be given the task of co-ordinating and improving interaction between enforcement agencies and online marketplaces.

Fourthly, online marketplaces benefit from the UK's product safety regime and so should contribute towards its operation, in a similar way to other industries. The UK Government should consider how online marketplaces could contribute to enforcement and should lead conversations with major marketplaces on the issue.

Fifthly, consumer education must be improved. It is key to reducing the risk from counterfeit and substandard electrical products. The UK Government should work with stakeholders to ensure greater consumer awareness through national advertising campaigns.

As part of the OPSS strategy, there is a workstream on combating unsafe, counterfeit electrical goods and second-hand electrical sales. I am aware that the OPSS is working on a funded project with Electrical Safety First on the latter, but I would be grateful if the Minister would inform the House of the following or, if she is unable to do that today, write to MPs to provide us with an update. Can the Minister tell us where we are in the OPSS strategy with implementation and preventing sales of unsafe electrical goods online, particularly in relation to the Whirlpool example that I have just raised? When did the Minister last meet representatives of the online sales platforms to discuss self-regulation? For example, why do the platforms not have systems in place to not allow people to upload listings of recalled Whirlpool tumble dryers, items with plugs that are not compatible with BS 1363, items that originate from abroad and so on? What action is the OPSS taking with the online platforms to immediately stop the sale of recalled Whirlpool tumble dryers on these sites? Had the Minister actually thought about that scenario? Will she take enforcement action against companies that allow the sale of recalled items, especially Whirlpool tumble dryers?

When will the Government commit additional resources to bodies such as Thurrock Council that are on the frontline in protecting the public from unsafe electrical goods being brought into the country and then sold via eBay, Facebook and Amazon? Will the Minister commit to new regulations on online platforms to prevent them from selling non-compliant, unsafe and recalled products online? Will she commit to attending the APPG to discuss the recommendations of the report in greater detail, and to discuss how we can go forward in resolving

these problems, especially the persistent illegal activity of online sales platforms selling unsafe, non-compliant and recalled electrical goods?

The measures in the APPG report are the result of a combination of a wide range of stakeholders' views. I hope that the Minister and her officials will now work with the group to bring forward solutions to ensure greater protection for consumers, and to ensure that online marketplaces act legally and, after today's discovery, responsibly.

11.13 am

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Kelly Tolhurst): It is a pleasure to serve under your chairmanship, Mr Bailey. I thank the hon. Member for Swansea East (Carolyn Harris) for securing this important debate. She is incredibly passionate about this issue and, as chair of the all-party parliamentary group for home electrical safety, has played an important role in keeping a focus on it. Her commitment to electrical safety is to be commended.

I want to make it clear from the outset that in my 12 months in this post, I too have taken electrical safety and the safety of British consumers extremely seriously. It has been a focus of mine; I have spent a lot of time working on it in my day job within the Department.

It is clear that there is considerable interest among hon. Members in this issue. They have personal, and in some cases tragic, reasons for that interest. I again thank the hon. Member for Swansea East, and I thank the hon. Members who intervened on her for participating in this short debate.

Our first duty as elected Members must be to ensure the safety of those we represent. It is important that consumers should have a choice when it comes to buying all kinds of products. In today's world, more and more of us are turning to online retailers when we purchase all manner of things, including electrical products. The changing ways in which we consumers purchase goods, including online, pose specific challenges in relation to protecting consumers. For a traditional market, the law is clear: manufacturers and importers have a duty to place only safe products on the UK market, and distributors have a duty of care when it comes to the safety of electronic products. The online marketplace makes it possible for consumers to sell to other consumers. That clearly presents new challenges. We recognise those challenges and are working with the platforms to address the issues.

The OPSS is taking forward a number of strategic projects aimed at understanding and addressing cross-cutting safety issues to deliver better protections for British consumers. One of those is rightly focused on tackling the challenges of online electrical product sales. The OPSS, working closely with a number of key stakeholders—including Electrical Safety First, which the hon. Member for Swansea East mentioned, and major online retailers—is bringing together those with specific expertise in this area to make the system work more effectively. The project is at an early stage, but a first strand is focused on evidence gathering, so that we can really understand how and where electrical products are being sold online. That work will form the basis of ensuring that we have the best system in place to protect people when they buy goods in online or offline marketplaces.

[*Kelly Tolhurst*]

In addition, the OPSS is working with local authorities to ensure that checks are being made by sellers on products being sold online to determine whether they are subject to a recall. If a business is found to be selling recalled products, the OPSS will inform the business of its findings, so that the business can take immediate steps to remove the product from sale.

Gerald Jones: Will the Minister recognise that in the current climate, the financial pressures on local authorities make it more difficult for them to have the capacity to deal with some of the issues that she is discussing?

Kelly Tolhurst: When we are talking about such a wide brief as consumer product safety, there will always be pressures on budgets, but the OPSS is working with local trading standards, with scientific, technical support. It is providing support, through training, to trading standards, to enable local authorities to carry out the job that they have been tasked with doing.

The hon. Member for Swansea East asked a direct question about Whirlpool and the published list of recalled models, and I want to address that straight off. If products on the recall list are being sold on online platforms, that is absolutely wrong, and I will instruct our officials to ensure that those online platforms are made aware of those products, and that the products are withdrawn, as I have outlined. The hon. Lady will appreciate, because she knows this area very well, that this is ongoing work. Market surveillance—the identification of illegal and unsafe products—is not a job done today or tomorrow, with one list. Market surveillance is ongoing, and is how we continue to protect consumers. It is right that our policy and research evolves. This is work that we do independently as a Government to ensure that consumer safety is always our top focus.

Patricia Gibson: The Minister has talked about fines and punishments for people selling illegal or unsafe products online. Does the product safety and standards unit monitor particular sites, or does it wait for the public to make representations about them? I am interested to know how the sites operate and how they are monitored. Where does the intelligence about illegal or unsafe products come from?

Kelly Tolhurst: As part of the OPSS's ongoing work, it has developed a database through which information is shared with online platforms when we are alerted to problems and particular safety concerns. That list is changing every day or every week, as new illegal products are registered. It is an ongoing piece of work, and part of what we are doing weekly to combat people who act illegally by putting illegal products on the market, and also to ensure that unsafe products that are being marketed are removed from sale. I have already outlined that this is a big challenge; it is something that the OPSS is very mindful of. That is why it is included in the first part of the workstream about understanding the extent to which such products are sold and how that can be moved forward.

A further strand of this work relates to online sales in second-hand electrical goods. OPSS is gathering evidence on the extent of the second-hand electrical goods market across the UK, so that it can provide advice to sellers on their responsibility when selling second-hand goods online.

Carolyn Harris: Has the Minister's Department seen the listings put up overnight, and has it taken action to remove Whirlpool products from online platforms?

Kelly Tolhurst: That is a conversation that I did not have with my officials prior to the debate, so I am unable to give a direct answer. However, I have already outlined that the list has been published on the website and has been shared with our enforcement agencies. Where products on the list are being sold by online platforms, our enforcement bodies such as OPSS or trading standards—whoever is available or appropriate to deal with it—should absolutely ensure that they are removed from sale. That is a sensible thing to suggest, and I am sure the hon. Lady would expect me to say nothing less.

We have been running a series of campaigns to raise consumer awareness on keeping safe. This is being done in partnership with the leading consumer bodies, including the Royal Society for the Prevention of Accidents, Electrical Safety First, the Chartered Trading Standards Institute, Netmums and the Child Accident Prevention Trust. I was lucky enough to visit the CTSI symposium a couple of weeks ago, where I met many of those organisations. As part of the programme, OPSS and those organisations are planning a specific consumer campaign targeting issues that relate to online sales. I am sure that hon. Members agree that consumers are better able to protect themselves when they have the information and are aware of the risks.

OPSS is working to address the challenges posed by the operation of fulfilment houses. New types of businesses have emerged, and it is recognised that we need to do more online. They provide a range of services to online retailers. This work aims to combat the distribution of unsafe and non-compliant products in the UK supply chain via fulfilment houses. OPSS is working closely with local authorities and trading standards, and is targeting those businesses that choose to place unsafe or non-compliant products on the market without regard for the safety of their customers. This is an ambitious, two-year project. Our early work with national trading standards, Her Majesty's Revenue and Customs, Border Force and local trading standards has already identified targets.

The project is bringing together OPSS, local authorities, HMRC and the Intellectual Property Office to develop a multi-agency approach to tackling the new risks that the new model of sale and delivery poses to UK consumers. OPSS has been working to understand the scope of the challenge facing trading standards from fulfilment houses, and it has developed an up-to-date intelligence profile to ensure that activity in this area is targeted at the appropriate businesses. As I mentioned, the scale of this project is significant, and it has the potential to make a serious impact on the sale of unsafe products online. Projects on this scale bring together local and national bodies, and that is one of the reasons why OPSS was created. We now have the capacity and focus to identify and tackle issues on a national scale.

Although there are many challenges from online sales, a number of which the hon. Lady has outlined, many online sales businesses already have strong relationships with trading standards and work with them to ensure the safety of the consumers to whom they sell. Businesses with primary authority relationships with an individual trading standards department know that they have available to them an expert source of assured and tailored advice

on complying with consumer product safety regulations. Working closely with trading standards can help online sellers identify and address at an early stage product safety issues that may arise. E-commerce marketplaces such as Amazon and eBay are uniquely well placed to play an important role in product safety. A significant number of electrical products are sold through these platforms, which have systems to track these products.

The hon. Lady mentioned that Amazon has yet to engage with her and the APPG, but eBay has. Amazon and eBay have strong primary authority relationships in place. In both cases, the partnership has established robust systems to monitor products and sellers. Should non-compliant or unsafe products be identified, there are arrangements in place to ensure that product listings are removed from those sites quickly. I want to make it clear that we are under no illusion about the scale of the task. Those companies are among the largest in the world, and we cannot afford to be complacent about dealing with them.

As this is a global issue, OPSS is encouraging major online retailers to sign up to the product safety pledge that was initiated by the EU Commission. Under the pledge, online retailers commit to taking specific actions on the safety of products that are sold on their platform by third parties. The aim of the scheme is to improve the detection of unsafe products before they are sold to consumers, or as soon as possible afterwards.

I have spoken about the work that OPSS is doing directly to tackle the risks from second-hand and online sales, but it is important to remember that local trading standards are the main enforcers of product safety up and down the country. They play a hugely important role, and OPSS has been working with them to provide the technical and scientific advice, data and intelligence

that supports their work every day. OPSS has developed a new product safety database to capture and share information on unsafe goods, so that risks can be identified and action taken as quickly as possible. It is already being rolled out across trading standards, and OPSS provided £500,000 last year to fund the testing of products by trading standards. We have increased that sum to £600,000 for 2019-20.

The hon. Lady asked many questions on issues such as additional resources and changes to the law. She will appreciate that this is the first time such questions have been levelled at me. I am more than happy to attend a meeting of the APPG, as I indicated I would; unfortunately, diaries have meant that I have been unable to. I will happily write to the hon. Lady with further detail on that, or we can have a meeting to discuss the issues—whichever way she prefers to communicate with me.

I want to reiterate that this is “job not done”. This is about how we evolve in a changing market and ensure that importers, manufacturers and marketers place safe products on the market. The onus is on the companies to ensure that they place safe products on the market. We will do all we can to ensure that we continue to monitor products and try to protect consumers as best we can. That is something that I feel very strongly about.

I thank the hon. Lady for bringing forward this important issue. I understand her passion and am desperately sorry about what happened to her constituent. I look forward to constructive conversations with her in the future.

Question put and agreed to.

11.29 am

Sitting suspended.

Immigration Detention: Trafficking and Modern Slavery

[SIR GARY STREETER *in the Chair*]

2.30 pm

Jess Phillips (Birmingham, Yardley) (Lab): I beg to move,

That this House has considered the immigration detention of survivors of trafficking and modern slavery.

As always, Sir Gary, it is a pleasure to serve under your chairship. I am grateful for the opportunity to debate this issue in Parliament today. Trafficking and modern-day slavery have been described by our current Prime Minister as “the great human rights issue of our time”.

The Government have rightly committed to safeguarding and supporting those who are exploited in this way, yet new research published today by the charity Women for Refugee Women shows that Chinese women who have been trafficked to the UK are routinely being locked up in Yarl’s Wood detention centre, often for months on end. Instead of offering help and support, the Home Office is inflicting yet more distress and trauma on these women by subjecting them to indefinite immigration detention. I have stood in this Chamber and the main Chamber so many times to speak about this; sometimes it feels as if we are constantly repeating ourselves when we ask for the issue of vulnerable women in detention to be properly managed.

Women for Refugee Women’s research makes for very worrying reading. Since the summer of last year, it has received an increasing number of phone calls from Chinese women detained in Yarl’s Wood. The Home Office’s own figures show that since 2016, the number of Chinese women locked up in immigration detention has almost doubled. Women for Refugee Women has spoken to 40 women from China in total, and 29 of them have said that they have experienced some form of trafficking—often sexual or labour exploitation. For its research, Women for Refugee Women looked at the legal files of 14 of these women to see if it could identify patterns in their treatment by the Home Office. It found that the Home Office was deliberately refusing to protect these women and was knowingly inflicting further harm and trauma on them.

In four of the cases reviewed, women were detained directly from massage parlours or brothels—the very situations where they were being directly exploited and where there was a clear objective indicator that they were victims of trafficking. This is not to be questioned. These women were being taken directly from brothels. In spite of that, they were not given any help or support; instead, they were arrested and sent straight to Yarl’s Wood.

In eight of the cases, moreover, when women disclosed what had happened to them, they were referred to the national referral mechanism and the Home Office said that it did not believe them. What is more, in six cases, its reasons for refusing to recognise them as survivors of trafficking were in direct contravention of its own guidance on assessing credibility. It said that it did not believe them because they had not disclosed what had happened to them at the point when they were arrested—even though its own guidance explicitly says that delayed disclosure may be a result of the trauma and exploitation that they have been subjected to.

In some cases, the Home Office made obviously absurd assertions to justify its negative decisions. In the case of a woman who was encountered during a raid on a brothel, the Home Office said that it was reasonable to expect her to disclose her exploitation at that point, even though she was still in the situation of exploitation, and even though she thought that she was being arrested by the police.

Just take a moment to think about someone who is being exploited and is working in a brothel against their will, being forced to have sex with however many men it may have been that day. If that institution was raided by a group of uniformed officers, even I—a citizen of this country—would not be able to identify that they were the goodies, not the baddies I had been told about, who would arrest me if they found out what I was doing and who I had been groomed to be wary of. Yet we expect those women at that exact moment to say, “Yes, I am being prostituted.” It seems so unlikely and so inhumane.

Even when the Home Office recognised some of the women as survivors of trafficking, it still did not provide them with help or support. In one particularly shocking case, a woman who had received a positive reasonable grounds decision was not released from Yarl’s Wood to the safe house; she was actually sent back to the address where she had been sexually exploited before she was detained. I have worked in human trafficking services, and I understand what the pathway is meant to be once somebody goes through the national referral mechanism: safe houses, benefits and support should be available. It is a good system from the Government; it is well designed and kind, although it is not perfect. I have absolutely no idea why that pathway is not clear in situations where women are detained.

Paul Blomfield (Sheffield Central) (Lab): My hon. Friend is making a powerful case. She has done well to secure the debate and to highlight the excellent work of Women for Refugee Women. Does she agree that behind many of the problems that she describes is the way in which two separate responsibilities—for modern slavery and for immigration enforcement—sit uncomfortably within the Home Office? I declare an interest as a trustee of Focus on Labour Exploitation, a charity that works in this area; our research has shown that the conflict between those two responsibilities is repeatedly hampering attempts to protect victims. Does my hon. Friend agree that the only way to resolve the problem satisfactorily is to have truly independent decision making?

Jess Phillips: I could not agree more; it is clearly a problem, and not just in trafficking services. Sometimes I have to speak to the immigration wing of the Home Office and explain issues of domestic violence or sexual violence. I always sit back and think, “Hang on a minute—you’re the Department that is in charge of dealing with domestic violence and sexual violence. Why has it taken my explanation for your immigration officers to understand the nuances of the case?” I do not doubt that the Home Office is a caring and kind institution when it comes to tackling issues of trafficking, domestic abuse and sexual violence; I believe truly that its heart is in the right place, but while targets for immigration removal are maintained as high-level political targets, we will see vulnerabilities, and the care side of the Home Office will be completely swept aside. I absolutely agree that there needs to be a severing and an independence.

Mr Jim Cunningham (Coventry South) (Lab): My hon. Friend is right to say that she has raised the matter many times; I have heard her do so in various debates. It strikes me that very often these women are not getting any legal aid or legal assistance. Organisations that could provide such support, such as CRASAC—Coventry Rape and Sexual Abuse Centre, which I am sure my hon. Friend has heard of—are totally underfunded. Once again, as they do in every mode of life in this country, women seem to be paying a price somewhere down the line, whether it is in dealing with the national deficit or in other issues—benefits, universal credit, the lot. Although women have equal rights in this country, it all paints a pretty grim picture of the way in which they are actually treated.

Jess Phillips: I completely agree. Paradoxically, the support services that the Home Office funds specifically for human trafficking are good and relatively well funded for those who have already gone through the national referral mechanism. The problem is the idea that a trafficked woman, a trafficked child or a trafficked anyone understands what the national referral mechanism is. There is a high bar to accessing services, and the community-based support for people to enter the system has been completely and utterly degraded by years and years of austerity.

Birmingham, where I live, is certainly heavily reliant on religious organisations for the low-level support of trafficking victims who have not yet got to the national referral mechanism stage. That support is incredibly patchy and there is no outreach element to it; it is only provided if people manage to find those services. So, good advice and guidance on the streets, and a change in the culture of how we help these people, are vital.

I will go back to the specific cases of the Chinese women covered in this report. The distress caused to these women by their treatment at the hands of the Home Office is immense. One woman who was forced into prostitution in the UK described her arrest and detention in the following way:

“One day men in uniforms came to the house. They dragged me out and took me to the police station. Later, I was put in a van. It drove for a long time through the night and ended up at Yarl’s Wood. I was taken from one hell to another.”

Shalini Patel, a solicitor at Duncan Lewis Solicitors who has taken on many of these cases, has said:

“There is sheer disregard for the safety of these women who have already been subjected to such horrendous sexual abuse and exploitation. These women are by no means fit for detention, but despite this they are detained for months at a time with no adequate support. It is only when legal representatives step in that they are eventually released from detention. I hate to think what is happening to those women who are not able to access legal advice”,

which is an issue that has quite rightly been raised here today.

The Home Office will say that this report looks at only 14 cases, which is an understandable retort. However, although this report is the first piece of research to examine the treatment of Chinese women who have been trafficked into the UK, it is just the latest report to document how the Home Office is refusing to help and support survivors of trafficking. Research by Detention Action published in 2017 and a report published by the Jesuit Refugee Service in 2018 both showed how men and women who had been trafficked into the UK were routinely being locked up in detention.

Also, new Home Office data, which was obtained by the After Exploitation project and released today, shows that in 2018 alone 507 potential victims of trafficking were detained under immigration powers in the UK. In fact, this figure includes only those who have received positive reasonable grounds decisions and whom the Home Office recognises as possible survivors of trafficking, so it really is just the tip of the iceberg.

In all the cases that Women for Refugee Women looked at, the women were detained for over a month and four of them were detained for more than six months. These long periods of detention caused a drastic deterioration in their mental health; half the women in the sample had suicidal thoughts and six of them were self-harming in detention. And, incredibly, 92% of asylum-seeking women from China who are locked up in Yarl’s Wood are not subsequently removed from the UK but are released back into the community, which prompts the question: what was the point of putting them through that horror? As well as being extremely damaging, even traumatising, the detention of these women serves no purpose.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): As always, my hon. Friend is making an impassioned speech. Does she agree about one of the other disconnects that exists in the system? She has read out details of some traumatic cases of the long-term detention of individuals who need help, yet perversely some of us in this place have been arguing that the Government should extend the “move-on period” for those who have been given a determination past the 45-day mark, because 45 days is not long enough. The Government say it is sufficient time, even as they lock people up for months and months at a time in Yarl’s Wood. It just does not make sense to me.

Jess Phillips: My hon. Friend is absolutely right that it is ridiculous that the “reflection period”, as I believe it is called, is 45 days and is considered to be the reasonable amount of time that somebody who has suffered terrible trauma and horrendous abuse requires. Given my experience of working in one of the services that helps these victims, I know that often it is possible to make claims for longer periods, based on certain circumstances. It is like any local resident who says, “Gosh! If I paid my council tax with the same irregularity as the bins are collected, I would be put in prison!” It is one of those things where it seems that there is one rule for the state and one rule for others.

It is also important to remember that, in developing policies on helping survivors of trafficking, the Home Office has repeatedly promised that it will reduce the use of detention for people who are vulnerable. Following Stephen Shaw’s review of detention in 2016, the Home Office introduced the adults at risk policy, which it said would result in fewer vulnerable people going into detention. The AAR policy explicitly says that survivors of trafficking and gender-based violence should not normally be detained, yet the research published by Women for Refugee Women today shows that the Home Office is deliberately going against this policy.

In fact, the report by Women for Refugee Women adds to the wealth of evidence showing that, despite the Home Office’s repeated promises to reform its use of immigration detention, very little has changed since 2016. The number of people in immigration detention

[*Jess Phillips*]

has fallen, of course, but Stephen Shaw's follow-up review of detention, which was published a year ago, found that

"it is not clear that AAR has yet made a significant difference to those numbers"—

That is, to the numbers of vulnerable people in detention. And just a few months ago, the Home Affairs Committee found that the AAR policy

"is clearly not protecting the vulnerable people that it was introduced to protect."

What is the Home Office doing about this constant hamster-wheel of our coming here and asking that trafficking victims and victims of gender-based violence in detention be looked at and properly managed? It seems like many years now, but in 2015, when I became an MP, I went with Women for Refugee Women to Yarl's Wood, to meet some of the women there. While I was there, because I was fresh out of working for an anti-human trafficking service, I was able to identify within seconds that the first person who I sat down to talk to—a woman—was a victim of human trafficking.

As I say, when I was sitting in that room in front of that woman, it took me seconds to identify what had gone wrong in her life, so I cannot understand why it has already taken four more years for the Home Office to consider putting in place proper safeguards. At the very least, there should be a proper specialist who risk-assesses everybody who comes through the doors at Yarl's Wood on the day that they arrive; I will volunteer my time and I will gladly go and sit there for a few weeks.

I have three key demands of the Minister. First, the Home Office needs to stop detaining survivors of trafficking and gender-based violence immediately. It is very simple for the Home Office to do this; in fact, it is simply a matter of putting its own policy into practice.

Secondly, there needs to be a 28-day time limit on all immigration detention. The harm and distress caused by indefinite detention is immeasurable, and the research by Women for Refugee Women shows how the Home Office is detaining vulnerable people for very long periods of time. We already have much a shorter time limit of 72 hours for the detention of families with children or women who are pregnant, so I do not see any practical reason why a 28-day limit for everyone else cannot be introduced.

Finally, the Home Office needs to recognise that immigration detention is harmful, costly and completely purposeless; quite simply, nothing justifies its continuing use. Immigration cases can be resolved much more humanely and effectively in the community. If I was the Minister, I would shut down Yarl's Wood and end immigration detention.

Again, there is this idea of one Government Department with two heads. I sit opposite Ministers from the Ministry of Justice who talk about women's justice centres and how everybody knows that what is needed is proper community voluntary-sector provision, rather than sending women to prison, especially when so many women in prison have been victims of sexual and domestic violence, and often of human trafficking as well.

The Government line on this is completely different to reality, as they recognise that channelling the money away from prisons and into women's centres in the

community is the right thing to do, yet here we have this blot on the landscape, which is immigration detention, that does exactly the same thing as before and costs the state far more than specialist voluntary sector providers, who would do the same work better and more humanely.

I do not understand why we have to keep on having a debate on this issue. I hope that this is the last time that we all participate in a debate on this issue, but I imagine that, if she is still in her current post, I will see the Minister who is here today—the Minister for Immigration—the same time next year.

2.49 pm

Vernon Coaker (Gedling) (Lab): It is a pleasure to serve under your chairmanship, Sir Gary. I start by declaring an interest, which appears in the Register of Members' Financial Interests. I co-chair the all-party parliamentary group on human trafficking and modern slavery, of which my hon. Friend the Member for Birmingham, Yardley (*Jess Phillips*) is also an officer. I congratulate her on having secured this debate.

I very much agree with my hon. Friend. I started to write a few comments for this debate and then abandoned them, because what I really wanted to say is that I just do not believe, as my hon. Friend said, that the Minister, anybody in the Government or indeed anybody who works in the Home Office wants to deliberately harm these people. But as I sat writing, I got to the point that everyone knows this is happening, so how does it carry on? Why does nobody stop it? Over the last few months in particular, I have found myself in quite a number of debates thinking, "If we can't stop it, where do the public go?" I know the Minister cares about this, which is why I wanted to start with it, but she is a Minister of the Crown, and she, along with others, is responsible for the policy and its implementation. When it goes wrong, as it clearly has in some respects, she will be appalled at the individual circumstances, but this is a systemic failure. It is a failure of public policy.

All of us here are frustrated, even more than we are angry, about why we cannot do something about this. I will make a couple of other points, but I wanted to stand up alongside my hon. Friend and others and to say to the Minister that she should use this debate as a further incentive—a further motivation—to say, "This is not made up. This is not according to the guidance that we have set. This is not what is supposed to happen, so why is it still happening?" The Minister has the authority to bring people together and demand that, if a contract is not being properly implemented, those responsible are held to account and something is done about it. The cry from everyone will be, "If the people who work in immigration are not following the guidelines, do something about it."

Although the reports my hon. Friend referred to are outstanding, I am sick of reading them. I think we have all read the report that Women for Refugee Women has published today. It is a disgrace; there is no other word for it. It should be on the front page of every newspaper. In our country, in 2019, victims of modern slavery are imprisoned. That is not the sort of country we are. That is not the sort of country the Minister represents, or that any of us represents. But that is what is happening.

For goodness' sake, can the system not wake up? Can it not regenerate itself and have a bit of passion and urgency in it? This is not a bureaucratic exercise; this is

men, women and children detained, not for a crime, but because they are victims. Which other victims would we lock up? It beggars belief. As I say, I do not feel angry about it—actually, I do a bit—but I do find it unbelievable. Sir Gary, you will have been in the position, as we all have, of having somebody come to one of your surgeries and raising an issue where you just sit there—I know I am getting older—and have that “I can’t believe it” moment. You just cannot believe it. I say to the Minister that this is one of those moments.

Only today, a Sky News report—published alongside the Women for Refugee Women report about Chinese women—stated that 507 potential victims of modern slavery were locked up. The Government’s response did not dispute that figure; it was just the bureaucratic response of, “Well, they are only there for a little while, and most of them are released, so it is fine.” That is not good enough. There are 507 people locked up. Is that not unbelievable? Is it not incredible? In 2019, 507 potential victims of modern slavery are locked up. That is not good enough. It is not right, and it is not the sort of country that any of us wants to live in.

Going back to what my hon. Friend the Member for Birmingham, Yardley said, the heart of this is that these are victims of crime, not immigration offenders. Until the system gets hold of that fact, recognises it and runs its policy accordingly, we are going to lock innocent people up. We are going to lock innocent families up. We are going to put children behind bars. People say that is emotive, but that is the truth of it. These people cannot come and go; if they cannot come and go, and there are fences with people guarding them, what is that called? We get into propaganda if we are not careful. These are prisons, in which people are locked up.

I say again to the Minister that this has to be sorted out. I have been saying so for years, as have other people; some have been campaigning on this issue for years. Why is it that when somebody is brutalised, terrorised, forced into work or forced into sex—when a child is working umpteen hours, terrified that their family is going to be beaten up or killed if they co-operate with the police, and frightened of all the different threats they face—the first thing we do when we get most of them is lock them up? It is partly because we say that we do not believe them or that they are not co-operating with the police. Can I come clean here? If my family were threatened with being mercilessly killed, I am not sure the first thing I would do when arrested by a police officer in a country that I was not used to, that I did not know and that had a language I did not properly understand would be to say, “Quite right, officer. Take me down to the station. Let me help you out as best I can to bring before the courts the people who have been threatening me and who told me that if I co-operate they are going to kill my family.” That is not the real world. What do we do? We lock them up. I am not going to say much more, because in a sense, that encapsulates it.

I have bundles of things in my office—stacks of reports, of statistics, of this and that—but my hon. Friend the Member for Birmingham, Yardley has made the case that this is not good enough, and I am making that case as well. What are we going to do? I know the Minister does not want this to happen, but she is a Minister of the Crown; she is the person responsible. She has the opportunity, the chance and the power to

do something about this. If she does not have the power in a democratic society, who does? She is part of Her Majesty’s Government—an elected Member of Parliament who is the Government official with responsibility for this issue, and she can do it.

Why are trafficking victims held? Is it public policy? If not, why does it happen? How long are these people held for? How many are there? Sometimes, we are not even totally sure of the data. How many children are among them. Is it none, or some? Are they detained only if they are with their family? What guidance is there, and how do the Minister or the Government check the guidance is followed? In evidence to the Home Affairs Committee, the Home Secretary himself said he was not totally sure that the guidance was put in place and properly acted on. As my hon. Friend said, Mr Justice Julian Knowles said in his judgment that the Government’s 45-day policy for someone found to have conclusive grounds was illegal and would have to be changed. Can the Minister clarify what the Government’s response has been? My understanding is that they have said they will no longer implement the 45-day policy for those found to have conclusive grounds. Will the Minister confirm that? Although it is a slight aside to the debate, that issue is important.

I will finish with this point. These women, these men, these children—these victims—have no voice. We are their voice; they are the voiceless. We are speaking up for them. We are crying out and shouting out for them. Is anyone listening and is anyone going to act on what is being said?

3.1 pm

Alison Thewliss (Glasgow Central) (SNP): I thank the hon. Member for Birmingham, Yardley (Jess Phillips) for securing this debate and speaking so passionately and well on an issue that I know is a lifelong passion of hers. I am grateful for her continued pressure on this issue. I am also grateful to Women for Refugee Women for putting together a powerful report. The Minister would do well to read it and pay close attention to what is proposed in order to resolve the situation. As the new chair of the new all-party parliamentary group on immigration detention, which was set up just recently, I care deeply that this issue is resolved and that we are not holding people in immigration detention when they should not be there at all, for any length of time.

A good many of my constituents who I see at surgeries have been through immigration detention. All of them were released to continue with their lives. They were not removed from the country. The process was not taken any further, and they should not have been there in the first place. That happens again and again. A constituent was detained. He had a pregnant wife. Through intervention, we were able to get him released. A constituent who is Romanian was detained after being lifted by the police for begging. He had serious health problems, and he was released. A constituent who had been a victim of torture in the Central African Republic was held and eventually released. A constituent who was detained at a marriage interview was subsequently released. The Home Office goes through a modern-day cat and mouse act with some of the most vulnerable in society. They are taken in and out of immigration detention again and again. They are deeply traumatised, and that is on top of the trauma they already face because of the actions of the Home Office.

[Alison Thewliss]

My good friend Linda Fabiani recently found that these things are happening at Dungavel as well. Through a freedom of information request, she found that, between 2014 and 2018, 19 children were detained at Dungavel. Between 2016 and 2018, six pregnant women were detained at Dungavel. That is in clear contradiction of all the things that the Home Office said it would do. What is being done to deal with the issue? I appreciate that the Minister might say that some of those are age-disputed cases, but that does not excuse the fact. Even if these young people are on the margins of that, they should be treated as children, not detained and traumatised.

Even when people get through the immigration detention system and through their applications, they face further difficulties. A constituent was in Glasgow for five years before her case was decided—she now has refugee status and was supported by the Trafficking Awareness Raising Alliance in Glasgow—and the Home Office continues to refer to her on her biometric residence permit by the name and date of birth under which she was trafficked. That causes her huge trauma and stress. I can provide the Minister with the details afterwards, and I ask her to intervene in that case. It is just not right that that woman has gone through so much trauma and is still being referred to by the name under which she was trafficked. That is just not acceptable, and it needs to stop.

Finally—I appreciate that time is tight—I want to talk about the costs of the system and the costs of detaining people. There is a huge cost in human lives, as the hon. Member for Birmingham, Yardley set out, but there is also a huge cost to the Department. In 2018-19, the Home Office paid out £8.2 million for 312 cases where people had been wrongfully detained. That was up from 212 people and a cost of £5.1 million in 2017-18. That does not even include all the costs of the immigration and detention estate, or the adverse legal costs and the cost of other compensation that the Home Office has had to pay. It is hugely expensive and traumatising, and it damages lives. As the Women for Refugee Women report points out, people are being denied their rights within the system. Will the Minister intervene urgently and ensure that no more women are held under the system?

3.5 pm

Kate Osamor (Edmonton) (Lab/Co-op): It is a pleasure to serve under your chairship, Sir Gary. Thank you for calling me to speak in this debate, which is close to my heart and that of many constituents. First, I thank my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) for bringing this debate on the immigration detention of survivors of trafficking and modern slavery to the House. She has clearly articulated the report by Women for Refugee Women, which looks at the plight of a sample of Chinese women who have been trafficked to the UK.

I have the honour and privilege of representing one of the most vibrant and diverse boroughs in our country. My constituents in Edmonton come from all over the globe. Many have arrived from Nigeria and they tell me at first hand of harrowing encounters while navigating from Nigeria to Europe. Many have been trafficked into domestic servitude or prostitution with false promises of a better life in the UK.

I will always remember the story of Julie—I have changed her name for her safety—who was chained for months to a bed in a house in Edmonton. She was forced to have unprotected sex with uncountable men. Her skin was burnt with cigarettes. She was beaten. Hot water was thrown on her naked skin. Julie eventually escaped her living nightmare because the cleaner entered the house, saw her battered body and hatched a plan to help her leave. Basically, she opened the door. Julie ran for her life and was helped by a kind passer-by and was taken to the local police station. My office got involved to help with her immigration application. Julie is now safe and has legal status, and she has started to unpack her mental trauma. Thankfully, because agencies worked together and listened to the victim, a positive outcome was concluded for Julie.

Since my election to Parliament in 2015, I have been campaigning against the immigration detention system in the UK. I visited Yarl's Wood in November 2015 and had the honour of meeting and speaking with two women who had been trafficked to the UK, one of whom was pregnant. One of them had been in detention for almost nine months and had no idea when she was going to be released. She was at the mercy of the Home Office and its internal review system. That uncertainty was a great source of anxiety and fear for the women. Neither of them had access to adequate healthcare, even though the detention centre rules clearly stipulate that women in detention should receive the same care as the public.

Following my visit, I held my first Westminster Hall debate on healthcare in Yarl's Wood. As many Members will be aware, Yarl's Wood is the UK's only predominantly female detention centre. Most of the women are victims of sexual violence and persecution in their own countries. The women I visited in Yarl's Wood were from India and Nigeria—countries that are part of the Commonwealth family and with whom we share deep ties. It is disheartening to think that individuals from countries that have enriched our communities and culture, and who are rooted in countries we have close ties with, can end up in immigration detention. I will never forget that visit and the conversations I had there. Both as a citizen and as a parliamentarian, I was shocked, and remain so, by what goes on in Yarl's Wood. It is scandalous to hold a pregnant woman in detention.

Like many of my constituents, it is difficult for me to reconcile our discourse on human rights, equality and justice for all as we continue to lock people up indefinitely. I am astounded that three years on, we are having a similar debate. The lack of progress should force us to reflect on our commitment to human rights and liberty, particularly as we have the boldness to encourage other countries around the world to follow them. Many will be aware that the UK has one of the largest immigration detention systems in Europe. Furthermore, we are the only country on the European continent without a statutory limit on the length of detention. This is the stuff of nightmares and reminiscent of practices seen in some of the most oppressive regimes in the world.

Human trafficking is a scourge on our society and must be properly investigated whenever it is suspected or reported. However, that has not been the case. According to Women for Refugee Women and Amnesty International's recent research, many incidents of trafficking are missed by the Home Office decision makers, and even when

they are accepted, detention is nevertheless maintained. In June this year, UK Home Office decision makers were using a country policy and information note on Nigeria for trafficked women. The policy was used to form a base of information on the UK's analysis of Nigeria. However, on page 1 under the assessment, I found the following:

“Trafficked women who return from Europe, wealthy from prostitution, enjoy high social-economic status and in general are not subject to negative social attitudes on return. They are often held in high regard because they have improved income prospects.”

I understand that the July policy has removed that insulting text. I hope that the Minister can confirm that when she sums up.

I want to highlight a case from Amnesty's research, which, all things considered, is very pertinent. It reported on:

“A Nigerian woman who was trafficked into the UK by her husband, who was physically abusive and forced her to engage in prostitution to provide funds for after their visas had run out. After escaping, she was fully compliant with her immigration reporting requirements, but was nevertheless detained. The sole reason given in her internal Home Office file was that there were ‘no barriers to removal’.”

Frankly, I find that inconceivable. Given the level of systematic abuse, how could the internal Home Office file attached to her say that there were “no barriers to removal”?

For Members to truly understand and appreciate the reality of immigration detention, it is necessary for all of us to critically examine the ethnicity and race of those impacted by the process. Immigration detention is a racist practice, and the policies used are racist and discriminate against certain groups. There is nothing controversial or novel about my statement. Just ask the many women and men who have been detained.

I ask the Minister to address four questions in her summing up. How does the Home Office ensure that victims of trafficking are recognised and supported? What is being done to stop indefinite detention? What medical assistance is given to victims of trafficking held in detention centres? Lastly, how are the Government implementing the adults at risk policy?

I will also take this opportunity to ask the Minister to ensure that the UK respects our responsibilities under international law and protects human rights for all of us and not just a select few.

3.13 pm

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): Thank you for calling me to speak, Sir Gary. It is a pleasure to take part in this debate. The record of the work of my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) stands in great esteem in this House. I apologise for missing the start of the debate; I was attending another pressing engagement. We have worked on this issue on numerous occasions and it remains close to my heart. Becoming a new Member of Parliament is extraordinary. We learn a lot very quickly. One of the first things that I learnt about was the huge indignity faced by so many people in our immigration and asylum system. The ordinary member of the public might not be aware of it.

I watched the TV series, “Years and Years”, recently and I was amused by the fact that it depicted a future dystopia in which people were arbitrarily detained. There is a creeping sense that an authoritarian regime is starting in this country, and I could not help but think of it as something that is fairly normal in this country today. The UK is the only country in Europe that has arbitrary detention without limit. Normally, that is associated with regimes and dictatorships that are not democratic. It is extraordinary that it happens in this country—the only country in Europe.

The statistics speak for themselves and of the extent of immigration detention: 27,000 people detained in one single year on average, and at any one time 2,500 to 3,000 people detained. As has been mentioned, the majority of those individuals are eventually released, anyway, so it seems to be an entirely vexatious exercise: not just one that harms those individuals and causes immense anguish and suffering but one that is hugely wasteful of talent and potential and massively financially wasteful. It costs this country £30,000 a year on average to detain those people. It is extraordinary that it happens. It is now clear that there is an emerging consensus that such a practice is no longer fit for purpose. Not only is it an affront to human rights and to every modicum of common sense in what should be a compassionate and civilised society with mercy at its heart but it is a hugely wasteful exercise.

Many people who are well qualified and in many cases have lived here for years have come to see me. People who have escaped the most appalling situations that one can scarcely even imagine have a sword of Damocles hanging over them. They do not know when a knock on the door might come. Indeed, it goes further than that. In many cases, the way in which our asylum accommodation system works is effectively an extension of the detention system. I have had reports from the Women Asylum Seeker Housing Project in Glasgow that women, terrified out of their wits, have woken up to find a housing officer standing over their bed, and of people getting out of the shower to find someone in their house. How can the Home Office possibly tolerate its contractors undertaking such behaviour? I call on the Immigration Minister to make sure that the report that I sent her about the situation in Glasgow is investigated thoroughly and that the practices of Serco and its successor contractor are thoroughly investigated and the guidelines implemented appropriately. That is just one thin end of the wedge.

Recently I visited the opening of the Saheliya childcare project in my constituency. It is a fantastic charity that works with asylum seeker women, who are often hugely disorientated when they first arrive in this country, especially if they have children and have to understand a labyrinthine system. The work that the charity does is incredible, but it is extraordinary that it is almost the exception to the rule. Unless we find people and charities willing to help, it is a lottery and the women can often fall between the gaps and can effectively be disappeared into the sinister system of immigration detention. That is just a flavour of what I have experienced in the two years or so since I was elected to Parliament. I have been aghast at the way this thing works. It is shocking, and I think I speak for everyone in this debate when I say that we are eager to see a change and we hope that the Minister will recognise our concerns.

[Mr Paul Sweeney]

Some of the examples that have been cited are not unfamiliar to me. However, not only women are affected. Many men are also affected. A Vietnamese gentleman in my constituency, Duc Nguyen, was trafficked to the UK to work in a cannabis farm, which was raided. He was charged and sent to jail, even though the Home Office recognised that he was a victim of human trafficking. He was released, but suddenly arbitrarily detained, even though the Home Office knew that he was a victim of trafficking. Trying to track down what happened to him was a nightmare. His friends realised he had disappeared when he was not turning up at the church where he was a volunteer. He had disappeared and nobody knew where he had gone. Trying to get legal aid and assistance was difficult because he was moved around from Dungavel to Colnbrook, where he was outwith the jurisdiction of the Scottish legal system. That is really difficult to deal with and must be addressed within the immigration system. The rules must ensure that people are not arbitrarily moved around within it to avoid giving them legal assistance. MPs are informed as a matter of routine when constituents are detained under the system so that we are able to advocate and provide assistance, rather than it being a matter of cat and mouse and hoping for the best when someone is detained and that someone knows that they have disappeared, that that is a common occurrence.

I had another situation with an asylum seeker from Sri Lanka who had managed to survive the Boxing Day tsunami. He broke out of the jail where he was held as a political prisoner and made it to the UK. When he went to a meeting to report and claim asylum, members of the Sri Lankan secret police were there. They threatened him, intimidated him and threatened his family back home, because he went to try to further his Home Office case.

This man was arbitrarily detained, even though he had the right to work and his case was still under consideration. It was only because his workmates realised that he had not turned up to work—everyone wondered where he had gone; they could not trace him, and he was not at home—that it was eventually uncovered that he had been detained. He was trying to reach his solicitor. He was saying to the officers at Dungavel that he should not be there, that he had the right to work and that his Home Office case was being dealt with. They mocked him, saying, “Oh yeah—we always hear that.”

The contempt in which the people who work in the system seem to hold very vulnerable people in is appalling. No wonder 10 deaths happened from November 2016 to November 2017. It is a very suspect and horrible system. It is high time that we ended immigration detention altogether. At the very least, we could impose a limit of 28 days. I fully support the campaign. Immigration detention is a waste of life, talent and money. We should invest in these people, bring them into the heart of our communities and unleash their potential. I would like to see that happen. I hope that the Minister recognises this opportunity, and treats it as such.

3.21 pm

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): It is good to see you in the Chair, Sir Gary. I, too, congratulate the hon. Member for

Birmingham, Yardley (Jess Phillips) on securing the debate and on a characteristically powerful and comprehensive introduction to the subject.

I pay tribute to all hon. Members who have contributed to today's debate. They have pointed out how well timed it is, given that two new, excellent reports have been published in recent days, one by Women for Refugee Women and one by After Exploitation. I pay tribute to groups that continue to campaign for the rights of those who have been detained. As the hon. Member for Gedling (Vernon Coaker) said, this issue should be on the front page, but it is not. Immigration detention centres are often far out of sight and mind, and those groups do sterling work in keeping these issues on the political agenda.

As we have heard, we have had a large number of reports and expert inquiries into detention, including Stephen Shaw's review and the reports by the Home Affairs Committee and the Joint Committee on Human Rights. There will be another report that touches on this subject in the not too distant future. Last week, the Home Affairs Committee continued to hear evidence on modern slavery, with some pretty damning evidence from three witnesses about the significant numbers of modern slavery and trafficking survivors being detained. A lot of excellent submissions have been made to the Committee.

All those submissions and reports highlight the same thing: the frustrating, systemic public policy failure that the hon. Member for Gedling referred to, which sees so many victims of slavery and trafficking detained. At the outset, it is important to put on the record that we remember the harm that is done by immigration detention. As Stephen Shaw explained in his first report,

“detention in and of itself undermines welfare and contributes to vulnerability”.

It is a hellish thing to inflict on anybody, especially victims of crime, and some cases were highlighted vividly and horrifyingly by my hon. Friend the Member for Glasgow Central (Alison Thewliss) and the hon. Members for Edmonton (Kate Osamor) and for Glasgow North East (Mr Sweeney).

On the broader question of immigration detention, as I repeat every time we debate this subject, my party and I believe that the widespread routine detention of many thousands of people for an indeterminate period in what are effectively private prisons, simply at the discretion of immigration officers, is nothing short of a scandal. It has been fairly described as a stain on our democracy and an affront to the rule of law. The current system detains too many people. It detains people who should never have been detained, and it detains people for too long and without a defined time limit. The safeguards are utterly inadequate. The system is costly and inefficient, and does not even achieve what it is supposed to, with many people being simply released back into the community again.

I recognise that there has been some progress in cutting the size of the immigration detention estate, but there is a long way to go, and we need to go much further and much faster. In terms of the detention of vulnerable victims, including trafficking and slavery survivors, some of the evidence suggests that we have gone backwards in the last few years. In short, the systems and policies are not working as they should. The adults at risk policy, in particular, is not preventing many vulnerable victims of trafficking and slavery from ending up in detention.

Signs of trafficking or slavery are being missed at various stages. Even when such signs are picked up, they are either ignored, as we have heard, not acted on, or given less weight than factors relating to immigration control. We need urgent reform to stop that happening. Importantly, as I think my hon. Friend the Member for Glasgow Central alluded to, we need to think about changing who makes key decisions and who has oversight of them. A host of changes could and should be made to help to eliminate the detention of vulnerable people. Our policy goal must be a bar on the detention of trafficking and modern slavery victims.

As a small starting point, we need to see significant improvements in awareness and understanding of the issue among those who are most likely to encounter victims in the first place. That includes police, most obviously, and staff in the Department for Work and Pensions or elsewhere. Treating victims as criminals or as illegal immigrants, rather than recognising them as victims, is a disastrous start to the process. If we can improve the response at that stage, problems further down the line could clearly be avoided.

We also need to look again at the precise processes that are supposed to stop detention after those first encounters occur. Gatekeeping is quite simply not working. Desk-based reviews of selective information will never achieve the sensitive and informed assessment that needs to be made. The Home Office should not be balancing vulnerability against immigration control requirements. If an individual is suspected of being a victim, detention should not happen at all.

Turning to the issue I referred to of who is making decisions, the hon. Member for Sheffield Central (Paul Blomfield) mentioned the conflicting policy goals that the Home Office, as a Department, is wrestling with. A whole host of organisations have commented on that. Quite simply, looking after the interests of trafficking victims on the one hand, and relentlessly pursuing immigration enforcement on the other, are irreconcilable. To the greatest extent possible, we need to look at how decision making in trafficking cases can be removed from the Home Office altogether. For example, decisions about referral through the national referral mechanism for those in detention, or those being considered for detention, should be made by independent first responders or another independent body altogether.

Finally, I turn to the issue of oversight. As we know, a series of cross-party amendments have been tabled to the Immigration Bill that would introduce the time limit on detention I think everyone present seeks and that would strengthen judicial oversight. I very much hope that that becomes a reality. Given the experiences highlighted in the new Women for Refugee Women report, the report is accurately titled “From one hell to another”. We cannot have it on our conscience that, every year, we inflict that journey on hundreds—possibly even thousands—of people. I hope the Minister will listen to all the constructive suggestions that have been made, and the powerful arguments that have been made for reform, so that we stop inflicting that journey on so many victims of modern slavery and trafficking.

3.27 pm

Afzal Khan (Manchester, Gorton) (Lab): It is a pleasure to serve under your chairmanship, Sir Gary. I, too, thank my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) for securing the debate and for

the hard work she does on this subject—as a new MP, I have witnessed the tremendous work she does. I also pay tribute to all the organisations and individuals who work on this issue day in, day out.

Survivors of trafficking and modern slavery are being locked up in immigration detention. Before I examine why that is happening, or what the solutions are, it is important for the Minister to recognise that fact and to apologise for the unimaginable harm that it is causing people as we speak. The detention of survivors of trafficking is not an accident or an isolated mistake; it is the result of a deliberate policy to create a hostile environment and to systematically erode migrants’ rights. There is a fundamental contradiction between the hostile environment and the modern slavery strategy, made worse by the fact that they are both managed by the same Department. So far, the hostile environment is winning.

The solution to the problem cannot be piecemeal. We desperately need a wholesale change in the culture and rhetoric at the Home Office. If immigration detention were used less, fewer trafficking victims would be in detention. If we had judicial oversight and a time limit on detention, fewer trafficking victims would be in detention. If there were legal aid for immigration cases, fewer trafficking victims would be in detention. Flowing down from the abhorrent rhetoric at the top, failures at every stage of trafficking survivors’ interactions with Government have meant that people have ended up in detention.

Starting with how people end up in detention in the first place, there is no independent screening process when someone is detained for administrative convenience. The Home Office has a detention gatekeeper, but it only uses information that the Home Office already has about a person, and often such information does not prevent victims of trafficking or modern slavery from being detained. The Home Office is failing to communicate with itself or to pick up on clear indicators of trafficking. Thanks to the hostile environment, bodies such as the police have taken on the role of immigration enforcement.

Women for Refugee Women has encountered at least four women who were taken straight from raids on brothels and massage parlours to immigration detention. Amnesty’s briefing for this debate outlines the case of someone who was encountered during a raid on a cannabis farm. They were arrested and taken through the criminal justice system, and they served a prison sentence. On release from prison, they were taken directly to immigration detention. That happened even though the Home Office knew, and had accepted, that that person was a victim of trafficking and a survivor of sexual violence. What is striking about this failure of communication is that information-sharing works well when it comes to locking people up. It is just when it comes to trying to get people released, or not detained in the first place, that the Home Office cannot seem to communicate with itself.

Once someone is in detention, it is difficult for them to be recognised as a survivor of trafficking or modern slavery, and many people find it extremely difficult to disclose their experiences. Such experiences are traumatising, but detention is re-traumatising for many, which makes it a poor environment in which to disclose abuse. The Home Office does not create an environment that would be conducive to disclosure. Women for Refugee Women found that six of the 14 women it spoke to had their initial health screenings between 10 pm and 6 am, despite

[Afzal Khan]

the chief inspector of prisons repeatedly recommending against that. In two cases, women's initial health screenings were carried out by a male nurse, In another case, there was no interpreter.

Even when someone does disclose their experiences, the Home Office fails to follow correct procedure. When a rule 35 report states that someone has been a victim of trafficking, the Home Office does not always refer the case to the national referral mechanism. The quality of referrals to the NRM is poor, and there is a discrepancy in decision making both inside and outside detention. What does the Minister think is causing that discrepancy? According to the Jesuit Refugee Service, it is not uncommon for someone to be unaware that they have been referred to the NRM, and people need access to legal aid to prepare for an NRM referral in detention. A positive decision taken on reasonable grounds does not always trigger release. The Jesuit Refugee Service knows of at least three people who spent their 45-day recovery period in detention, and by all accounts, the adults at risk policy has made the situation worse for vulnerable people in detention. Caseworkers must now weigh vulnerability against immigration factors, which means that the bar for release is higher.

Some of the immigration concerns the Home Office has given to deny release are absurd. For example, the risk of abscondment is cited because someone will be released from detention into destitution, but it is the Home Office's duty to provide support on release. Nowhere in the guidance does it say that, if a person is a victim of trafficking or modern slavery, they must be released, and such decisions are always weighed against other considerations. Will the Minister commit to changing that?

Once someone is finally released, support is often poor. Many people are released into destitution, and are at risk of being re-trafficked. If they have been refused asylum, they will be faced with study bans, have no access to English language classes, and live in isolation. Solicitors often fight to secure someone a place in a safe house. When asked to give an address for release, people may not provide a safe one. In one case, Women for Refugee Women found that a woman who had been forced into prostitution was released back to the address where she was sexually exploited before she was detained.

In conclusion, there is a basic contradiction between the Government's modern slavery strategy and the hostile environment. If the Minister is serious about wanting to stop criminal gangs and protect survivors of trafficking, she must make it safe for people to come forward. At the moment, the traffickers' threats that reporting abuse will get someone arrested are being proved right. We need legal aid and an independent body that makes decisions about detention. We need judicial oversight and a time limit on detention, and we must end the hostile environment. Labour would do those things. It would also close the Yarl's Wood and Brook House immigration detention centres, using the money saved to fund support for survivors of modern slavery, trafficking and domestic violence.

3.35 pm

The Minister for Immigration (Caroline Nokes): It is a pleasure, as always, to serve under your chairmanship, Sir Gary, and I congratulate the hon. Member for

Birmingham, Yardley (Jess Phillips) on securing this important debate. I pay tribute to her tireless campaign work on the rights of women and victims of domestic violence. Many of us have heard her powerful speeches in the Chamber and Westminster Hall on several occasions, and we heard another such speech this afternoon.

I thank hon. Members for their contributions to this important debate. The hon. Member for Glasgow North East (Mr Sweeney) described becoming a Member of Parliament as a steep learning curve, and I assure him and others that becoming the Minister for Immigration is also a steep learning curve. I was as struck as other Members will have been when visiting immigration removal centres. One of my first visits was to Brook House, which the hon. Member for Manchester, Gorton (Afzal Khan) referred to, and my second was to Yarl's Wood. Subsequently I have been to Campsfield House, Colnbrook and Harmondsworth, and I am conscious that our immigration removal centre estate provides a necessary service that remains part of our immigration policy. It is, however, important that when detention occurs, it takes place sparingly and in the most humane way possible.

As I said, my role as Minister for Immigration involved a steep learning curve, particularly when learning about the shocking exploitation of vulnerable individuals from overseas, who are duped by the promise of a better life in the UK. The hon. Member for Edmonton (Kate Osamor) mentioned the false promises that some people are sold when offered a different life in the UK, and that is one of the most horrific things. In too many cases those people are not brought to the UK for a better life; they are sold into prostitution or forced labour, and tackling that abhorrent crime has always been a priority for the Government.

The hon. Member for Stoke-on-Trent Central (Gareth Snell) mentioned the report "Supported or Deported", and as has been stated, Home Office correspondents in that report disclosed that 507 individuals who were believed to have reasonable grounds in their trafficking cases were detained under immigration powers in 2018, either before or after receiving an NRM decision. Although that number is correct, the statement is not, because those 507 individuals were not detained after getting a positive decision on reasonable grounds to remain. As clearly stated in the freedom of information response provided by the Home Office, that figure is for people who had a positive decision on reasonable grounds to remain when entering detention, or while in detention. Further analysis of the figures shows that of those 507 people, 479 received a positive decision on reasonable grounds during a detention period. Of those, 328 were released within two days of that decision, and in total, 422 people were released within a week.

I was asked about the availability of legal assistance in immigration removal centres. All detainees in immigration removal centres are made aware of their right to legal representation and how they can obtain such representation within 24 hours of their arrival at an IRC. The Legal Aid Agency operates free legal advice surgeries across the detention estate in England. Detainees are entitled to receive up to 30 minutes of advice regardless of financial eligibility or the merits of their case. There is no restriction on the number of surgeries a detainee

may attend. If a detainee requires substantive advice on a matter that is in the scope of legal aid, full legal advice can be provided.

At all IRCs, detainees who already have legal representation may receive visits from their advisers by appointment. Those visits take place in private, in designated interview rooms within sight, but not the hearing, of custody officers. Of course, detainees are also able to contact representatives by telephone.

The hon. Member for Gedling (Vernon Coaker) made reference to the recent judicial review. The Home Office is always trying to build its understanding of the complex needs of victims of modern slavery and to improve the support available. That case highlights the importance of tailoring support according to the individual needs of victims. In response to it, we will embed a more needs-based approach in our services.

Vernon Coaker: This is an important point. Does that mean that the arbitrary 45-day limit does not apply to any individual in those circumstances?

Caroline Nokes: It is difficult for me to comment on the application to individuals, but I will certainly come back to the hon. Gentleman with a fuller response to that point.

Several comments were made about the reform of the national referral mechanism and the importance of ensuring that the NRM gets victims of modern slavery the support they need. We have made significant progress in delivering that complex reform programme, including the launch of the single competent authority, which is an expert caseworking unit responsible for all NRM decisions, regardless of an individual's nationality or immigration status. That unit has replaced the competent authorities previously located in UK Visas and Immigration, Immigration Enforcement and the National Crime Agency. To improve the decision-making process, we have set up an independent, multi-agency assurance panel of experts to review all negative conclusive grounds decisions, adding significantly to the scrutiny such cases receive.

The hon. Member for Glasgow Central (Alison Thewliss) mentioned the detention of children. I wish to reassure her that the UK ended the routine detention of children in immigration removal centres in 2010 and then enshrined that in primary legislation in the Immigration Act 2014. There remain limited circumstances in which children may be detained, but that is usually in a family unit immediately prior to removal. That requires ministerial authority should a family be detained for more than 72 hours, and there is a maximum of one week. I reassure her that this year—in 2019—no children have been detained at Dungavel immigration removal centre. There was one age dispute case, but the individual was found to be an adult.

The hon. Member for Edmonton mentioned women in immigration detention, and we heard from several Members about Yarl's Wood. On 6 June this year, the independent monitoring board published its Yarl's Wood annual report for 2018. The IMB made positive comments about the continuing efforts at the centre to retain and recruit female staff and to improve healthcare provision. We have considered all the recommendations in the report and an action plan has been drawn up in response to concerns raised. We take our responsibilities towards detainees' health and welfare very seriously. The provision of 24-hour, seven-day-a-week healthcare in all immigration

removal centres, including Yarl's Wood, ensures that individuals have ready access to medical professionals and levels of primary care in line with individuals in the community.

The hon. Lady also raised the specific issue of victims of trafficking from Nigeria. Last summer, or perhaps last autumn, I travelled to Nigeria and listened to harrowing accounts of people who had been trafficked. I also heard about some of the measures that the Nigerian Government were taking to address what is a very serious problem in that country. I am very conscious that there are significant numbers of Nigerians among victims of human trafficking found in detention in Libya or attempting to cross the Mediterranean. A disproportionate number of Nigerian victims of international trafficking come from Edo state in the south-west, where long-standing trafficking networks operate.

Modern slavery programming in Nigeria is a cross-Government effort, with each Department—the Home Office, the Department for International Development and the National Crime Agency—working co-operatively and focusing on areas of comparative advantage. The Home Office's own modern slavery fund programme provides support and reintegration assistance to victims of trafficking and supports the judiciary to process trafficking. In addition, DFID funding has been directed to the International Organisation for Migration to rehabilitate victims returned from Libyan detention camps. That is a separate cohort of victims from those supported by Home Office funding. There is a real need for us to continue to work with DFID to help develop livelihood options for communities at risk of trafficking in Edo state and to help local government and civil society respond to trafficking there.

The hon. Member for Manchester, Gorton raised some issues with rule 35 of the detention centre rules. We are committed to ensuring that the rule 35 process operates effectively as a reporting system for removal centre doctors' concerns about the welfare of detainees. In March this year, we launched our targeted consultation on the overhaul of the detention centre rules. The operation of rule 35 is a key element of that and is closely linked to the operation of the adults at risk policy. Input from non-governmental organisations, the independent detention oversight bodies and medical experts will ensure that the replacement for rule 35 better supports the identification, reporting and caseworker consideration of people with vulnerabilities. In the year 1 April 2018 to 31 March this year, 2,146 individuals were the subject of a rule 35 report made by a medical practitioner.

Various hon. Members mentioned the adults at risk policy. In September 2016, we implemented the adults at risk in immigration detention policy, a key part of our response to Stephen Shaw's original review of the welfare of vulnerable people in immigration detention. The policy does not, as some have interpreted it as doing, mean an automatic exemption from immigration detention for any particular group of people. Under the policy, vulnerable people are detained, or their detention continued, only when the immigration considerations in their particular case outweigh evidence of vulnerability. Cases are reviewed regularly and also when new evidence comes to light.

I appreciate that there has been criticism of the adults at risk policy. However, as Mr Shaw said in his follow-up review last year,

[*Caroline Nokes*]

“it would be folly to give up on the Adults at Risk policy. It is best thought of as an exercise in cultural change, and like all such programmes it will take time to reach full fruition. The focus on vulnerability that”

the policy

“has engendered is a genuine one”.

I believe that the policy will prove its full worth as it develops further and once it and the systems around it are in full alignment. Stephen Shaw made a number of recommendations for improvements in these areas and we are working hard, in conjunction with experts and in discussion with external organisations, to make the system as effective, protective and workable as possible.

It is worth remembering that the adults at risk policy replaced a policy that determined whether vulnerable people should be detained by reference to the concept of “very exceptional circumstances”. The difficulty with that approach was that nobody—caseworkers, legal representatives or detainees themselves—could interpret that in a consistent way. The adults at risk policy represents a much more coherent way of assessing the appropriateness of detention of vulnerable people and is a rational and proportionate approach.

Several hon. Members challenged me with the question, “What has changed?” That is a really important part of the comments I want to make and something I really wish to emphasise. We are committed to reducing the number of people in detention, to improving the welfare of those who are detained and to providing appropriate support to the most vulnerable in detention. Detention is used sparingly for securing the removal of individuals who do not have leave to remain in the UK, and people are detained for as short a time as possible.

We are detaining fewer people. At the end of December 2018, there were 30% fewer individuals in detention than a year earlier, and it is likely that that figure will be lower still this year. Over time, changes in legislation, policy and operational procedures will reduce the number of those detained and the duration of detention before removal, in turn improving the welfare of those detained.

Stuart C. McDonald: The Minister referred to work done in response to Stephen Shaw’s follow-up review. Will she confirm whether the Home Office is looking again at the gatekeeper process? Those 400 individuals who had referrals made after they were put into detention will all have been through that process, yet they did so without anyone picking up signs that they were a victim of slavery or trafficking.

Caroline Nokes: The gatekeeper function remains under close scrutiny. I and the many individual monitors who look at our detention system have scrutinised and continue to scrutinise the process of detention gatekeeping. The hon. Gentleman is right to point out that if people have been through the detention gatekeeper function and still vulnerabilities have not been picked up, it is right that we continue to reinforce those processes.

When it comes to numbers, before 2015 there were about 4,200 detention beds in the estate. Since then, we have rationalised and modernised the estate. We have closed Campsfield immigration removal centre and reduced occupancy levels in the other IRCs, in turn improving staff-to-detainee ratios. There are almost 40% fewer beds—about 2,600 fewer—than there were four years ago, and they are of significantly higher quality.

Alison Thewliss: The Minister is talking about numbers in the immigration removal centre estate. Will she tell me what has happened to the numbers of people held in the prison estate over that period?

Caroline Nokes: I will have to get back to the hon. Lady with precise numbers on those in the prison estate. Of course, it is important to reflect that those in the prison estate will be foreign national offenders who have committed some crime, which has determined that they are worthy of a prison sentence.

Each time an individual is detained, there must be a realistic prospect of removal within a reasonable timescale. Those making detention decisions consider the likely duration of detention necessary in order to effect removal.

I turn to the Shaw reforms. The Home Secretary made clear his commitment to going further and faster with reforms to immigration detention with four main priorities: encouraging and supporting voluntary return; improving support for vulnerable detainees; greater transparency on immigration detention; and a new drive on dignity in detention. We are making real progress in delivering those commitments and have laid the groundwork for that progress to continue.

I emphasise a project that I am sure hon. Members will welcome and support: the development of a series of pilots of alternatives to detention. The first one started in December 2018 with our delivery partner Action Foundation in Newcastle. We have released more than 10 women from Yarl’s Wood immigration removal centre to be supported in the community, and further recruitment into the pilot is under way. We want to divert women at the point of detention into the pilot to fill the remaining places.

I can report progress towards the second pilot. There is interest from several credible potential delivery partners, and we expect to have our chosen delivery partner by August, enabling the second pilot to commence in the autumn. All irregular migrants will be in scope of that project. The United Nations High Commissioner for Refugees is independently evaluating the pilot series, and findings will be fed into the overall evaluation framework that is being developed to monitor progress across all of Shaw’s recommendations so that any findings can be examined within the context of the wider changes to detention across the Home Office. The UNHCR is also creating an independent external reference group to monitor progress and share expertise and best practice.

We are in the process of implementing other changes as a result of the Shaw review. We are introducing detention engagement teams in all IRCs, who are ensuring better induction and improved links between detainees and their caseworkers. We are also piloting the two-month auto-bail referral, which builds on measures introduced in the Immigration Act 2016 to refer cases to the tribunal at the four-month period of detention, and introducing a new drive on dignity in detention to improve facilities in immigration removal centres, including piloting the use of Skype and modernising the facilities. We are bringing greater transparency to immigration detention, and publishing more data, including on deaths and escapes from detention and on pregnant women in detention.

I reassure hon. Members that the Government are committed to providing those being considered for immigration detention with the necessary levels of

protection. We have particularly stringent safeguarding arrangements in respect of vulnerable people in the immigration system.

Jess Phillips: I appreciate everything that the Minister has been saying, and some of those things show signs of improvement. There are two points I am not sure she has answered. My hon. Friend the Member for Edmonton (Kate Osamor) asked about the Nigerian issue. Is the policy of sending people home, saying basically that prostitution was making their home country a land of milk and honey, now over? Secondly, on the Minister's point about the Government doing safeguarding in this area, how is it that women are being taken straight from brothels to Yarl's Wood?

Caroline Nokes: The quote, which the hon. Lady has somewhat misinterpreted, has been amended to give clarification. It should not have been able to lead to such a level of misinterpretation. None of us would ever say that prostitution leads to an ideal way of life. It certainly does not. However, there is much more that we can do, working with Nigeria and our partners to address the particular problem that has arisen there with trafficked women.

The hon. Lady spoke about the safeguards we need to put in place. I will be completely candid with her, and I will give her a couple of minutes to wind up the debate. It is important that we do more. She and I recently attended a roundtable with the Minister for safeguarding, my hon. Friend the Under-Secretary of State for Home Affairs, the Minister for Countering Extremism, Baroness Williams of Trafford, and the Under-Secretary of State for Justice, my hon. Friend the Member for Charnwood (Edward Argar). At that event, I said that we needed to do much better on safeguarding across Government. That was particularly in reference to victims of domestic abuse, but I am conscious that victims of trafficking are, in many instances, victims of abuse.

We must do better at safeguarding those individuals and treating them as victims. The hon. Lady and I may disagree from time to time, but we must ensure that

when we share data, we do it for good reasons so that we can safeguard and protect people in vulnerable situations. There is more work to do across Government. I said at the roundtable and will repeat today: it is no good enough for just the Home Office and the Ministry of Justice to be involved; we need the Department for Work and Pensions and the Department for Education involved, too. There is a piece of joined-up Government work there to ensure that we enable victims to be treated as victims, who are safeguarded appropriately, while at the same time recognising the important role of our immigration policies now and going forward.

Sir Gary Streeter (in the Chair): Jess Phillips will have the final word.

3.57 pm

Jess Phillips: I like that sentence, Sir Gary.

I thank everyone who spoke today. The strength of feeling in this House is clear: we wish to see the figure for people in our detention estate who have suffered any form of trafficking down to zero. Many of us wish to see the end of detention.

I am heartened by the Minister's pilot projects. This system can be handled much better in the community with proper specialist partners. I hope we can go away with some sort of assurances that the Government can hear that the first thing we should do with anyone found in a brothel or clearly in a place of exploitation is care about them, not incarcerate them.

Question put and agreed to.

Resolved,

That this House has considered the immigration detention of survivors of trafficking and modern slavery.

Sir Gary Streeter (in the Chair): Order. We can move straight on to our next debate as I see the protagonists are here. Please will those who are leaving kindly do so quietly and quickly? That would be much appreciated.

Devolved Administrations: Borrowing Powers

3.58 pm

Luke Graham (Ochil and South Perthshire) (Con): I beg to move,

That this House has considered borrowing powers for devolved administrations.

It is a pleasure to serve under your chairmanship, Sir Gary. I thank the House for allowing this important debate on the borrowing powers of the devolved authorities across the United Kingdom. People might be wondering, “Why have this debate?” We have a packed audience here to listen to it, which shows the importance of the powers and why they matter so much for our constituents. If people do not realise how much the powers matter, hopefully this timely debate will help them to see that.

Funding is often contested. Speaking as a Scottish MP, and as I am sure colleagues will attest, there is confusion about the powers available for tax raising and borrowing, as well as about where the funding comes from—Westminster, Edinburgh or a local authority. That stands in Wales and Northern Ireland as well. In my constituency of Ochil and South Perthshire, recently a Barnett consequential for the high street and towns fund was denied. Representatives of the devolved Administration in Edinburgh said that there was no Barnett consequential, and that the funding came from Edinburgh. It is important to have this debate to discuss exactly where the money comes from, and the powers that devolved Administrations have throughout the United Kingdom.

There is also some confusion on social media; I am sure cross-party colleagues will agree. When funding plans are welcomed or criticised, there are often such comments as “Scotland has no powers to borrow any funds”. Today’s debate will hopefully be an opportunity to demystify the borrowing powers of the devolved Administrations and some of the funding routes across the United Kingdom. I hope that it will make the situation clearer and will raise the debate to a higher standard right across the UK—in Westminster, Edinburgh and at local authority level.

I start with the facts. All devolved Administrations can borrow. That includes Scotland, Wales, Northern Ireland, and even some of the devolved areas in England, although powers and the amounts vary across the devolved Administrations. I will attempt to make things clear for constituents and those who want to learn more about our financial settlements. Those powers will often be split into two parts: capital, going to assets, and resource spending, which is more cash-based.

My focus is very much on Scotland. I have some live examples, and I am sure colleagues will have interventions to make. In Scotland, local public revenue raises about £60 billion, which is about 8% of UK GDP. Expenditure stands at just over £73 billion, which is about 9.3% of the UK’s spend, so there is a gap of about £13 billion between what we raise in Scotland, including the oil and gas revenue that is often quoted, and what we spend. That gap is bridged by central Government, by other tax revenue raised in Westminster from across the United Kingdom.

What powers does Scotland have for additional tax raising and borrowing? Tax-varying powers have existed since devolution started. We had some flexibility over the penny on income tax. Obviously, our powers increased through the Scotland Acts 2012 and 2016, and we now have powers to vary the income tax bands—powers that the Scottish National party Administration in Edinburgh have used. They have lowered taxes for those earning under £26,990. If someone earns less than that threshold, they are now about £20 better off per year. That is about 38p better off per week—very helpful if someone wants to buy a Tunnock’s Teacake. Someone who is in the higher tax band will be charged about £1,500 more than other taxpayers in the United Kingdom.

[MR PHILIP HOLLOBONE *in the Chair*]

That is a significant point. Not all the higher-rate taxpayers in Scotland—about 14% of Scottish taxpayers—are ludicrously wealthy; the people who fall into that tax band will be teachers, doctors—some will be nurses—and public servants, as well as some very hard-working private sector workers. They should have their hard work rewarded; they should not be penalised for being in Scotland.

We want to attract more people to Scotland. As my hon. Friend the Member for Angus (Kirstene Hair) has brought up many times, this issue is especially important for our armed forces. Everywhere else around the world, they pay the Westminster rate of tax. It is only in Scotland that they are penalised and have to pay additional tax for being based there. Being based in Scotland is, of course, a benefit, and that benefit should not be eroded by the tax system imposed on them by Edinburgh. Thankfully, due to the work of my colleagues and the Government, that tax impact has now been neutralised, and members of the armed forces will now pay no more tax in Scotland than they do in other parts of the United Kingdom.

Devolved Administrations can borrow. Scotland can borrow about £3 billion for capital and about £1.75 billion for resources. What does “resources” mean? Breaking it down, it means that if we are a bit short in our cash flow in Scotland, we can borrow up to £500 million for cash. About £300 million is for forecast errors, and we see some of those coming through at the moment. There is a fantastic National Audit Office and Public Accounts Committee report on devolved income tax collection in Scotland. It makes for fantastic night-time reading; it clearly outlines some of the difficulties and costs of having additional income tax rates in Scotland.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): The hon. Gentleman is making a good point about the limited borrowing powers in the Scottish Parliament, which do not match the growing taxation powers. Yesterday, the Foreign Secretary ruled out more economic powers for the Scottish Parliament in his Tory leadership bid. Would the hon. Gentleman agree that the Scottish Parliament needs greater borrowing powers to invest in the Scottish economy?

Luke Graham: In short, no. We should use the borrowing powers that we already have. The SNP Administration underspent by a reported £450 million in the last year; that shows that the proper economic programme is not being put forward for Scotland. They are not delivering for us. We have the power to vary tax rates, we have

additional borrowing powers, and we do not have half the risks and responsibilities that the Treasury in London has to bear, yet in each of the next four years, we are forecast to underperform, compared with the rest of the UK. Going back a year, we were the lowest performing economy in the OECD and out of the G20 advanced economies.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): The hon. Gentleman makes an important point about the capacity for surplus borrowing. The Scottish Government have used only about half of the capacity in that borrowing envelope. He will also note the huge, disproportionate cuts to local government. I understand that Government funding has been cut in Scotland by about 2.8% in the last decade, but 7.5% cuts have been imposed on local government. That has had a huge impact on the provision of municipal services. Why on earth are all the borrowing powers not being used, including issuing bonds to maximise the capital capacity of local government and to ensure we minimise the negative effects of austerity on local government?

Luke Graham: I thank the hon. Gentleman for his intervention. I could not agree more. What I cannot understand is the clamour and constant push for powers from the SNP, who have been saying, “We want more powers; we need them.” We have the borrowing powers. We have the tax-varying powers. We have flexibility over the business rates. We have flexibility over council tax. It is Edinburgh that decides how much our local authorities get. Just like the hon. Gentleman, I have experienced my local authority being underfunded in a way that has meant that education and general maintenance in our counties has suffered. I cannot understand it either. I wish a representative from the SNP was here to put the SNP’s case for those cuts and its economic programme. Unfortunately, the SNP is completely absent from a very important debate.

Ian Murray (Edinburgh South) (Lab): I congratulate the hon. Gentleman on securing this debate. These are the kind of debates we should be having to set the record straight about what is happening in Scotland and its fiscal position. He mentioned the Scottish Government’s underspend. I believe that they have returned more than £2 billion in the last four years in underspend. On the borrowing requirement, I understand that the Hong Kong dollar is an independent currency, but it is supported by reserves of double the GDP of Hong Kong. That means that if an independent Scotland were to set up its own currency, it would require somewhere in the region of £360 billion of reserves to support that currency. Where would Scotland get that from?

Luke Graham: I wish SNP Members were here to say how they would meet those responsibilities. I will not speak on behalf of the Scottish Labour party or the Scottish Liberal Democrats, but we are parties who support and respect devolution. We are the parties who are trying to make devolution work more effectively. That is why we are having these debates and changing the machinery of government to try to make it work more effectively. The SNP is the only party that does not believe in devolution. That is why it is not involved in these debates and why its members are not here today. All they care about is separation.

As the hon. Gentleman rightly points out, the SNP has not faced up to some of the responsibilities and costs of that separation. That is illustrated by the underspend. Some £100 million is somehow being rolled forward as part of setting up a new social security agency. That was agreed in 2016. We want to look at how to best serve our constituents. We do not want to be state building; we want to make sure that our constituents get the benefits that they need. Rather than spending £100 million-plus on setting up a new social security agency, which means our constituents will have to stop at three or four places to get the benefits they require, I would prefer to use that money to top up the benefits, and use current Department for Work and Pensions systems to ensure that constituents get the money they need. Our constituents would benefit, but we would not have to go through state building, and we would not have to spend money when it is not required. As I am sure the Chair appreciates, welfare is an incredibly complicated area of policy, and the systems that have supported our welfare state have been in development for over 60 years.

On the borrowing powers that we have on the resources side, there is power to borrow up to £300 million for forecast error. That is important, because as Derek Mackay, the Finance Secretary in the Scottish Government, recently outlined, their income tax forecast is down by around £1 billion. Again, this might be something that we should be debating in Westminster and Holyrood. The forecast error borrowing allowance is around £300 million, and it already looks like there will be a £1 billion gap. How will we bridge that responsibly without increasing taxes for people in Scotland, or irresponsibly having to go back to Westminster?

Mr Sweeney: The hon. Gentleman knows that I am certainly a staunch critic of this Government’s social security policies. However, he will be aware of the scope of powers available to the Scottish Government to deliver a system in Scotland that is qualitatively, as well as quantitatively, different. For example, ending the two-child cap in Scotland costs around £60 million, which is a fraction of the £500 million revenue underspend in Scotland, and would not even mean dipping into the available borrowing powers. What does the hon. Gentleman think are the motives behind not using those powers?

Luke Graham: I would not be so bold as to speak on behalf of the SNP—I do not think the party would like it. I can theorise that the SNP has not prepared for some of those powers and is not ready for them. Looking at the recent Fraser of Allander Institute report on the welfare and tax powers being given to Holyrood, we see that there are significant structural and programme changes that need to take place before those powers can be used effectively. I am sure the hon. Gentleman appreciates and welcomes some of the changes that the new Work and Pensions Secretary has made to the two-child cap policy. It is an issue that I have debated since I was elected to this place, and certainly before.

Welfare powers are available, and I am at a loss to understand why the SNP has not used them when it is so critical of a lot of my Government’s policies in this area. If the party is so critical, and the Scottish Administration have the powers, I do not understand

[*Luke Graham*]

why they have not used them in the time that they have had them. They have been supported centrally by the Department for Work and Pensions in Westminster. The SNP told us in 2014 that it would take only 18 months to establish Scotland as a completely separate state, so I do not understand why it takes seven-plus years to try to get a basic social security system for our constituents.

The other £600 million that is available for resource funding is protection for a Scotland-specific shock. Should our GDP fall to 1% below the rest of the UK, we could borrow an additional £600 million to try to prevent any additional hardship for our constituents and to support our public services in the way they need.

As I touched on earlier, it is important to note that even with all those powers and the levers at the disposal of the devolved Administration in Edinburgh, we are still looking at an economic performance over the next four years that trails behind that of the rest of the UK. After more than 12 years of an SNP Administration, we have to ask why. It is not just that they disagree with policy coming from Westminster; it is that they have powers but are not making devolution work. This is not good or bad devolution; it is dysfunctional devolution. I hope every colleague in the House will work with me and MSP colleagues to try to improve that.

We have three tiers of government in Scotland, or four if we include community councils: our local authorities, the Administration in Edinburgh, and central Government in Westminster. As an MP, I am determined to ensure that they work as effectively as possible.

Mr Sweeney: Further to the point on the possible motivation, does he share the view that if the Scottish Government were to deploy all those powers fully, it might in some way diminish the appetite for independence? After all, a majority of Scots agree that the United Kingdom is over-centralised, but if they were to see devolution fully deployed and fully activated, it might well address any dissatisfaction that they had with the current system.

Luke Graham: It feels wrong to bash the SNP when its Members are not here to respond, but this is another clear example of the SNP putting the nationalist interest above the national interest. We could be using those powers to serve our constituents today, rather than deferring their use for years and years to further grievance and stoke the flames on social media.

Why is this important? Why did I apply for this debate on borrowing? It is so important because of the underspend that, as I said, has been widely reported. It was £450 million last year. It has certainly had a real impact in my constituency, which covers two council areas: Clackmannanshire, which is the smallest county in Scotland, and part of Perth and Kinross, which is in one of the largest counties in Scotland. We have seen impacts on frontline services. In Perth and Kinross, teacher numbers have reduced. We have had to increase waste charges, and we have had a 3% increase in council tax. In Clackmannanshire, we had the threat of closure of two primary schools, which I and council colleagues

were against. We had the threat of closure of the Alloa Leisure Bowl, a reduction in our secondary school supplies and a 4% increase in council tax.

Given that the SNP argues for all those powers and makes such a stand about being stronger for Scotland, it cannot make such an argument in this place and then be absolutely weaker for our local authorities and let down our public services, children and communities in such a colossal way. As I said, the underspend could well be justified. If SNP Members were here—I was hoping to have a bit of a debate with them—they could justify it by saying they were carrying some spending forward to future years, as we said about the welfare and social security agency. We might disagree with that, but at least it could be justification. As colleagues will hopefully realise, and as I have argued, given the borrowing powers that exist, the development of the Scotland reserve, and the increase in block grant coming from Westminster, there is no need for huge underspends in the Scottish budget. We simply do not need them. We can use the borrowing powers when we need to. For example, should there be a Scotland-specific shock, we could access £600 million if we needed emergency cash for our frontline services. We can actually spend the money we need now, so why cut our local authorities when it is clearly not needed?

Ian Murray: The hon. Gentleman is making a very powerful argument. I know he might disagree with the policy issue, but there is a principle issue. The Scottish Government have full powers to do something about issues that they talk about a lot, such as the WASPI—Women Against State Pension Inequality Campaign—women and the rape clause in universal credit. They have the powers and a massive underspend, but they refuse to do anything.

Luke Graham: That is exactly my point. It is one of the main reasons I wanted to have this debate. Again, it is one thing to criticise on social media, but another to write letters to a paper when it is a one-sided argument. I applied for this debate because I wanted all parties to be here, and to have the opportunity to justify underspending by nearly half a billion pounds and then standing up in the Chamber and criticising the Prime Minister, the Government and often Opposition party leaders for their lack of policy and lack of caring for our constituents. That is inconsistent, it is indefensible economics, and it is unbecoming of MPs and a political party that sits in this Parliament.

Kirstene Hair (Angus) (Con): I thank my hon. Friend for securing this important debate. Does he agree that it was quite telling that when there was word of the UK Government's potential direct spending in Scotland, the Scottish National party was running scared? It is the only party I know that would run scared from somebody else wanting to deliver further funding in Scotland. It just shows that this is not about money. Everything the Scottish National party does is down to playing politics with policy and people's lives; it is not about getting the best for Scotland.

Luke Graham: I could not agree more. The whole point of being an MP is that we put people before politics. I have certainly been critical of my Government on issues of spending—I know my hon. Friend has, too—and Members of the Opposition have certainly

been critical about getting funding for Scotland, be it in block grant or city deals. We have made the arguments and posed the difficult questions time and again in this place. As I am sure my hon. Friend the Minister appreciates, we will continue to do so in a future Administration.

Mr Sweeney: We have had an interesting exchange of views on this matter. On the use of powers and the logical disconnect between the rhetoric in this place and how it plays out in governance in Scotland, the *Daily Record* has recently been reporting on the scourge of drug-related deaths in Scotland, which are at epidemic levels and are a real national emergency. How can the SNP reconcile the rhetoric about the need for the Home Office to change its views on the Misuse of Drugs Act 1971—I agree with that—with cutting addiction services in Glasgow by a quarter? How can that possibly help?

Luke Graham: The hon. Gentleman will have seen at first hand the impact of some of those cuts in his constituency, just as I have seen their impact on frontline services in mine. No Government are perfect and no party is perfect—I respect that—but the whole point of these debates is to discuss the issues, come forward with facts, put forward arguments, fight for our constituents and, at election time, convince them that we are the best people to represent them, and that we have the best ideas and arguments. That is why I secured this debate.

If an hon. Member or a colleague in Holyrood were Finance Secretary, rather than underspending by £450 million and putting £100 million into the social security agency, they could have invested £294 million, which is what COSLA—the Convention of Scottish Local Authorities—has requested for inflationary increases in council spending. They could have uplifted that by 10% or so to help close the funding gap in Clackmannanshire and Perth and Kinross, and they would still have had around £100 million left to put into a reserve for a rainy day, if that were genuinely their intention.

I will wrap up as I am conscious that the Minister wants to respond. I hope that he will support me and other colleagues in taking a more mature approach to funding and borrowing in our United Kingdom, to ensure that devolved parts of the United Kingdom are not separate, and to ensure that central Government engage with all levels of government, so that there is appropriate borrowing and spending, and funding goes directly to the frontline public services that need it.

As colleagues have mentioned before in such debates, balance sheets and borrowing do not sound all that exciting, but every single number on the balance sheet represents an opportunity for an education, or for investment in the NHS and social care. It is vital that we get the facts out there and have a mature and appropriate debate. I hope that my hon. Friend the Minister will support us in that.

4.21 pm

The Financial Secretary to the Treasury (Jesse Norman): It is a delight to speak under your chairmanship, Mr Hollobone. This is an important topic that commands interest not only across the House but, more importantly, across the four constituent nations of our Union and among our constituents. I take my hat off to my hon. Friend the Member for Ochil and South Perthshire (Luke Graham) for securing the debate and for the

energy that he and his generation of Scottish Conservative MPs bring to the House of Commons. It has been a tremendous tonic and has been very good for the House as a whole.

Like my hon. Friend, I am surprised and a little dismayed that the Scottish National party is not present for the debate. That in itself tells a story that we need to explore more widely and that I will come to later. He raised a wider issue, so I will talk about what the Government are doing more generally before I address the question of Scotland that he raised so eloquently.

As my hon. Friend and everyone in the Chamber will know, the Government are committed to strengthening the Union, which is arguably the oldest and most successful partnership of its kind in the world. Only last week, the Prime Minister announced an independent review to ensure that Departments in Whitehall work in the best interests of the Union. Protecting the Union is also a priority for both candidates who are vying to be the next Prime Minister.

Ian Murray: I understand that the Minister's opening remarks are about the Government protecting the Union, but what does he say to the 63% of Conservative members who would rather see Brexit than the UK staying together?

Jesse Norman: I do not think that they regard that as in tension with a proper unionism; they worry about the union with the EU. In their view, they are giving voice to a sovereignty that the United Kingdom of Great Britain and Northern Ireland expresses and has done for more than 200 years.

As colleagues will know, I can never talk about the Union without mentioning my great hero, Adam Smith. He said that the 1701 union was:

“a measure from which infinite Good has been derived”

to Scotland. How right he was. The reason why that was true for Smith and is true now is that the Scots took advantage of the potential offered by that incorporating political arrangement. As the House will know, Scots spread out across the world, ran large chunks of it and were extremely effective and successful entrepreneurs and businesspeople. Their country and the United Kingdom as a whole greatly benefited.

Borrowing powers are one of the most important ways in which the Government are strengthening the constitutional settlement, by providing devolved Administrations with greater choice and responsibility. Greater resource borrowing helps to ensure budgetary stability and affords devolved Administrations the flexibility to manage volatility associated with their new revenue-raising powers—or tax powers, in Scotland's case. Similarly, capital borrowing powers offer much greater control over infrastructure investment.

The Scotland Act 2016 increased the Scottish Government's capital borrowing limit to £3 billion, with an annual limit of £450 million. The resource limit was also raised to £1.75 billion, with an annual limit of £600 million. Those are substantial sums that create a degree of responsibility. To have those powers is to be trusted to exercise them responsibly. If that means investing them in better services on behalf of local people, that is the responsibility that those Administrations face.

[Jesse Norman]

It should be clear that those individual borrowing powers come on top of the funding that devolved Administrations receive through the Barnett formula. The fact that devolved Administrations already receive a share of all UK Government borrowing under the formula explains the need for limits on their borrowing to ensure the sustainability of the public finances. Spending decisions taken by the UK Government continue to deliver growth and prosperity across the whole of the United Kingdom. As my hon. Friend and colleagues will know, last year's Budget provided a funding boost of £950 million in Scotland, £550 million in Wales and £320 million in Northern Ireland.

By 2020, all three devolved Administrations will therefore have received a real-terms increase during this spending review. Before adjustments for tax devolution, block grant funding will have grown to more than £32 billion in Scotland, £16.1 billion in Wales and £11.7 billion in Northern Ireland. There has been further support through city deals and growth deals, including more than £1.3 billion for eight such deals in Scotland.

I reassure my hon. Friend and the House that the Government are also committed to devolving greater responsibilities on tax and welfare. Once the 2016 Act is fully implemented, more than 50% of the Scottish Government's funding will come from revenues raised in Scotland, making the Scottish Government more accountable to the people they serve. That is surely the point—with power comes responsibility—so the fact that the SNP is not present in the Chamber is a token of the wider problem of the Scottish Government's lack of accountability. It is unfortunate that, although one constantly hears that Government's grievances, they do not spend to address the issues of which they complain—my hon. Friend the Member for Angus (Kirstene Hair) is absolutely right to make the point about playing politics. However, the question at the heart of the debate and of the points raised by my hon. Friend the Member for Ochil and South Perthshire is not one of disingenuousness or hypocrisy but one of public service and accountability.

I thank my hon. Friend the Member for Ochil and South Perthshire for securing this debate and for his important and eloquent speech. It poses a challenge to the Scottish Government to live by what they say and to do what they profess. I am grateful to have had the opportunity to speak for the Government and demonstrate our continued support for the sustainability and prosperity not just of the Scottish nation and economy but of those of Wales and Northern Ireland.

Question put and agreed to.

UK Steel Industry

4.29 pm

Nic Dakin (Scunthorpe) (Lab): I beg to move,

That this House has considered the future of the UK steel industry.

It is a real pleasure to serve with you chairing, Mr Hollobone. Two thirds of the types of steel around today were not around 15 years ago—proof positive that steel is a highly innovative, flexible and recyclable product that we need to make in the UK if we are serious about having our defence and infrastructure security in our own hands. The strongest economies have strong steel sectors: the USA, China and Japan are first, second and third in the steel league table, with Germany coming in at seventh, while the UK lags behind in 30th position. If we are serious about our place in the world, it is high time we took steps to move up that table. Scunthorpe and Port Talbot provide the UK's independent steelmaking capacity for long and strip steel products, and we need both for our future security.

Nick Thomas-Symonds (Torfaen) (Lab): I congratulate my hon. Friend warmly on securing this debate on such an important issue. Does he agree that one of the obvious steps to take to get up that league table would be for the Government to commit to have the Royal Navy fleet solid support ships built purely out of UK steel?

Nic Dakin: Procurement is a real challenge for the Government, and my hon. Friend makes an excellent point. I am sure that the Minister has picked it up, and I will return to it later in my speech.

Stephanie Peacock (Barnsley East) (Lab): I congratulate my hon. Friend on securing this important debate. On the issue of procurement, does he agree that we need more regional support? In response to a written question, the Government admitted to me that defence spending is only £40 a head in Yorkshire, which compares with £1,000 a head in the south-west. Surely such spending should be spread much more evenly across the north and the south.

Nic Dakin: My hon. Friend makes an important point. Certainly, steelmaking is predominantly in the north, and better investment in procurement pipelines would help to address the inadequacies to which she draws attention.

Sadly, British Steel is in liquidation, and Tata is determining the direction of its UK business in the light of the failure to progress the merger with Thyssenkrupp. We face serious questions about the sector's future. Other steelmakers, such as Celsa and Liberty, also look to the Government to confirm their commitment to the steel industry.

Melanie Onn (Great Grimsby) (Lab): I congratulate my hon. Friend on securing this important debate, which affects many of my constituents, who are just along the A180 from his constituency. Has he had any discussions about the impact of losing the steel industry

in Scunthorpe and about the wider impact across the south bank, which has many of the jobs in the supply chain?

Nic Dakin: My hon. Friend makes an important point: there are 5,000 direct jobs in the Scunthorpe area, in Teesside and elsewhere in the UK, but also 20,000 jobs in the supply chain. Steel is a significant employer, as well as a significant strategic asset for the UK. All the work that everyone is doing is to ensure that the whole business progresses under a new owner, which is the direction we all need to remain focused on, across the House and across the country.

The British Steel workforce in Scunthorpe, the north-east and elsewhere has responded brilliantly at a time when everyone working for the company sees their future in the balance. Workers, trade unions, the management team and the supply chain must be congratulated on keeping the show on the road in such difficult times. The magnificent outputs that they are achieving show what a sound business this is, still producing world-class steel day after day. British Steel has a strong strategic plan in place, externally validated by top-tier management consultancy McKinsey.

The Government have made all the right noises. The Secretary of State and the Minister showed real leadership in putting in place the indemnity that allows the business to continue as a going concern. When local cross-party MPs met the Prime Minister, she made clear her Government's commitment to finding a sustainable future. The Secretary of State's chairing of the British Steel support group's weekly meetings is valued by all stakeholders. However, we are now reaching a crunch time, when warm words need to be matched with further actions to close the deal with prospective buyers.

Assurances may need to be given about the environmental liability—a no-brainer, as the liability is likely to fall to the Crown anyway if the business fails. On future carbon credits, the Government will need to show the flexible thinking that they have already shown in their dealings with Greybull Capital. Other things for the Government to look at might include loans to support investment and so on. To be helpful, will the Minister confirm that the Government, while being mindful of the need to act within the law, will do all they can proactively to close the deal with those bidders the official receiver believes can take the business forward?

Over the past few years, we have bounced from one steel challenge to another. Too often, steel policy responds to the urgent needs of the now, but fails to set out a strategic future path for this crucial foundation industry. In 2015, Sahaviriya Steel Industries in Redcar closed, meaning that the UK's strategic steelmaking assets there are now lost forever. The cost of cleaning up the site, alongside the human cost of huge job losses at the heart of the northern powerhouse, will be with us for a very long time.

Instead of lurching from one crisis to another, the UK needs a Government that will put a plan for steel in place by responding positively to the five strategic asks made by steel MPs, trade unions and employers with one loud, consistent voice. First, the threat of a no-deal exit from the European Union is what sparked the current crisis, and anyone who talks blithely of a no-deal exit risks steel jobs and livelihoods throughout the supply chain—no deal risks no steel—so we need a

positive new relationship with the EU to give certainty on the timely provision of UK-specific quotas within the EU steel safeguards. That should be a major first priority for the new Prime Minister when he takes up his post.

Stephen Kinnock (Aberavon) (Lab): I thank my hon. Friend for securing this vital debate. I also pay tribute to him for his absolutely outstanding work as chair of the all-party group on steel and metal-related industries. He shows real leadership in this area. On the subject of the steel quotas, he rightly pointed out that, in the case of a no-deal Brexit, we potentially have the disastrous situation of UK steel being subject to EU dumping regulations. What steps should the Government take specifically to ensure that we are given those quotas, which UK Steel has said are the No. 1 priority in the short term?

Nic Dakin: It is about talking to the EU about the necessity of having UK-specific quotas. That could be part of a deal; it is a deal that can be done, and one that the new Prime Minister needs to put high on his list of priorities. That needs to happen, because steel is a strategic industry that is important not only to us in steel communities, but to the UK if it is serious about its place in the world. Ensuring that we get those quotas is therefore the first ask.

Secondly, a level playing field is still needed on electricity prices for UK steel. It is not good enough for the Government to say that they have given some of the "higher than our competitors" energy taxes back; we need some innovative approaches to level the energy-costs playing field. For example, we could put measures in place to maximise the level of relief on renewables levies, which is allowable under state aid rules, we could bring in German or French-style network cost reductions, or we could provide an exemption from the capacity market levy, as the Polish Government are doing. Those things happen in our competitor countries and, given the political will, they could happen here.

Thirdly, something needs to be done to tackle the much larger level of business taxes on steel in the UK compared with our competitors. It is bonkers that the site in Scunthorpe has higher business rates than the equivalent site, which is twice the size, at IJmuiden in the Netherlands. That is not a level playing field under anyone's rules.

Fourthly, more could be done to maximise public procurement of steel, as my hon. Friend the Member for Torfaen (Nick Thomas-Symonds) indicated. Progress on Government policy note 11/16 on procuring steel in major projects remains patchy. I was pleased to see the previous Minister with responsibility for the steel industry, the hon. Member for Watford (Richard Harrington), begin trying to make Departments accountable, but we have a long way to go to get real, effective traction, and we are three years on since the Government put that policy guideline in place. In answer to my written questions asking Departments if they have signed up to the steel charter, all confirmed that the current Minister is on the case and has written to them—but, in the main, the answers were hesitant and generic. The honourable exceptions were the Ministry of Justice and the Department for Work and Pensions, both of which confirmed that they will sign the charter. The next step for them will be implementation.

Andrew Percy (Brigg and Goole) (Con): I thank the hon. Gentleman—my constituency neighbour—for securing this debate; he is a genuine champion of our local area and for steelworkers in particular. Would he encourage more local authorities to sign up to the steel charter? Last week, North Lincolnshire Council's leader got the first London authority—Bexley, I believe—to sign up. It is really important that more councils sign up to that charter.

Nic Dakin: The hon. Gentleman is absolutely right; to its credit, North Lincolnshire Council has shown strong cross-party unity and leadership on this issue by signing up to the procurement of UK steel. A number of local authorities across the country have done so, but many more could follow that lead, and he is right to call for that action.

All Government Departments, bodies and infrastructure projects that purchase large quantities of steel should sign up to the UK steel charter, committing to specific, ambitious actions to increase the amount of UK steel used in public projects. The guidelines should be extended to cover all major public procurement and infrastructure projects. The good practice exemplified by Network Rail and Heathrow airport should be the rule, not the exception.

The fifth ask is to use the UK's €250 million share of the research fund for coal and steel, which is paid for by industry levies and will be returned after we leave the EU, to secure an ambitious programme of innovation for the UK steel sector. A practical use for that money would be investment in our steel sector's future. The previous Steel Minister made a commitment on behalf of the Government to convene a steel summit to consider how to realise a steel sector deal that would take the industry, its supply chain and the country forward. Will the Minister confirm that the Government will take forward that commitment? Will he respond positively to the practical suggestions I have made about how the Government can act to back steelworkers, steelmakers and UK plc?

Several hon. Members *rose*—

Mr Philip Hollobone (in the Chair): Order. The debate can last until 5.30 pm, and I am obliged to call the Front-Bench speakers no later than seven minutes past 5. The guidelines are that the SNP spokesperson may speak for five minutes, the Opposition spokesperson may speak for five minutes and the Minister may speak for 10 minutes, while Mr Dakin will have two or three minutes at the end to sum up the debate. However, our afternoon will be interrupted by Divisions in the House, which are expected at 4.58 pm, so the debate is likely to finish later than 5.30 pm. Six Members wish to speak—a galaxy of talent and knowledge about the UK steel industry. Therefore, each speaker may speak for no more than four minutes, beginning with Simon Clarke.

4.43 pm

Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con): I will endeavour to stick to that limit; thankfully, I echo many of the comments made by the hon. Member for Scunthorpe (Nic Dakin). I congratulate him on securing this important debate; the cross-party unity in this room is mirrored in the weekly meetings we

have had in Doncaster since the crisis first began. It is important that we maintain that, and show united confidence in the future of the industry and the passion that we all have to retain those skills in our local economies. Huge praise is due to both the Minister and the Secretary of State, who understand the significance, on a social and economic level, of making sure that our communities continue to have a strong future.

I represent Skinningrove, known locally as the iron valley, where steel has been produced since 1874. The heritage runs deep, but this is very much about the future rather than the past. The huge capabilities of the British Steel special profiles division, producing bulb flats, forklift profiles, cutting-edge profiles for bulldozers and track shoes, are all capabilities that we must not lose from our economy. The fact that it is co-located with Caterpillar on the same site is a huge tribute to Anglo-American co-operation, which goes far beyond the intemperate comments of the President in recent years—this is the positive face of a union that has delivered huge benefits to our area.

The conduct of Greybull is well known, and I do not propose to elaborate on it today. It is a source of immense frustration that it has let the workforce down and that the company has been allowed to reach this sad situation. We all know that it needs to be replaced by a long-term, viable investor who is committed to the lasting success that the workforce deserve, who can deliver a profitable and successful industry. I emphasise that everybody—Government, management and the unions—stand united in pursuit of a positive outcome to the talks. Only thus can we secure a sale.

Looking beyond that, as we heard from the hon. Gentleman, we need to do more on issues such as energy costs. The average electricity price for UK steel producers this year is £65 per MWh. That compares with £43 in Germany and £31 in France. We need to take steps to allow our industry to compete on a level playing field. If the Government commit to do that, the industry has said that it will reinvest the estimated £55 million a year that it would save back into production facilities.

We need to look at boosting research and development. I place on record my profound admiration for the work of the excellent Material Processing Institute, which the hon. Member for Redcar (Anna Turley) knows all about. It submitted a bid, alongside Innovate UK, to unlock funding for issues such as the steel industry transition, the digitisation of the sector and the circular economy in rare metals. We should look to pursue all those things. I hope the Minister will touch on some of those issues in his remarks, because they confer lasting benefits to British steel.

Finally, we need to promote and celebrate our steel industry, as we touched on in Doncaster yesterday. The steel charter is immensely valuable, and it is crucial that we increase the percentage of British steel in Government contracts from its current 43%. The private sector needs to play its role, too, to make sure that it explores all available opportunities. If those longer-term opportunities can be seized, there is nothing standing in the way of British steel having a long, secure and prosperous future. We all want to see that, and I hope over the coming weeks the Government will do everything they can to make sure we deliver that.

4.47 pm

Sarah Champion (Rotherham) (Lab): It is truly a pleasure to serve under your chairmanship, Mr Hollobone. I thank my hon. Friend the Member for Scunthorpe (Nic Dakin) for securing this debate, again. It is truly dispiriting to be here again to call on the Government to act to safeguard the future of British steel production. It is a vital strategic industry, yet the Government's record on steel is one of abject failure.

Time and again Members, many of them here today, have set out in clear terms what is required. Time and again, the Government have done nothing. They have failed to take action on high energy costs that have held the industry back against its worldwide and European competitors. They have failed to take action on business rates, which penalise investment and prevent the industry from shaping its own future. They have failed to commit to favouring British-produced steel in major state infrastructure projects such as HS2. Most damningly, they have failed to properly understand the industry, its importance and the unique challenges it faces. We find ourselves, once more, talking about thousands more workers with uncertain futures, and more communities that face having their hearts torn away.

It did not have to be like this. In Rotherham, Tata's speciality steels division was taken over by Liberty House. While the collapse of British Steel has called into question the conduct and suitability of its owner Greybull Capital, Liberty has invested heavily in its Rotherham plant. Last year, I attended the refiring of a furnace that had been mothballed for two years. In Rotherham, steel is not losing jobs but recruiting for jobs. Yet it is reported that potential buyers of British Steel's operations have been put off, not by the challenges common across the industry, but by our Government's failure to commit to support investment and development in the sector.

The Government simply cannot continue to stand by and watch as the steel industry in Britain withers and dies. Promises are no longer enough. The Government must act now, in the national interest, to protect jobs in Scunthorpe and the north-east. They must do now what they should have done in 2016 and address the structural challenges that continue to place the wider industry in jeopardy.

4.49 pm

Andrew Percy (Brigg and Goole) (Con): It pains me to disagree slightly with the hon. Member for Rotherham (Sarah Champion)—for whom I have a high regard and whom I consider a friend—but it is simply not the case that the Government have done nothing. It is also a little rich to take lectures from Labour, under whose last tenure in government the number of people working in the steel industry halved and UK steel production fell.

It is not the case that the Government have done nothing. This Government have acted to defend the steel industry in a number of ways, whether by creating the scheme that enables the company to be reimbursed for its high energy costs, by restructuring business rates, which have a direct beneficial impact on the site in Scunthorpe, through the millions of pounds that they made available shortly before the liquidation of British Steel to cover the EU carbon credits, or through the tens of millions of pounds that the Government were

prepared to put in but could not do so because an arrangement on a commercial basis, as required by UK and EU state aid laws, could not be achieved. The Government have a strong record of supporting the sector and supporting steel workers in Scunthorpe.

It was the UK Government in the EU that led demands to change procurement rules within the European Union, just a few years ago, to make it easier for us to procure UK steel. Of course, those procurement rules are still a challenge for us. The Government cannot just turn around, as some people think, and say, "We are going to use UK steel in all Government contracts." That would be illegal under UK and EU law, and—for those who think that a no-deal Brexit is the answer to all this—it would even be illegal under World Trade Organisation rules.

Having used half my speech to slightly disagree with my friend the hon. Member for Rotherham, I will say why we need the Government to act now and set out some things they need to do.

As the hon. Member for Scunthorpe (Nic Dakin) outlined, our area relies strongly on the steel industry. Scunthorpe is a steel town; north Lincolnshire is, in many ways, a steel district. Most of the workers—the lion's share, probably—live in my constituency. We cannot underestimate the impact of steel workers on our local economy, because these are some of the best paid and most skilled jobs we have in our area. I am not prone to hyperbole—well I am, but let us pretend I am not—but to lose them would be devastating on our local economy.

Martin Vickers (Cleethorpes) (Con): Will my hon. Friend give way?

Andrew Percy: Of course I will give way to my neighbour.

Martin Vickers: My hon. Friend is, as always, erudite—that is the word I was looking for. His point about the northern Lincolnshire economy is well made, as it was by the hon. Member for Scunthorpe (Nic Dakin). Would he also acknowledge that this issue spreads far and wide? Some 150 people are employed at the port of Immingham, either by Associated British Ports or British Steel directly. Speaking as chairman of the all-party parliamentary group on rail, I can say that there are impacts not just on the supply of steel but on the movement of raw materials.

Andrew Percy: Absolutely. I do not need to repeat what my hon. Friend said; all that is true and demonstrates how important the industry is not just to our sub-region or region, but to the whole UK economy.

Where are we now? I thank the Minister and the Secretary of State for the positive way in which they have engaged with local stakeholders, unions, the councils and local Members of Parliament. I genuinely believe that this Government are trying to do everything they can to secure a future for the site. This is an independent procedure through the official receiver, but locally we do not want to see a partitioning off or a selling off of different parts of the business. We want to see the business sold in its entirety. For the reasons stated by the hon. Member for Scunthorpe in relation to the strategic importance of the industry, we have to continue producing steel in Scunthorpe.

[Andrew Percy]

The Government must stand ready to do all they can financially to support the industry. There are tens of millions of pounds that were available before the liquidation, which we have been assured remain available for any new partner on a commercial basis, as required by law. Can the Minister reconfirm that today? That would be appreciated.

We have to be honest about the situation if a buyer cannot be found. We know that we are down to a shortlist—it is good that there are number of buyers who are realistic prospects to purchase the business—but as I and other colleagues have repeatedly said, we must not be close-minded about any particular structure moving forward. Nationalisation does not get us over the problems of investment having to be on a commercial basis. That might or might not be an answer in and of itself, but it does not mean we should simply rule that option out, or the option of a public-private partnership. Every option should be considered by Government to ensure that the whole business can continue to operate.

We do not want the crumbs off the plate, as it were, and just a few hundred jobs saved if part of the business were sold separately. We want it to continue in its current form because it is so strategically important to UK plc.

4.55 pm

Jessica Morden (Newport East) (Lab): I thank my hon. Friend the Member for Scunthorpe (Nic Dakin) for securing yet another debate about steel, for chairing the all-party parliamentary group on steel and metal related industries, and for being such a thoughtful and passionate advocate for our steel industry, and particularly his steel community, in difficult times. Steel workers in my constituency will be feeling for the steel workers in his constituency as we wait to hear about British Steel.

I pay tribute to steel workers and unions in my area, who have such pride in their industry and have made such sacrifices over recent years in this cyclical business. The communities of east Newport and over to Caldicott have been built on that pride. Most people have family or friends who have worked in the industry, but the current generation of steel workers live with the constant threat that their jobs are uncertain. They look towards Bridgend and what happened to Ford workers; they are understandably concerned and worried about problems in the automotive sector. That is not just because of the bonds of working in that industry, although that bond is real—Tata Steel's Zodiac plant at Llanwern and the auto-finishing line depend on securing work from the automotive sector. We need the Government to urgently do all they can to ensure that our steel and automotive industries are open for business.

It is often said in such debates, but it worth repeating that steel is a foundation industry and a national asset. For our manufacturing industry and our economy to thrive we need our own steelmaking capacity. We must not neglect this foundation industry and end up importing our steel. My hon. Friend the Member for Scunthorpe reminded us in a recent debate, and again today, that the strongest economies in the world—the USA, China and Japan—have the strongest steel industries. We currently come in at number 30, and we must not fall further down the table.

I want to talk about Tata Steel's Cogent Orb works in my constituency, which has been making steel since 1898. The 350 steel workers at Orb make electrical steel that has the potential to be used as the high-quality grain-oriented steel required to build electric vehicle motors. The automotive industry has been calling on the Government to support the production of a high volume of batteries required to support EV production in Britain and avoid the risk of importing from abroad. [Interruption.]

Mr Philip Hollobone (in the Chair): Order. I am sorry to interrupt the hon. Lady.

Jessica Morden: That is okay. I was just finishing.

Mr Philip Hollobone (in the Chair): A Division has been called in the House. The hon. Lady has one minute and 45 seconds to finish her speech when she comes back from the Divisions. I understand that there will be multiple Divisions, so we will resume 10 minutes after the last Division.

4.57 pm

Sitting suspended for Divisions in the House.

5.28 pm

On resuming—

Mr Philip Hollobone (in the Chair): Jessica Morden has one minute and 39 seconds left.

Jessica Morden: Thank you, Mr Hollobone. I was talking about Cogent Power and the potential in the electric vehicles industry, because demand for electric vehicles is only going to grow and we have a fantastic opportunity with that company to get in on the cutting edge of that new industry and to develop a supply chain for it. But these are smaller companies and will need the Government to help to bring the supply chain together. The Orb works is the only plant in the UK capable of making the steels and is therefore a strategically important business that can support the Government's industrial strategy in relation to electrification. We must take advantage of that new industry. I visited Orb recently and have invited the Secretary of State for Wales. I would be very keen for the Minister from the Department for Business, Energy and Industrial Strategy also to visit when he is in Newport, which I think might be fairly soon. That plant must be able to take advantage of that opportunity, but we need the Government's help for that.

As well as Llanwern and Orb, Liberty Steel is based in my constituency. Liberty bought the old Alphasteel plant in 2015, and Sanjeev Gupta has announced that it has now become one of the largest steel producers in Europe, with a global footprint employing 30,000 workers. It appreciates that steel is a cyclical business and needs investment to get it through the cycles in order to make money. It is working on a model of an exciting bright future for steel, but it too asks the Government to deliver on the industrial strategy with a delivery taskforce to support and drive the investment that we need, particularly in the green steel area.

On behalf of the steel industry and workers in my area, I will repeat the asks so often made in these debates. We have waited too long for a sector deal for steel. We need more and faster action on energy prices. We need more action on procurement. We also need

more action on dumping and on what will happen with the trade defence instruments in Europe. I am grateful for the opportunity to take part in this debate. On behalf of all those who work in Llanwern and at Liberty, I hope that we can expect action and not more warm words from the Minister.

5.30 pm

Anna Turley (Redcar) (Lab/Co-op): As always, Mr Hollobone, it is a pleasure to serve under your chairmanship.

I congratulate my hon. Friend the Member for Scunthorpe (Nic Dakin) not only on securing this debate but on the last few months, when he has been such a doughty champion for his constituents and for the steel industry in this country. We are very proud of him and I know that his hard work is going to pay off.

Of course, we know why we are here today participating in this debate, which is extremely timely and important because, yet again, here we are in another steel crisis, while steelworkers sit at home, hoping and praying that they have a future and a job and a salary to continue to provide for their families. Yet again they are in a precarious situation.

To be honest, it is depressing that we are here again, because a year ago tomorrow we had a debate in Westminster Hall, this exact same Chamber, which was three years on from the 2015 steel summit and all the promises that were made then, and all the asks that we made of Government. And here we are yet again, despite having seen the devastation that my constituents bore the brunt of. We can see what happens when we fail on steel.

My constituency is still struggling. I am here today, not just to fight on behalf of the 700 British Steel workers in my constituency today but because of what happened to us three and a half years ago in Redcar. We lost 2,200 jobs immediately in SSI and another 900 in the supply chain. I always say to people, “Imagine that in London, Manchester, or Birmingham. It would be devastating. Then put that in a seaside town, or a town like Scunthorpe, and imagine the effect of that on an economy, on a society, on a community, on families and on individuals.”

We are still not recovering; we are still not there. We know the average salary of those who worked in the steelworks; we know they are good jobs. They were the highest paid jobs in my constituency. The average salary is down by £10,000 a year. Many workers have had to move away to find other employment. Some are working in British Steel on Teesside or have even gone to Scunthorpe, where yet again they find themselves back in this precarious situation.

A month ago, I met a worker who had had 13 different jobs since he lost his job at the steelworks. That is the kind of insecurity and economic disaster that happens if the Government do not step in and stand by our steel industry, and that is before we even get on to talking about the reclaiming of the site, which stands there corroding and rusting. It will cost millions to get that ready for other businesses to come in, clean it up and bring jobs. I just raise that with the Minister to say that this is what happens—this is the cost of failure.

I pay tribute to the Secretary of State, who I am sure cannot be with us today because he is probably—hopefully—travelling the world and trying to secure a deal for British Steel. I pay tribute to him, because I

think he gets that. He understands and, to be fair, things are different to what they were in 2015. The Government have stepped in; they have given the indemnity to the official receiver; they have bought us some time; and they have kept the workforce paid and the asset in place. So I pay tribute to him, but I have a few requests to make of him and of the Minister who is here in his absence today.

Obviously, we know that the official receiver is bound by his legal obligations. However, I will echo the sentiments that were expressed earlier today about keeping the business together. It is vital that the Government support bidders who bid for the whole business—no more cherry-picking and no more asset-strippers such as Greybull.

It is vital that we have the investment to deal with the environmental liabilities that are so important on the Redcar site, but the importance of innovation must not be forgotten either. We cannot beat China and others on price, but we can beat them on innovation, with lighter, stronger, greener steel. And I make a pledge again to—

Mr Philip Hollobone (in the Chair): Order. To be helpful to the hon. Lady, we have five minutes of Back-Bench time still to go and the remaining speaker is not here, so she can slow down rather than speed up. *[Laughter.]*

Anna Turley: I am extremely grateful to the Chair, because I was barely pausing for breath. I can get back into my stride.

Innovation is crucial. The hon. Member for Middlesbrough South and East Cleveland (Mr Clarke) mentioned the Materials Processing Institute, which is in my constituency. It is doing fantastic work. It has been around for 75 years; it was formed just after D-Day. It has a fantastic vision for innovation: new technologies, decarbonised steel, the digitisation of the steel and metals sector, and a circular economy for steel, alloys and rare metals. Those are really important innovations. If we do not support originations and businesses that are doing that work, I am afraid we will see more redundancies and job losses, and the loss of a huge amount of capacity and capability. Therefore, innovation must be at the cutting edge of productivity, and we must support innovation experts such as the MPI, which are at the heart of this.

Like other hon. Members, I want to highlight the importance of the long-term issues that we have raised time and time again in this place. We need action on energy prices, business rates and procurement. I hope that the long-awaited sector deal is not a figment of our imagination and that we will live to see one for the steel sector. Sector deals are as important for our sector as they are for the many other sectors that have had a response and engagement from the Government. That would send a clear signal that the Government are committed to the steel industry and want to do business with the private sector.

I will end on Brexit. The industry has been very clear that there is no Brexit deal that would bring benefits to the British steel industry. That is just a fact. Of course, the disaster of no deal cannot be underestimated. We would see 97% of our exports subject to trade restrictions, and 25% tariffs to the EU—£1 million per day for the steel industry in this country. We would lose access to

[Anna Turley]

£1.6 billion of research funds for coal and steel. As my hon. Friend the Member for Scunthorpe said, no deal means no steel. The industry could not be clearer about that.

I pay tribute to the Secretary of State, and I am grateful to the Minister for coming to respond. I know that he gets it. I know that the Government are trying to do all they can for British steel, and that he understands the importance of this industry to our country, our defence, our manufacturing and our place in the world. Unfortunately, the future of this proud industry hangs in the balance once again. I look forward to the Minister doing his part.

Mr Philip Hollobone (in the Chair): We now come to the Front-Bench speeches, the first of which will be from the hon. Member for Motherwell and Wishaw (Marion Fellows). The guideline limits are five minutes for the SNP, five minutes for the Opposition and 10 minutes for the Minister.

5.37 pm

Marion Fellows (Motherwell and Wishaw) (SNP): It is a pleasure to serve under your chairmanship, Mr Hollobone. I thank the hon. Member for Scunthorpe (Nic Dakin) for securing this important debate and for his outstanding work as the chair of the all-party parliamentary group on steel and metal-related industries.

I came into this Parliament in 2015 and almost instantly got involved in steel because my constituency used to house Ravenscraig hot strip steel mill, and now houses the Dalzell works. We have had not our troubles to seek. What has been done in Scotland and in the rest of the UK has been different in the extreme. The hon. Member for Scunthorpe—I believe it was he—said that he was looking for another UK steel summit. I was involved in the first one and the one in Scotland. The one in Scotland started proceedings by saying, “We will save both mills”—there is also Clydebridge in the neighbouring constituency. That was the focus from the minute that the summit met. The steel taskforce worked tirelessly with that one aim in mind, and it succeeded by helping Liberty Steel to buy the mill from Tata, giving it as much work as possible, giving it compensation for electricity and a rates holiday, and doing all sorts of other practical tasks. It managed to do that within the EU rules. It has always been a huge puzzle to me why the UK Government cannot do what our EU competitors do, work within the EU rules and save steel in the UK. The industry should not be lightly disregarded.

Steelworkers are a special breed, as has been said. They have taken the decision time and time again across the UK to change their terms and conditions and rates of remuneration, and they have fought to save apprenticeships—all in the teeth of a Government who do not seem to care about what happens to anything other than the financial industry. No first-world country can run an economy without manufacturing, and steel is a foundation industry for any economy that wants to have manufacturing.

I feel passionately about this issue. I am not a native of Motherwell and Wishaw; I have only been there 32 years—I always say that. However, I know how

passionately steel is intertwined with the very fabric of my constituency. It was a pleasure to be there recently when the Minister from the Scottish Government signed the UK steel charter. I was in a privileged position, because I was able to be at both signings, both here and in Scotland. That commitment by the Scottish Government needs to be matched by the UK Government, because there are things that are not within the competence of the Scottish Government. We have no influence on energy prices, dealing with steel tariffs or dealing with the President of the United States, so I ask the Minister to please take this issue seriously.

Many of us who take part in these debates are sick and tired of the same debates. It has been joked that we should just pull out the speeches we made before, rewind, and keep giving the same ones. There is a place for that, but we need this Government to make a commitment that we will not leave the EU with no deal and that we will save the UK steel industry in its entirety. We must save the jobs of people who have committed to the steel industry, and the unions that have worked tirelessly with management across that industry to make sure it is still here and will be here for the future and our children's futures.

5.42 pm

Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab): It is a pleasure to serve under your chairpersonship, Mr Hollobone, and I congratulate my hon. Friend the Member for Scunthorpe (Nic Dakin) on having secured this debate. He is a champion for his community and the steel sector more widely, and I know he has been working hard on behalf of his constituents to press the Government for clarity during this time of crisis. I thank the steelworkers, the steel manufacturers, the trade unions—Unite, Community and GMB—and also UK Steel for their unwavering support for this fantastic industry. Such a coalition is rare, but it shows how important this issue is to our communities and our country.

On 22 May, British Steel collapsed, putting at risk 4,000 jobs directly and 20,000 jobs in the supply chain. That announcement came as a shock to thousands of steelworkers who worked against the odds to defend the company's future, and I join the thousands waiting impatiently to hear some positive news about a new buyer. It is imperative that the Government prioritise a buyer for the whole steelworks, not parts, and I urge them to make every necessary support available so that we can secure the long-term future of the company.

For decades, the steel sector has been at the heart of communities, including mine in South Yorkshire. It has provided well-paid, well-skilled jobs, and over the years, through sheer determination and resilience, the sector has manoeuvred through some very choppy waters. When I joined the House in 2016, the steel sector was going through a severe crisis, which saw the collapse of the Redcar steelworks. My hon. Friend the Member for Redcar (Anna Turley) has spoken eloquently many times in this House championing the steel sector, and I believe she will continue to champion it till her last breath. We must never let such a collapse happen again. We have to collectively value and appreciate the importance of the steel sector, and although there are global and domestic challenges, including global overcapacity, there are also enormous opportunities.

Alex Sobel (Leeds North West) (Lab/Co-op): On that point about opportunities, my hon. Friend's constituency was the cradle of stainless steel, and it now has ITM Power, which makes hydrogen. Does she agree that hydrogen steel furnaces are part of our commitment to address climate change, and could create a whole new steel industry in the UK, leading the world?

Gill Furniss: I thank my hon. Friend for his intervention. I absolutely agree, and I very much look forward to my home town of Sheffield taking up those opportunities, because it is well placed to lead a green industry.

As I was saying, we always need steel, which literally forms the fabric of everything we see. I sincerely worry that both contenders to be the next Prime Minister are advocating a no-deal Brexit. As UK Steel has clearly stated, that would be catastrophic for the sector. It could cost it £70 million and lead to further collapses.

The steel industry has many strengths and is able to thrive, but, for that to be achieved, we need the Government to commit to help. The future of UK steel can be bright, and the Government's own analysis has identified a £3 billion opportunity by 2030, sustaining good jobs in the areas that need them the most. The news last week that Jaguar Land Rover will invest £1 billion in building electric cars in the UK was an enormous boost, with the company leading the way on electrifying the cars on our roads and signalling a commitment to a greener economy. The opportunities for end-to-end supply in that process—making the steel at home to support the building of those vehicles—could be enormous. That could support and encourage growth in the steel sector while spearheading a green revolution.

It is disappointing that the opportunity to secure a steel sector deal has never come to fruition. I am pleased to see the new Minister in his place, and I urge him to give that issue the greatest importance. The steel sector needs that deal for innovation, for user research and development, and to be there to take on exciting opportunities for the future. The steel industry is there and waiting to be helped with the challenges ahead and the opportunities to make it thrive.

UK steel companies pay 50% more in energy costs than their competitors in the EU. On procurement, we know that UK Government decisions are a hugely powerful policy tool to boost British steelmakers' orders. The decision to use our steel for the royal fleet, mentioned, I believe, by my hon. Friend the Member for Rotherham (Sarah Champion), would be much welcomed. It would also make complete sense for our national defence. Please, Minister, look at that, because those are the opportunities that need to be put forward.

I commend the UK steel charter, which is aimed at enhancing and maximising procurement opportunities for UK steel producers. The Welsh Labour Government were the first to sign up to that commitment. They are leading the way, but Departments in Whitehall appear to be resistant to signing up. Will the Minister commit that all Departments will sign up to the charter?

On business rates, the perverse inclusion of investment in machinery, which increases a company's business rates, is patently a barrier to investment. Some British steel companies have huge disparities in their business tax bills across their plants in Europe. For example, Tata pays a business tax bill in Wales that is 10 times

that of its operation in the Netherlands. Will the Government join the Labour party in our pledge to remove machinery for steel companies from business rates to ease that burden and invite more investment back into the steelworks? I am not saying it will be easy, but what is a Government for if not to support our foundation industries and encourage their growth?

Our steel industry is fabulous, innovative, flexible and resilient, and it can thrive. Please help us to make sure it stays that way.

Mr Philip Hollobone (in the Chair): In calling the Minister for steel, I think we should note the presence of the Secretary of State for Business, Energy and Industrial Strategy and encourage other Secretaries of State to attend debates here in Westminster Hall.

5.48 pm

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Andrew Stephenson): It is a pleasure to serve under your chairmanship, Mr Hollobone. I congratulate the hon. Member for Scunthorpe (Nic Dakin) on securing the debate and the opportunity to bring everyone together on a cross-party basis to discuss this topic. As a number of his colleagues said, he is an energetic and passionate advocate for the UK steel industry and for his constituents. I am pleased that so many Members were able to attend and speak. It is clear that there is a shared understanding of the important role the steel sector plays in our communities and of its critical place as a foundation industry in the national economy. I also acknowledge that, for the first time in my memory, I am joined in Westminster Hall by a Secretary of State. I had better watch what I say.

While everyone acknowledges there are considerable challenges, we believe that great opportunities remain for the industry to secure a successful, sustainable future at the centre of British manufacturing. The announcement on 22 May that British Steel was entering insolvency has caused great concern for its employees and their families and for contractors, suppliers and customers. I understand just how important steelmaking is to the whole town of Scunthorpe and the wider area, beyond the many people with direct links to British Steel. I saw that first hand the day after the insolvency was announced, when I visited Scunthorpe with my right hon. Friend to discuss with workers, trade union officials and management.

The Government worked intensively with British Steel, Greybull Capital and lenders to seek possible solutions to the financial challenges facing the company. That included the support we provided to help it meet its environmental obligations. We also provided the official receiver with an indemnity to ensure operations could continue while they carry out the insolvency process.

We are determined that we will leave no stone unturned in our efforts to secure a suitable buyer for British Steel, safeguarding jobs across the whole of the business, and many people have spoken passionately today about the need to find a solution for the whole business. We want to keep steel coming off the production line. The official receiver has confirmed that the level of interest shown to date is encouraging, and he is in intensive discussions with the potential new owners who have submitted the strongest bids for the whole business.

[Andrew Stephenson]

Clearly, the sales process is being run by the official receiver and his special managers, who are independent of Government. However, in parallel to those commercial negotiations, the Secretary of State is in discussion with the leading bidders to better understand their proposed business plans and explore how we can support them to realise their vision for the company. Each one of British Steel's sites has a proud record of steelmaking excellence, and the Government are determined to do all we can to ensure that that continues.

I must also pay tribute to British Steel workers, who have responded to the uncertainty with the best response possible—by producing record levels of steel and continuing to supply its customers and to win new orders. I am grateful to the hon. Member for Scunthorpe for his tireless commitment to working with Government and other stakeholders to help secure the future of the business, both in his role as a local MP and as a member of the British Steel support group, convened by my right hon. Friend. I also pay tribute to my hon. Friends the Members for Middlesbrough South and East Cleveland (Mr Clarke) and for Brigg and Goole (Andrew Percy) and the hon. Member for Redcar (Anna Turley) for the positive role they have played on the British Steel support group since it was established in May.

As the hon. Members for Newport East (Jessica Morden) and for Motherwell and Wishaw (Marion Fellows) said, steel is a foundation industry. It is important for any modern economy and plays a key role in many critical UK supply chains, including construction, automotive, defence and power generation. I have spoken to business leaders right across the manufacturing sector, who value having this expertise and capability here in the UK, and who—like all of us—want to see an innovative and sustainable steel sector that is able to compete with the best in the world.

The steel sector provides well-paid and skilled jobs in this country. The passion I have seen in Scunthorpe is replicated right across the industry, and I want to see the sector thrive and reward the staff, whose expertise and commitment is second to none. The Government have been working with the sector and trade unions to secure its future through difficult times, and we remain committed to working closely with the sector.

Since I took on this job, I have met UK Steel, Community, Tata and Liberty to understand their plans for the future and to explore the support they need to maximise the opportunities that are open to the sector. We are under no illusions that many challenges lie ahead for UK steel producers, but we should not forget, as the Opposition Front Bench spokesperson, the hon. Member for Sheffield, Brightside and Hillsborough (Gill Furniss), said, that there are also many opportunities for them in the UK. We have been encouraging the UK steel sector to strengthen its engagement with all existing and potential domestic steel consumers. That will help the sector benefit from the additional £3.8 billion a year by 2030 of high-value market opportunities identified in the research we published in December 2017, and it means that demand is forecast to increase by 3.1% a year in value terms.

The construction and automotive sectors offer some of the most significant opportunities, at £2.2 billion and £300 million respectively. Future demand in those sectors

is likely to be for higher grade, higher strength steels, combined with innovative production methods. That raises the need to adapt current production, invest in new capital equipment and make a step change in research and development investment. As part of the automotive sector deal, the automotive sector stated its ambition to increase the share of UK content in the automotive supply chain to 50% by 2022. We have also signed a sector deal with the construction sector, and we expect steel to play an increasing part as we seek to substantially boost that sector's productivity.

I am grateful for the opportunity to reflect on some of the challenges and opportunities that lie ahead for the sector. As we have offered through the Steel Council on a number of occasions, the Government stand ready to facilitate strategic engagement with other sectors, such as the Automotive Council UK and the Construction Industry Council, to ensure that efforts in the steel industry are targeted at the right market opportunities.

Several hon. Members have talked about research and development. Investment levels in the UK have been too low for too long. The research on future opportunities that I referred to earlier states:

“If the UK steel industry wishes to access these opportunities it will require investment to meet the new capability either from completely new mills, upgrades to existing facilities or R&D in products and services.”

As a proportion of value added in the sector, R&D expenditure has been low and below the average level in the manufacturing sector. It is vital that the level of investment is significantly increased, and we are committed to working in partnership with the industry to help to bring that about.

The Government will support the transformation of our foundation industries, including steel, by providing up to £66 million, subject to industry co-funding, through the industrial strategy challenge fund to develop radical new technologies and establish innovation centres of excellence in those sectors. The aim is to kick-start projects to make those sectors internationally competitive, securing more jobs and greater growth by 2025.

Several hon. Members raised the issue of procurement. We are working hard to ensure that UK producers of steel have the best chance of competing for and winning contracts across all Government projects. As a result of EU public procurement rules in place since 2015, which we negotiated and were the first country to implement, the social and economic impact on local communities, rather than just price and other commercial considerations, can be taken into account when the Government procure steel.

I was proud to sign UK Steel's procurement charter on behalf of my Department to reaffirm our commitment to making sure that UK steel producers get a fair chance to secure public contracts. As the hon. Member for Scunthorpe said, I have written to the other Government Departments that procure steel to encourage them to do the same, on top of their existing obligations.

The charter is one element. For the first time this year, we published information from Departments and their arm's length bodies on how much steel they have procured over the last financial year and how they have applied the steel procurement guidelines. Departments have confirmed that, where applicable, they have fully complied with the guidance when procuring steel for their major projects.

We have also published an update of the steel pipeline, which signals the upcoming steel requirements of national infrastructure projects. It shows how the Government plan to procure about 3 million tonnes of steel, worth about £500 million, over the next decade for infrastructure projects such as Hinkley Point C and the upgrade of the UK's motorway network.

On industrial energy prices, which were mentioned by several hon. Members, I recognise the concern in the Chamber. The ability of our steel industry to compete globally and across Europe is a priority for the Government, and we will provide compensation and exemption support to maintain the UK's reputation as an attractive location for businesses.

I fear I am running out of time, so, on the energy point, I will just say that, as many hon. Members know, we have supplied £295 million in compensation to energy-intensive industries since 2010, including £53 million in 2018. A £315 million industrial energy transformation fund has been announced, which my right hon. Friend the Secretary of State and I are keen to ensure British industry accesses and benefits from.

On international trade, it remains the express ambition of the Government to leave the European Union with a deal, as has been stated by the two candidates running for the leadership of the Conservative party. We will do everything we can to ensure that unfair trade practices do not adversely affect the industry.

I look forward to continuing to work with all hon. Members present to ensure the continued presence of a dynamic, modern and competitive steel industry in the UK. My right hon. Friend and I will continue to work with all hon. Members to secure a good future for

British steel. I conclude by once again congratulating the hon. Member for Scunthorpe on securing the debate and giving us an opportunity to air these issues.

5.59 pm

Nic Dakin: I thank all hon. Members for their contributions to the debate. I particularly thank the Minister for his very solid response—not that we will not continue to press him for further action, since that is our job. Steel communities observing this debate will be heartened by the level of commitment and cross-party unity of purpose: 14 MPs have spoken, and more would have done so if their diaries had not prevented the attendance from being even bigger.

In the end, we will be judged on our actions. We all need to take a lead from the Secretary of State, who has joined us at the end of our debate to put a flag in the ground and say how important the issue is not only to him personally—as the Minister who leads on this issue on behalf of the Government—but to the UK. We take a lot of encouragement from that, and we are working together behind him to ensure that we deliver for steel communities, for steel across the country and for the UK, so that the steel industry can continue to perform well into the future, as it does now and as it did in the past.

Question put and agreed to.

Resolved,

That this House has considered the future of the UK steel industry.

6 pm

Sitting adjourned.

Written Statements

Tuesday 9 July 2019

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Energy Council

The Minister for Universities, Science, Research and Innovation (Chris Skidmore): The EU Energy Council took place on 25 June 2019 in Luxembourg. The UK was represented by the Deputy Permanent Representative to the European Union, Katrina Williams.

Council conclusions on the future of the energy systems in the Energy Union

The presidency put the Council conclusions to member states for adoption. The aim of the conclusions was to identify priorities for the next decade of the energy transition, following on from the recently adopted clean energy for all Europeans package and the Commission's long-term strategy for decarbonising the European economy.

Member states exchanged views, with comments largely focusing on language which reflected their varying positions on the role of nuclear, gas and carbon capture usage and storage in the future energy system. Many member states also recommended that the text reflected greater ambition in line with the Paris agreement, and some expressed disappointment that the EU had not agreed a 2050 net zero greenhouse gas emissions target at the 20 June European Council. Other member states highlighted the importance of a just transition, and the need to integrate concerns about security of supply.

The UK intervention reinforced the importance of ensuring the transition to a safe and sustainable low carbon energy system to meet emissions reductions targets, highlighting the UK's revised target of 2050 to achieve net zero greenhouse gas emissions. The UK joined other member states in highlighting the need for a technology neutral approach to maximise member states' abilities to deliver these targets. The UK also stressed the negative signal that not agreeing conclusions would send.

Following small amendments to the conclusions, member states adopted the text.

EU external energy relations

The Commission provided information regarding the EU's external energy relations, setting out context of the EU's current relationships with Africa, the US, China and the eastern Mediterranean.

Member states generally highlighted the importance of ensuring that the EU's relationships with these groups were in line with shared objectives of ensuring European energy security and facilitating the transition towards a decarbonised energy system.

The UK's intervention highlighted the importance of de-risking investment in Africa, noting the potential role that international climate finance may play in unlocking greater flows of private finance toward clean growth. The EU-US relationship was noted to be important for increasing access to liquid natural gas, which would help to increase regional energy security, diversity of supply and competition. Regarding China, the UK highlighted the importance of focusing on practical

co-operation and applying international standards, with a view to encouraging China to shift domestic and regional investment to low carbon alternatives to coal.

Any Other Business items

The Commission gave an overview following on from its recent assessment of the draft National Energy and Climate Plans (NECPs), which member states had been required to submit under the governance regulation. It noted some of the collective challenges that member states faced to achieve their existing renewable energy and energy efficiency targets.

The Finnish delegation updated member states on the work programme for their incoming presidency. They highlighted that their presidency would be used to further enhance the EU's Energy Union and its objectives, and would promote dialogue among member states about their draft NECPs.

Ministers had an informal discussion over lunch on the role of the euro in the field of energy.

[HCWS1702]

HEALTH AND SOCIAL CARE

Promoting Professionalism, Reforming Regulation

The Minister for Health (Stephen Hammond): Today I am publishing the Government response to the consultation "Promoting professionalism, reforming regulation".

"Promoting professionalism, reforming regulation" set out proposals to make professional regulation faster, simpler and more responsive to the needs of patients, professionals, the public and employers.

We will take forward legislative changes to the regulators' fitness to practise processes and operating framework. We believe that this will realise the greatest benefits for regulatory bodies, registrants and the public.

These changes will deliver:

- Modern and efficient fitness to practise processes;
- Better supported professionals; and
- More responsive and accountable regulation.

We will also make the legislative changes recommended by the Williams review into gross negligence manslaughter in healthcare, including removing the General Medical Council's right to appeal decisions made by the Medical Practitioners Tribunal Service.

These changes are a real step forward in delivering on our manifesto commitment to reform and rationalise the current outdated system of professional regulation of healthcare professions.

In developing our response, we have reflected on and responded to the findings of a number of recent reports, including the NHS long-term plan and the interim people plan.

The consultation received over 900 responses from individuals, organisations, healthcare professionals and members of the public. I would like to thank all those who took the time to respond to the consultation. Their views will be instrumental in shaping the future of professional regulation in the UK.

The UK and devolved Governments will now work together to develop and then consult on draft legislation.

[HCWS1701]

HOME DEPARTMENT

Modern Slavery

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): Today the Government have published their response to the Independent Review of the Modern Slavery Act 2015 and launched a public consultation on the transparency in supply chains requirements. A copy of the Government response and the consultation will be placed in the House Libraries and both documents will also be published on www.gov.uk.

The landmark Modern Slavery Act 2015 established the UK as a global leader in the fight against modern slavery. The Act provided law enforcement with new tools and powers to apprehend perpetrators, new duties on businesses to publish transparency in supply chains statements, enhanced protections for victims and created the Independent Anti-Slavery Commissioner role.

The Act has underpinned the significant progress the UK has made over the last five years to tackle modern slavery. More victims than ever before are being identified and receiving support. More police investigations are taking place to apprehend perpetrators and bring them to justice. Thousands of businesses are taking seriously their responsibilities to publish statements on the steps they are taking to prevent modern slavery in their supply chains.

However, the Government are not complacent and we are determined to ensure our legislation keeps pace with the evolving threat from modern slavery. That is why in July 2018, the Home Secretary commissioned the right hon. Member for Birkenhead (Frank Field), my right hon. Friend the Member for Basingstoke (Mrs Miller) and the noble Baroness Butler-Sloss GBE to conduct an independent review of the Modern Slavery Act.

The final review was laid in Parliament in May 2019. The review made 80 recommendations aimed at improving our response on four discrete themes: the Independent Anti-Slavery Commissioner, transparency in supply chains, legal application and independent child trafficking advocates.

The review made a compelling case that now is the time to strengthen elements of our legislation and its implementation. The Government have accepted

many of the review's recommendations now. Some recommendations require further consultation to determine the best way to deliver them. To support this, we are now launching a consultation on proposed measures to strengthen the transparency in supply chains legislation. The consultation seeks views from all interested parties on proposals to extend the reporting requirements to public sector organisations, measures to increase transparency and reporting quality and civil penalties. The consultation opens today and will run for 10 weeks. On certain recommendations relating to independent child trafficking advocates, the Government have committed to publish a further update to Parliament.

I am grateful to the reviewers and all of those who contributed to the review for their comprehensive work on this report. Tackling modern slavery remains a priority for the Government and our response to the review will form a significant part of our future priorities. To implement our response, the Government will continue to work in partnership with law enforcement and criminal justice agencies, devolved Administrations, the private sector, NGOs, civil society and the Independent Anti-Slavery Commissioner.

[HCWS1704]

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Building Better, Building Beautiful Commission

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): I have today received the interim report from the independent Building Better, Building Beautiful Commission. I have placed a copy in the Library and made it available on www.gov.uk. I would like to thank the commissioners for their work to date and look forward to receiving their final report later this year.

[HCWS1703]

Ministerial Correction

Tuesday 9 July 2019

WORK AND PENSIONS

Pensioner Poverty

The following is an extract from Work and Pensions questions on 1 July 2019.

Martyn Day: Does the Minister think it right that the UK has the lowest state pension in the developed world?

Guy Opperman: The reality of the state pension in this country is that it has risen by £1,600 in real terms through the triple lock. It also needs to be looked at in

the context of the significant high private pensions that, thanks to automatic enrolment and other reforms, show that this is comparable to many other European countries. [*Official Report, 1 July 2019, Vol. 662, c. 913.*]

Letter of correction from the Under-Secretary of State for Work and Pensions, the hon. Member for Hexham (Guy Opperman).

An error has been identified in the response I gave to the hon. Member for Linlithgow and East Falkirk (Martyn Day).

The correct response should have been:

Martyn Day: Does the Minister think it right that the UK has the lowest state pension in the developed world?

Guy Opperman: The reality of the state pension in this country is that it has risen by £1,600 in **cash** terms through the triple lock. It also needs to be looked at in the context of the significant high private pensions that, thanks to automatic enrolment and other reforms, show that this is comparable to many other European countries.

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