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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Wednesday 25 September 2019

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Speaker's Statement

Mr Speaker: Colleagues, welcome back to our place of work.

The UK Supreme Court ruled yesterday that “Parliament has not been prorogued” and that the Speaker of the House of Commons and the Lord Speaker “can take immediate steps to enable each House to meet as soon as possible” to decide upon a way forward.

I will arrange for the citation for that judgment to be entered in the *Journal* of this House and accordingly direct that the item relating to the Prorogation of Parliament in the *Journal* of Monday 9 September is expunged and the House is instead recorded as adjourned at the close of the business. I instruct the Clerk to correct the *Journal* accordingly and to record the House to have adjourned at the close of business on Monday 9 September until today.

Members should also be aware that Royal Assent to the Parliamentary Buildings (Restoration and Renewal) Bill, which formed part of the royal commission appointed under the quashed Order in Council, will need to be re-signified.

I wish to record my thanks, and I hope colleagues across the House will join me in doing so, to the staff of the House, including the security, catering, Chamber business, parliamentary digital and in-house services teams, who have worked exceptionally hard over the past 24 hours to prepare for this resumption.

You will know—but in the name of the public intelligibility of our proceedings, I think it worthwhile to note—that there is no ministerial Question Time today, including therefore no prime ministerial Question Time. The reason for that is very simple. As colleagues will be aware, there are notification requirements: questions ordinarily are tabled three sitting days before the exchanges take place, so there are no Prime Minister's questions today. However, there is scope, as I indicated in public yesterday, for urgent questions, ministerial statements and other business.

Legal Advice: Prorogation

11.37 am

Joanna Cherry (Edinburgh South West) (SNP) (*Urgent Question*): To ask the Attorney General if he will make a statement about his legal opinion on the advice given to Her Majesty the Queen to prorogue Parliament.

The Attorney General (Mr Geoffrey Cox): As the hon. and learned Lady knows, the Supreme Court gave judgment on this issue yesterday, and that judgment sets out the definitive and final legal position on the advice given to Her Majesty on the Prorogation of Parliament. The Government's legal view during the case was set out and argued fully before the Supreme Court. The hearing was streamed live and the Government's written case was, and is, available on the Supreme Court website.

I took a close interest in the case—[*Interruption*—]and I oversaw the Government's team of counsel. I have to say that if every time I lost a case I was called upon to resign, I would probably never have had a practice.

The Government accept the judgment and accept that they lost the case. At all times, the Government acted in good faith and in the belief that their approach was both lawful and constitutional. These are complex matters, on which senior and distinguished lawyers will disagree. The divisional court, led by the Lord Chief Justice, as well as Lord Doherty in the outer house of Scotland, agreed with the Government's position, but we were disappointed that, in the end, the Supreme Court took a different view. Of course, we respect its judgment.

Given the Supreme Court's judgment, in legal terms the matter is settled, and, as the hon. and learned Lady will know, I am bound by the long-standing convention that the views of the Law Officers are not disclosed outside the Government without their consent. However, I will consider over the coming days whether the public interest might require a greater disclosure of the advice given to the Government on the subject. I am unable to give an undertaking or a promise to the hon. and learned Lady at this point, but the matter is under consideration.

Joanna Cherry: I too took a close interest in the case. Let me start by assuring the Attorney General that I am not going to call for his resignation—yet.

Yesterday was a very special day for Scots law and the Scottish legal tradition going back to the declaration of Arbrogath that the Government are not above the law. Following in the footsteps of Scotland's Supreme Court, the UK Supreme Court asserted the rule of law and the separation of powers, and it restored democracy. It is worth emphasising that the decision was unanimous, as was that of Scotland's Supreme Court, chaired by Scotland's most senior judge, the Lord President of the Court of Session. Both Courts unanimously found that the decision to advise Her Majesty to prorogue Parliament was unlawful, void and of no effect. However, the question I am interested in is how it came to pass that that was ever allowed to happen.

Redacted documents lodged with the Scottish Court confirmed the suspicion that this was a plan cooked up in No. 10 by the Prime Minister and his special advisers. I want to ask about documents that mysteriously found their way into the public domain yesterday afternoon, when an unredacted version of one of those lodged

[Joanna Cherry]

with the Scottish Court found its way to Sky News and revealed that the Attorney General had said that the advice to prorogue was lawful and that anyone who said otherwise was doing so for political reasons. Knowing the Attorney General, I am sure that his advice was considerably more detailed and nuanced than the three sentences that appear in the unredacted document. Can he tell us whether a legal opinion was made available to the Prime Minister or the Cabinet?

The right hon. Member for Hastings and Rye (Amber Rudd) has said that when she was in the Cabinet, Cabinet Ministers requested to see the advice but it was not handed over. Is that correct? Can the Attorney General tell us what was given to the Prime Minister, if not to the Cabinet? Many of us believe that the Attorney General is being offered up as a fall guy for the Prime Minister's botched plans. Does he therefore agree that releasing the advice in its entirety will help him avoid being the scapegoat for a plan dreamed up by the Prime Minister and his advisers? Will he give the undertaking, which he hinted he might give, today?

The Attorney General: I am extremely grateful to the hon. and learned Lady for her kindness and solicitousness for my welfare. I am particularly attracted by the tempting prospect that she dangles before me, but she will know that I am obliged by the convention to say that I am not permitted to disclose the advice that I may or may not have given to the Government. But I repeat: the matter is under consideration.

Mr Kenneth Clarke (Rushcliffe) (Ind): Does my right hon. and learned Friend agree that if, in the future, we were unfortunate enough to have a Corbynista Labour Government—[*Interruption.*] That is obviously not thought to be a very likely prospect, but if that misfortune were to occur, if that Government were to decide to suspend the House for a long period because there was a parliamentary majority against their principal policy, and if that Government also decided that constitutional law was not challenged by that, and challenged the right of the courts to overrule it, the Conservative party would be likely to get very excited. Can my right hon. and learned Friend reassure me that this Supreme Court judgment has settled that matter finally, that this kind of action can never be taken by any future Government and that parliamentary sovereignty therefore remains intact?

The Attorney General: I certainly can say to my right hon. and learned Friend that it is important when we reflect on judgments that may be seen to go against the short-term interests of any particular Government that we remember that they stand as precedents and principles for the future. I invite all my hon. Friends to reflect on precisely the situation that my right hon. and learned Friend has set out before the House, which is that this would stand for Governments of a colour of which those on my side would not approve and for their actions too. It is important that when we comment on the decisions of judges we remember that those judges are both impartial and independent, and they are entitled to reach the view that they have reached. We are fortunate in this House to have one of the finest judiciaries, I believe, in the world, and it is important to remember that the principles they set apply to both sides, as my right hon. and learned Friend has said.

Nick Thomas-Symonds (Torfaen) (Lab): I congratulate the hon. and learned Member for Edinburgh South West (Joanna Cherry) on securing the urgent question and for her work on this matter. Yesterday's decision of the Supreme Court—I give credit to all those who brought the cases—was the most damning judicial indictment of a Government in modern times: that the decision to advise Her Majesty the Queen to prorogue Parliament was unlawful.

This Government stand in shame, tendering illegal advice to our monarch and not even able to uphold that most basic and important of principles: abiding by the rule of law. What we know from yesterday's leaked document is that the Attorney General said that his advice on the question of the law was that this was

“lawful and within the constitution”,

and that any accusations of unlawfulness were “motivated by political considerations”. If that is in any way accurate as to his full advice, he was wrong on both counts. His “close interest” simply was not enough.

I will ask the Attorney General a number of questions. Can he confirm why the Government gave no witness statement to the Court? Indeed, the Court was left in a position where it said:

“No justification for taking action with such an extreme effect has been put before the court”.

Why not? The Attorney General talks about respecting the decision of the judges, but the Chancellor of the Duchy of Lancaster was on the radio this morning saying that he disagrees with the decision. He should tell us which parts of the judgment the Government disagree with. May I give the Attorney General a simple piece of advice for his considerations about the publication of this advice over the next few days—a simple suggestion? Just publish it and make it open to Parliament and the public.

On this Attorney General's watch, the Government have been found in contempt of Parliament. Now they have been found in contempt of the law. Does he not accept that he does not have a shred of credibility left?

The Attorney General: I do not know whether in the hon. Gentleman's practice at the Bar he felt that just because he had given advice that might not have been upheld by a court he had no credibility. That is an absurd and ridiculous proposition. Furthermore, it was advice that was agreed with by the first instance court in Scotland and by the Lord Chief Justice of England. Is the hon. Gentleman calling for his resignation as well? Is he calling for the resignation of the Master of the Rolls? Is he calling for the resignation of the President of the Queen's bench division? Is he calling for the resignation of Lord Doherty? [*Interruption.*]

Mr Speaker: Order. If the Attorney General could resume his seat momentarily, I should be deeply obliged to him. The Attorney General has a distinctive and resonant baritone, which is well known throughout the House, but it is a challenge even for him to be fully heard if there is constant catcalling. There will be ample opportunity for colleagues to question and probe the Attorney General—of that they may be assured—but I wish myself to listen to his mellifluous tones.

The Attorney General: I will say one thing for the Scottish National party and the hon. and learned Member for Edinburgh South West (Joanna Cherry) if I may.

Whereas in the hon. Gentleman's case, no shameless piece of cynical opportunism is left on the floor, the hon. and learned Lady is a lawyer and a Queen's counsel, and she knows that it is the most puerile and infantile of criticisms to say about a lawyer whose advice has been upheld by courts right the way up to the Supreme Court that somehow or other he should be held culpable for that advice. The fact of the matter is that this advice was sound advice at the time. The court of last resort ultimately disagreed with it, but in doing so it made new law, as it was entirely entitled to do.

Mr Dominic Grieve (Beaconsfield) (Ind): I am extremely mindful of the difficult task that my right hon. and learned Friend has as Attorney General in providing advice to Government, and I am sorry if his legal advice has been partially leaked, because he is entitled to give advice in private. Without that, he cannot do his work. I would also say that for him to get the law wrong in an area of difficulty is not necessarily something to be held to his discredit, but he may agree with me that one of the issues in this matter was one of not just law but propriety, and the propriety went to the unconstitutional or constitutional nature of the act of Prorogation itself, in view of the motivation of the Government for doing it. In those circumstances, I was struck by the fact that in the leaked document his opinion is referred to as believing it is constitutional, when I had understood from comments he made as far back, I think, as July, when Prorogation was first being mooted in order to achieve a no-deal Brexit on 31 October, that he considered that such an act would be unconstitutional. I wonder therefore whether this is not one issue that he ought to clarify.

The Attorney General: I know that my right hon. and learned Friend will understand that it is not right for the Attorney General or any Cabinet Minister to comment on leaks of matters that occurred within Cabinet, be they accurate or inaccurate—it would set a wholly undesirable precedent—but let me say this. It was being mooted some weeks ago that Parliament might be prorogued from the beginning of September or even earlier until 31 October. I say straightaway to him that if that had been the proposition, I could not have stayed in the Cabinet while it was done.

Hilary Benn (Leeds Central) (Lab): Does the Attorney General believe that yesterday's judgment of the Supreme Court represented a constitutional coup, and if he does not share that view, could he explain why he thinks it is wrong?

The Attorney General: I do not think that it was a constitutional coup. I know the right hon. Gentleman will know that I do not, and I do not believe that anybody does. These things can be said in the heat of rhetorical and poetical licence, but this was a judgment of the Supreme Court of a kind that was clear and definitive. It often happens that Governments lose cases. We did not agree with it, because of course we argued against it, but we accept the ruling of the Supreme Court, and we are proud that we have a country that is capable of giving independent judgments of this kind.

Robert Neill (Bromley and Chislehurst) (Con): I welcome the Attorney General's very clear statement of the importance that he and, I am sure, the whole Government

attach to the impartiality and independence of the judiciary. Let me also say to him that many lawyers might well have given exactly the same advice as he did on the weight of precedent. Does he accept, however, that it is most important that the convention that the advice that the Attorney General gives to Government is not leaked and is not disclosed should not be lightly set aside? Would he also perhaps think it rather regrettable that such an important matter, which warrants very careful and calm and considered language and discussion, should be used for the purpose of rather unworthy ad hominem attacks and party political knockabout when so much is at stake?

The Attorney General: I am grateful for my hon. Friend's question. I do of course agree with him that legal advice, and particularly the role of the Attorney General, is always difficult, because one polices and intersects a very difficult line between giving advice of an impartial, and politically impartial, character, and being a political Minister, but I hope that I have endeavoured to do that with all the conscience and candour at my disposal—and when I say to the House, as I do today, “I accept that we lost; we got it wrong on the judgment of the Supreme Court; but it was a respectable view on the law to take, and that view was taken by four of the seven judges who had opined up to the point of the Supreme Court.”

The Supreme Court has made new law. Let us be absolutely clear: from now on, the prerogative power of Her Majesty, advised by the Prime Minister, can be the subject—the justiciable subject—of the court's control, and that was a judgment that the Supreme Court was perfectly entitled to make. What the implications are for the future of our constitutional arrangements will have to be reflected upon in the coming months and years, but it is never wise to reflect upon a court case and its implications in the immediate aftermath of that case. It will have to be done carefully and deliberately, and this House will have to decide, ultimately, whether these matters and these powers are for this House to regulate and control, or whether they are for the judiciary; but, at the moment, the Supreme Court has spoken, and that is the law.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The Attorney General's acceptance at that point that the Government got it wrong in this case is very welcome. Will he now advise the Prime Minister and the Government to accept and agree with the content of the Supreme Court's judgment—not just the obligation to abide by its conclusion—and, in particular, to accept that it is wrong for this Government, or any Government, to seek to prorogue Parliament for five weeks, rather than just for a few days, without giving any reason, let alone, in the words of the Supreme Court, a good reason, to the public, to Parliament, or to the courts?

The Attorney General: The judgment is clear. The Government are assessing its short-term and long-term implications now, but the right hon. Lady can be quite certain that they will abide by its ruling, and by the content and implications of its judgment.

John Redwood (Wokingham) (Con): What limits are there on the powers of the Supreme Court to intervene in how Parliament conducts its business, and what

[John Redwood]

powers are there for it to intervene over the highly political matter of when and how we leave the European Union?

The Attorney General: I think I understood my right hon. Friend's question correctly. The Court in this case was giving its judgment on a particular issue—whether or not Prorogation of this length could be the subject of judicial control and, if so, what was the correct test to apply to that judicial control. It chose to delineate a test that suggests that from now on, a Prorogation of any length must be reasonably justified. The Court included in its analysis the fact that there was before the House, and before the country now, a particularly acute constitutional controversy, which made it even more important that the House should sit. I have to say, and I think there is nothing wrong in venturing to express respectful disagreement, that what that will mean in future is that the Court will be obliged to assess whether or not a particular political controversy is sufficiently serious, excites sufficiently heated controversy, as to warrant the House sitting for any particular length of time; but be that as it may, that is the test that the Court has set, and that is the test that now must be applied.

Dr Sarah Wollaston (Totnes) (LD): What message does the Attorney-General have for his colleagues in government who have been smearing and undermining the Supreme Court judges? Some of this is not done in the heat of the moment: we have been hearing from one journalist that he has been sent copies of articles about Iranian judges, comparing Supreme Court judges to them. Is he going to give an unequivocal message to his colleagues that they should resign if they undermine the Supreme Court's independence?

The Attorney General: The judges do not exist immune from criticism. There is nothing wrong at all in any member of the public, be it a Member of Parliament or otherwise, criticising a court judgment, but what is wrong is that motives of an improper kind should be imputed to any judge in this country. We are defenders of the entire democratic constitution and we must be sure, in everything we say—I agree with the hon. Lady if this is what she means—that we do not impute improper motives. With the judgments, we can be robustly critical; with the motives, we cannot.

Jeremy Wright (Kenilworth and Southam) (Con): Is it not important, even in the course of argument on matters as important as these, to remember why we have the constitutional conventions that we do, and that Governments are entitled, as any other organisation or individual is, to receive legal advice in private? If they do not, and if those who ask for it to be published get their way, that legal advice will become increasingly guarded, increasingly equivocal and progressively less useful to Government in ministerial decision making; and the consequence of that will be less good legal advice and less good ministerial decision making.

The Attorney General: My right hon. and learned Friend has great experience, as does my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) sitting next to him, of the role that I now have the great

privilege to occupy. He knows how important confidentiality is to the ability of the Attorney General to give frank, unvarnished and sometimes unwelcome advice to those who are conducting the policy of the Government. So he is quite right. He discharged his functions, as did my right hon. and learned Friend the Member for Beaconsfield, with great distinction and I am proud to have been a successor of theirs.

Ms Angela Eagle (Wallasey) (Lab): The right hon. and learned Gentleman has made it quite clear that the Supreme Court judges had every right to come to the decision they came to, and in fact they came to it unanimously, in an excoriating judgment which should put the Government's Front Bench to shame. What is his view, therefore, of a Leader of the House who persists in believing, and makes it known that he feels, that the Supreme Court has instituted a constitutional coup? Surely he cannot remain in his post if he has that view.

The Attorney General: There is nothing wrong with expressing robust critical views about a judgment. In so far as it imputes an inappropriate or improper motive, then it is wrong. I think it is a question of wording and of being careful with one's language, but I took that remark, in so far as I saw it reported, simply to be a robust criticism of the judgment and nothing more—to which my right hon. Friend is entitled.

Sir Oliver Letwin (West Dorset) (Ind): I have absolute respect for the integrity and competence of the Attorney General. In the light of what he has told the House this morning, can he guarantee absolutely that—save potentially a few days before a Queen's Speech—there can be no question of his permitting Her Majesty's Government to have a Prorogation between now and 31 October this year?

The Attorney General: What I can undertake to my right hon. Friend is that there will be no Prorogation that does not comply with the terms of the judgment of the Supreme Court.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): The Attorney General has said that he is going to review whether advice should be published, but in answer to the former Attorney General, the right hon. and learned Member for Kenilworth and Southam (Jeremy Wright), he upheld and defended the privacy of that legal advice. Can he tell the House the scope of the review he is undertaking? Is it just related to the Government's defeat in the Supreme Court or will it be drawn more widely?

The Attorney General: What I am considering is the public interest, and whether or not there are factors in this case connected closely with the public interest generally that should outweigh the Law Officers' convention and lead to disclosure, but that is not only my decision. I am in the position, in a rough and approximate way, between a lawyer and his client, and I must ensure that there is proper consultation and proper reflection on what the public interest requires. That is what I have undertaken to the hon. and learned Member for Edinburgh South West to do, and in due course I will make my mind up.

Sir Christopher Chope (Christchurch) (Con): Did it come as a surprise to my right hon. and learned Friend that the Supreme Court ruled that the act of Prorogation was not a proceeding in Parliament? If that is the new law to which he has referred, would it be open to Parliament to change the law back to what we thought it was before?

The Attorney General: My hon. Friend asks whether this came as a surprise. Quite a lot about the judgment came as a surprise, but that particular part proceeded from a quite strict, narrow interpretation of the Bill of Rights on what was a proceeding. It was interpreted to apply the protection afforded by the Bill of Rights to the core and essential business of Parliament, and it was held by the Supreme Court that such a proceeding—namely, the execution of the Queen's Commission in the Lords, in the presence of Mr Speaker and those who attended that proceeding—was not sufficiently close to its core and essential business to attract the protection of the Bill. It would, of course, be open to the House to decide to legislate otherwise, and no doubt that is one of the implications of this judgment that will have to be reflected upon in the coming months and years. I know that there was a widespread view that it was indeed a proceeding in Parliament, but the Supreme Court is as entitled to redefine, or at least to take a view of, its definition of the protection afforded by the Bill of Rights as it is to invent a new legal principle, as it did in this judgment.

Anna Soubry (Broxtowe) (IGC): I am sure many of us would like to congratulate the hon. and learned Member for Edinburgh South West (Joanna Cherry) and Gina Miller on making sure that this remains a sovereign Parliament. The hon. Lady asked a question of the Attorney General which he has not answered. She asked him whether he could confirm that the Cabinet or members of the Cabinet—he is a member of that Cabinet—had asked to see his advice but were denied that opportunity. Can he confirm that his advice was requested by fellow members of the Cabinet but was denied?

The Attorney General: Let me make it plain that I have never denied any member of the Cabinet any sight of any advice of mine. I am not certain who else asked for that advice and when, but I certainly have never denied it.

Rory Stewart (Penrith and The Border) (Ind): Does my right hon. and learned Friend agree that, rather than being some new-fangled innovative decision, this was a profoundly conservative decision by the Supreme Court, asserting the ancient sovereignty of Parliament, and that fundamentally the principle at stake here is that, of course, neither that Court nor any other court should determine whether Brexit takes place—that decision has been made by the people—but that it is for this House, the only directly elected representatives of the people, to determine the form in which that Brexit happens?

The Attorney General: Let me say to my right hon. Friend that the Supreme Court invoked the principle of parliamentary sovereignty and the convention of ministerial accountability to Parliament as a justification for making justiciable the decision to prorogue. That is what it was entitled to do, and it effectively amounts to converting a political convention into a legal rule. That, traditionally,

was not thought to be possible; the Supreme Court has decided that it is, and I certainly do not in any way complain with its right to do so. I agree that Parliament has to determine the terms on which we leave, but this Parliament has declined three times to pass a withdrawal Act to which the Opposition had absolutely no objection. *[Interruption.]*

Mr Speaker: Order.

The Attorney General: We now have a wide number in this House setting their face against leaving at all. When this Government draw the only logical inference from that position, which is that we must leave therefore without any deal at all, they still sets their face, denying the electorate the chance of having their say in how this matter should be resolved. This Parliament is a dead Parliament. It should no longer sit. It has no moral right to sit on these green Benches, and whatever— *[Interruption.]*

Mr Speaker: Order. The House must come to order. We have a lot of business to transact: there is a further urgent question and there are no fewer, I say for the benefit of those observing, than five ministerial statements. The Attorney General must be heard, and so, I hope, will lots of other people.

The Attorney General: They don't like to hear it, Mr Speaker. They don't like the truth. Twice they have been asked to let the electorate decide whether they should continue to sit in their seats, while they block 17.4 million people's votes. This Parliament is a disgrace. Given the opportunity—*[Interruption.]* Since I am asked, let me tell them the truth. They could vote no confidence at any time, but they are too cowardly to give it a go. They could agree to a motion to allow this House to dissolve, but they are too cowardly to give it a go. This Parliament should have the courage to face the electorate, but it won't, because so many of them are really all about preventing us from leaving the European Union at all. But the time is coming, Mr Speaker, when even these turkeys won't be able to prevent Christmas.

David Hanson (Delyn) (Lab): I think the Attorney General will find that the moral right I have to sit in this House is due to an election called by the right hon. Member for Maidenhead (Mrs May), in which she lost 13 seats. I will represent my constituents as long as I sit in this House, and I am elected by the people to do so.

Will the Attorney General tell the House how much taxpayers' money he has spent on closing down our voice?

The Attorney General: All I am suggesting to the right hon. Gentleman is that he give his constituents the chance to elect him again. *[Interruption.]*

Mr Speaker: Order. I say to the hon. Member for Kingston upon Hull East (Karl Turner) that, as a result of my prodigious efforts last week, audiences in New York, Boston and Zurich are now aware that he is the noisiest Member of the House. I always enjoy listening to him, but preferably when he is on his feet rather than in his seat.

The Attorney General: If the right hon. Member for Delyn (David Hanson) is so confident that his electorate will consider that his moral right to sit here is so strong,

[*The Attorney General*]

why does he not submit it to them now? All we need—I offer this to the Labour Front Bench—is a one-line Bill, which we could put through with Mr Speaker’s help, to fix the date of a general election by a simple majority, and we could have the election. Why does he not tell his Front Bench to put his confidence in his constituents to the test?

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I wonder if my right hon. and learned Friend, having read the full summary of yesterday’s judgment by the Supreme Court, was also struck by something that seems to be missing within its methodology. When it stood up, it said, for the right of Parliament to hold any Executive to account, at no point did it reference that one of the ways of avoiding or dismissing a Prorogation would have been to pass a vote of no confidence in the Government or to vote for a general election. Does he agree that that would have been a sure-fire way for the Opposition parties to secure an end to any Prorogation and an immediate change of Government, if they so wished, but that they were frightened?

The Attorney General: I entirely agree with my right hon. Friend. In our constitution, when a Government can no longer govern because Parliament has withdrawn its assent, the moral and constitutional thing to do is to have the courage of your convictions, which this spineless gang on the Opposition Front Bench do not, and to table a motion of no confidence, but they have not got the guts to table that motion of no confidence because most of them do not want their own leader in power.

Carol Monaghan (Glasgow North West) (SNP): None of us on the SNP Benches is worried about a general election. The Chancellor of the Duchy of Lancaster has suggested that the unanimous verdict of the Supreme Court is the equivalent of the view of just a few academics, and the Leader of the House has described the verdict as a constitutional coup. Unfortunately these views gain traction among members of the public, so will the Attorney General take this opportunity to give a strong statement of support both for the judgment of the Supreme Court and for the importance of the independence of the judiciary?

The Attorney General: In answer to the hon. Lady’s last point, I completely and firmly support the independence of our judiciary. In Scotland, in England, in Wales and in Northern Ireland we have one of the finest judiciaries in the world. The fact of the matter is that the Supreme Court gave its judgment, and its judgment must be respected, but that does not prevent robust criticism of the terms of that judgment, which will no doubt be subjected to that criticism—that is onside. What is not onside is the imputation of improper or inappropriate motives.

Sir Desmond Swayne (New Forest West) (Con): My right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith) is right: we had notice of the intention to prorogue. With your assistance, Mr Speaker, we could have entertained motions against it, or even a motion of no confidence. So it was a coup, wasn’t it?

The Attorney General: I know that my right hon. Friend knows that, when it comes to the judges—though not to this shower on the Opposition Benches—I want

to be, if I can, respectful and careful. It is important that we understand that these judges are protectors of all our freedoms and all our rights—

Mr Speaker: Order. I do not normally offer stylistic advice to the Attorney General, but his tendency to perambulate while orating is disagreeable to the House. He should face the House with confidence and assurance, and an acknowledgement that the House wishes to hear his every utterance.

The Attorney General: I wonder if you, Mr Speaker, in a well-earned retirement, would like to give lessons to Front Benchers. It could be the beginnings of a new and very glorious—or even more glorious—career.

I have now lost my thread entirely—

Hon. Members: Sit down!

The Attorney General: The Opposition want me to sit down, so I will gratify them and do so.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I came into the Chamber today thinking I felt sorry for the Attorney General—I did!—but every word he has uttered today shows no shame, no shame at all. The fact is that this Government cynically manipulated the Prorogation to shut down this House, so that it could not work as a democratic assembly. He knows that that is the truth, and to come here with his barrister’s bluster to obfuscate the truth, and for a man like him, a party like his, and a leader like this Prime Minister to talk about morals and morality is a disgrace.

The Attorney General: I am not sure I discerned a question in that marshmallow of rhetoric, but in so far as there was a question, there is an answer. If the hon. Gentleman thinks the Government should no longer be governing, he should tell his leader to bring a motion of no confidence this afternoon and to agree to a simple one-line statute that fixes the election by a simple majority. We would be delighted to meet the right hon. Gentleman wherever he chooses in front of the electorate, who will judge whether the machinations he supports and the devices to which he resorts to make sure that this dead Parliament continues are right or wrong.

Antoinette Sandbach (Eddisbury) (Ind): The Attorney General speaks of moral and constitutional courage. Can he explain to the House why the Government did not have the moral and constitutional courage to file in the Supreme Court a witness statement attesting to the truth of the position that was outlined to the Supreme Court judges?

The Attorney General: I cannot comment on matters that are plainly covered not only by the convention but by legal professional privilege, but I say to my hon. Friend that the Government’s position was set out clearly in argument—if she followed it all, she will know it went on for a very long time—and the Supreme Court decided against it. We accept that position.

Nick Boles (Grantham and Stamford) (Ind): Having lost in court, the Attorney General is keen to try his hand at another test—an election. Perhaps I can help him. In paragraph 41 of the unanimous judgment, the Supreme Court refers to

“Two fundamental principles of our constitutional law”,

saying:

“The first is the principle of Parliamentary sovereignty: that laws enacted by the Crown in Parliament are the supreme form of law in our legal system, with which everyone, including the Government, must comply.”

Can the Attorney General confirm that he and the Government will comply with the law known as the Benn Act, recently passed by this Parliament and which has received Royal Assent?

The Attorney General: Yes.

Mr Steve Baker (Wycombe) (Con): Is it not the case that, contrary to the shouted opinions from the Opposition Front Bench, the Supreme Court has invented a new constitutional rule, just as Lord Sumption told us on the “Today” programme this morning? Lord Sumption also said that this was a revolution—he described the decision as revolutionary. Is it not the case that—*[Interruption.]* The hon. Member shouts “shocking”, but it was Lord Sumption who said it. Is it not the case that, prior to this revolutionary decision by the Supreme Court, it is quite likely—indeed probable—that my right hon. and learned Friend’s advice was correct, but the Supreme Court changed the law?

The Attorney General: I am grateful to my hon. Friend for the question. I cannot disclose what advice I gave. The hon. and learned Member for Edinburgh South West, who first asked this urgent question, had that answer, and I am afraid I am going to have to keep giving it today. However, what I would say is that the Supreme Court did indeed, as it overtly and explicitly said, develop the law. It took what was a political convention—hitherto, in all the constitutional textbooks, described as unenforceable by a court—and decided that it would set a test and convert it into a legal principle and legal test. It was perfectly entitled to do that, just as this House will, in the coming months and years, have to reflect on the implications and on whether it is content to leave that position untouched. However, for the moment, that is the law, and the law must be obeyed.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): Can the Attorney General be very clear? Were the director of legislative affairs, Nikki da Costa, and the Cabinet Secretary, or indeed any other advisers, including in the office of the Leader of the House, asked to make sworn statements in these cases? Did they refuse to do so, and, if so, why?

The Attorney General: I simply cannot comment on matters that pertain to the internal preparation of cases, which are covered by legal professional privilege. It is simply not reasonable to ask people to do so, particularly when it relates to individuals. The hon. Gentleman should make no assumptions one way or the other from what I am saying. The fact is that cases are covered by privilege, and that must be respected.

Vicky Ford (Chelmsford) (Con): There are many extremely distinguished and experienced lawyers in this House, but some of us are not lawyers, and many of our constituents are not lawyers, so could my right hon. and learned Friend the Attorney General explain the situation very clearly? Is this a new law? Does it set a new

precedent? If it is a new law and a new precedent, will the Government comply with the new law and the new precedent?

The Attorney General: It is a new principle of law, which has been found to exist by the Supreme Court, and where, hitherto, it has not been thought that a court could go. However, the Court is entitled to develop the common law, and that it has done. This does set a precedent; it is binding, unless this House, in due course, considers that it should take action to alter that position.

Caroline Lucas (Brighton, Pavilion) (Green): While yesterday’s Supreme Court decision upholding parliamentary sovereignty was extremely welcome, it should never have come to this. Our centuries-old unwritten constitution, based on gentlemen’s agreements, is not fit for purpose when dangerous populists are in office. Will the Attorney General therefore consider urgent proposals for a written constitution, developed with real citizens’ engagement, since our democracy belongs to all of us, not just those who think they are above the law?

The Attorney General: I have a degree of sympathy with what the hon. Lady says. I think that, as we depart the European Union, there is ground for thinking again about our constitutional arrangements and how they should be ordered. I think that, in doing so, a widespread public consultation of the kind that she is describing would be essential, because any new constitutional arrangements would have to be sanctioned by the widest possible public support and assent, so I do have some sympathy. No doubt over the coming months and years, this will be a subject of important concern to the House.

Dr Julian Lewis (New Forest East) (Con): Given that three of the most distinguished lawyers in the country, including the Master of the Rolls and the Lord Chief Justice, found in the lower court that the Government’s case was entirely correct, can the Attorney General enlighten puzzled non-lawyers like me as to why not even one out of 11 Supreme Court judges could be found to agree with them?

The Attorney General: My right hon. Friend is asking me to look into a crystal ball. Far be it from me to fathom the inscrutable minds of their lordships in the Supreme Court as to why they chose not to dissent if they were minded to dissent, or to agree if they were minded not to agree.

Chris Bryant (Rhondda) (Lab): I for one am delighted that we are sitting, but the Attorney General is absolutely right about one thing: the result of yesterday’s ruling is that all future Prorogations will be justiciable by the courts. The only answer to that, frankly, is legislation by this House. My gentle suggestion is that it might be a good idea if, in the future, Prorogation were only allowed to proceed if there had been a vote in this House in favour of it.

The Attorney General: Well, if I may say to the hon. Gentleman, that is as I would expect from him, particularly in his new guise as an aspirant to even higher office—it is constructive, helpful, impartial and a model to us all.

Mr Speaker: I think, but I am not sure, that the Attorney General is seeking to help the hon. Gentleman.

Charlie Elphicke (Dover) (Ind): In applying this new legal principle that has been created or invented by the Supreme Court, how many Prorogations in the last century would have passed muster to the test that has been created? How can this longest Session of this House since the civil war now be lawfully brought to an end, and a Queen's Speech lawfully brought forward? Finally, is Royal Assent a proceeding in Parliament?

The Attorney General: As to my hon. Friend's first question, I say that, plainly, if one re-examines the historical records, there is no doubt that there would have been some—possibly quite a few—Prorogations that, under this test, might have had difficulty in passing. For example, Ramsay MacDonald prorogued this Parliament in 1930 for some months, during the course of a minority Government, at a time when the great Wall Street Crash had happened in 1929 and when I have no doubt that some would have said that the House should sit to determine the onset of the great depression and debate those important matters, but the courts looked on—they looked on impassively—as that Labour Government decided to prorogue. It happened again in 1948 and right up into the 1990s when it was said that a Parliament had been prorogued in order to avoid an embarrassing Select Committee inquiry. From now on, when a Prime Minister has to prorogue Parliament, he will have to look at all the Select Committees, see what inquiries they are doing and which Chairmen of which Select Committees might say in a mortally wounded and offended manner, “Why, to prorogue and not to allow my Select Committee to report is a matter of public importance, for which I will go to court and stop the Prorogation.” I do think that this test set by the Supreme Court invites quite a number of significant questions.

Luciana Berger (Liverpool, Wavertree) (LD): The Attorney General has told us that he does not agree with the judgment and that he argued against it. If that is the case and the Attorney General was so convinced that Prorogation was lawful, why did not he and the Government provide a witness statement to the Supreme Court to make that case?

The Attorney General: There are all kinds of reasons why, in judicial reviews, witness statements are not given in cases of this kind. I cannot discuss the internal counsels of the preparations of a legal case because, as I am sure the hon. Lady understands, they are covered by the wholly appropriate legal professional privilege.

John Stevenson (Carlisle) (Con): Given that Parliament is at the apex of our constitutional system, does the Attorney General believe that the appointment of Supreme Court judges should receive the formal approval of Parliament?

The Attorney General: I understand my hon. Friend's question and say to him, quite frankly, that I think it is a matter which this House may need to reflect upon in the coming months and years, depending on the status of our constitutional arrangements, as indicated by the hon. Member for Brighton, Pavilion (Caroline Lucas).

I do think that we are going to have to look again at our constitutional arrangements, and we should see if we can find some common ground. We need to have a proper consideration of these matters. As we leave the European Union, a great gap opens up, whereby we take away from legal integration all this European Union law, and we need to think about the implications. I therefore agree that there may very well need to be parliamentary scrutiny of judicial appointments in some manner. I have to say that I am not enthusiastic about that, but I understand why my hon. Friend asks.

Mr Pat McFadden (Wolverhampton South East) (Lab): The Attorney General's defence today with regard to the Supreme Court judgment appears to be that because the Government won the semi-final, they should have been awarded the trophy. That is not how it works and he should acknowledge that, in the final, the Government lost 11-0. With regard to his call, which repeats the call from the Prime Minister, for the public to break the Brexit deadlock by casting their votes, if he is so keen for a public vote on Brexit, why does he not offer the public the chance to vote on the final Government Brexit deal, however that turns out?

The Attorney General: I will tell the right hon. Gentleman why: first, because it would be an insult to the millions of people who voted in the first referendum to have a second one before we had implemented the first. [*Interruption.*] That is what I think. I know that people disagree, but it is a legitimate point of view. Secondly, the question now of this House is whether the Government are going to be permitted to govern. If the Opposition do not wish to allow the Government to govern, the morally correct thing to do is to seek to have an election. What I object to here is that the Labour party and others have repeatedly sought to block that and to prevent the electorate from having its say, when this Parliament is as dead as dead can be.

Mr Nigel Evans (Ribble Valley) (Con): Following on from that, would the Attorney General accept that the vast majority of people I talk to have great faith in this Government, but have no faith in this remain Parliament? Although there are important legal implications from yesterday's ruling, the practical implication is that this remain Parliament, which has talked about Brexit for over three and a half years, will now get several more weeks to do what it possibly can to talk about Brexit, but to make absolutely certain that 17.4 million people never get what they voted for.

The Attorney General: I wholly understand the strength of feeling of my hon. Friend, and I agree with almost all of it.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): The Attorney General accepts that his legal advice was wrong—that the Government got this wrong. Whether in law or not, it was patently obvious to everybody watching that it was wrong to prorogue Parliament in that way. The United Kingdom Head of State was asked by the Prime Minister to agree to an illegal course of action based on incorrect advice. What does the Attorney General believe should be the consequences for those responsible?

The Attorney General: The same consequences that flow from any good-faith implementation of advice that, at the time, is perfectly respectable and tenable advice, as this was. The fact of the matter is that the Government's position was that the Prorogation was lawful and it was constitutional. That was the advice that the Government had, it was the advice that they gave to those who asked them, and the Supreme Court has decided we are wrong. We accept that, as I have said. It was a tenable, reasonable and respectable point of view.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): My constituents voted to leave the European Union, and many of them have written to me since yesterday's judgment concerned about whether that will be delivered. Can my right hon. Friend the Attorney General confirm that there is nothing in this judgment that will prevent us from leaving the EU on 31 October, as they voted for in the referendum?

The Attorney General: There is nothing in this judgment that applies directly to the question of our departure from the European Union. As the justices made clear, this was a decision solely on the lawfulness of the Prorogation.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Further to the question by my hon. Friend the Member for Grantham and Stamford (Nick Boles), have the Government been seeking a route not to comply with the Benn Act, as several Ministers have made clear, and has the Attorney General been asked to offer legal advice to that effect?

The Attorney General: I cannot answer the last question, as the hon. Gentleman well knows, as Attorneys General have long maintained the convention that we cannot disclose either the fact or content of any advice. But I will deal with the first point. There is no question of this Government not obeying the law. There is a question as to precisely what obligations the law might require of the Government, but once those obligations are ascertained with clarity—and I am not saying that they are not clear; I am just saying that it is a legitimate consideration the Government must go through—the Government will obey them.

David Tredinnick (Bosworth) (Con): Set alongside the decision of the Supreme Court, what force in law does the decision of the British people to leave the European Union have?

The Attorney General: The law in relation to the referendum is that it was not binding upon this Parliament. It was binding in every moral sense upon those who promised the British people that it would be implemented, but it was not binding as a matter of law.

Deidre Brock (Edinburgh North and Leith) (SNP): The Attorney General excuses recent comments by Members of this House as simply the expression of robust critical views, but would he agree that in fact those who have been arguing recently that Brexit would give back control to the UK courts and the UK Parliament have now completely U-turned and are actively working to undermine those institutions?

The Attorney General: No, I think that is a ridiculous assertion, in fact. The reality is that what we who believe in leaving the European Union have fought so long for is to return to the United Kingdom the power to chart its own course unguided by unelected or other institutions in the European Union. How we arrange our constitutional arrangements is a matter for us, and it should be a matter for us. It should be a matter for the democratic assent of all the people of the United Kingdom. So I do not believe for a moment that this Government or those on this side of the House are trying in any way to avoid that. What we are trying to do is make sure that those powers come back to the British people, where they should reside.

Andrew Bridgen (North West Leicestershire) (Con): Does my right hon. and learned Friend agree that, contrary to the repeated claims of the Prime Minister's many political opponents that the moment he announced Prorogation, he broke the law, the fact is he did not, because as we all know now, the Supreme Court judgment yesterday set new law?

The Attorney General: The Supreme Court judgment said that the Government got the law wrong. We have to accept that, but it is perfectly true that in doing so, it effectively invented or created a new legal principle which hitherto had been a political convention and defined that principle in a new legal test. It is crystal-ball gazing to know whether any court would decide to do that. It did, though the Court below, led by the Lord Chief Justice, concluded that it should not.

Ian Murray (Edinburgh South) (Lab): During the Attorney General's theatrical rant earlier, he inadvertently forgot to answer the question from my right hon. Friend the Member for Delyn (David Hanson). How much has this Prorogation and all the legal advice and legal consequences cost the UK taxpayer?

The Attorney General: I do not know—that is the answer to the question—but if the hon. Gentleman wants to know, he can put down a written question, or I am happy to write to him if he would like. I am very happy to disclose that in due course, once the costs are known. But I say to him that all those costs could have been saved if he had just voted for an election. We could have avoided these cascades of cash falling upon so many lawyers in so many jurisdictions by the simple act of him having the moral guts and not being chicken.

Dame Cheryl Gillan (Chesham and Amersham) (Con): On the subject of taxation, could my right hon. and learned Friend advise me? These legal actions, I believe, have been part-funded by crowdfunding. Will that funding be taxable, and will the tax payable on that crowdfunding have to be paid by the individuals bringing the cases?

The Attorney General: I do not believe that it is taxable, but if my right hon. Friend will permit me, I would need to look into it, and if she wishes, I will certainly write to her on the subject.

Helen Goodman (Bishop Auckland) (Lab): Earlier this morning, the Attorney General set out again his long-held views about why publishing his advice is not a good idea, so has he requested a leak inquiry to discover

[Helen Goodman]

who gave documents to Sky News last night? If he has not, is that because he is worried it will unmask machinations in No. 10?

The Attorney General: They are not just my long-standing views, as I know the hon. Lady will accept; they are the long-standing views of successive Attorneys General of all Governments over many, many years. As to her second question, I am not aware whether there is a leak inquiry, but these days, I am so used to the porousness of Government that, frankly, I use Cabinet to advertise whenever there is some particular cause that I want to espouse. The reality is that this Government and this Parliament are in a position where we need to go to the electorate, and I urge her to support that as soon as possible, because the only morally right thing to do is subject these debates to the public again.

Amber Rudd (Hastings and Rye) (Ind): I must raise my concerns about the Attorney General constantly saying that this Parliament is dead. This Parliament was elected in 2017. It reflects the divisions in this country, the divisions in our communities and the divisions in our families. The failure is that we have not yet reached a compromise. Many of us long to leave the European Union, as we set out in the referendum, but are frustrated by the fact that we have not been able to find a consensus among the different factions. May I urge the Attorney General to work with colleagues to try to find that compromise and to cease this language of pitting Parliament against the people?

The Attorney General: I assure my right hon. Friend that if I had not been driven to this language, I would never have used it. The fact is—[*Interruption.*] The fact of the matter is that the Opposition will not let the Government govern. They will not do what the Opposition should do in these circumstances, and that is to vote for an election. By any standards, the Government are in a minority. The Order Paper is being taken over from the Government again and again, with no doubt further attempts to come. That is the very definition of a Parliament that will not fulfil its responsibilities, either to let the Queen's Government be conducted or to opt for a general election. That is why I call this a dead Parliament and I do so advisedly. My right hon. Friend knows that nobody worked harder than I did for compromise. Nobody worked harder than I did to put through the withdrawal agreement that was put before this House. I—and she—worked hard to put this through. I have now reached a sad and heavy conclusion that this Parliament is no longer worth the candle and it should be gone, for any good it is doing.

Dr Phillip Lee (Bracknell) (LD): May I say to the right hon. and learned Gentleman that his approach today should probably have been to show more humility and less levity, because there is widespread sympathy for the difficulty of his position offering legal advice in such challenging circumstances? To build on previous questions, in view of his advice on Prorogation having been found to be unlawful, will he tell the House whether he has been asked by the Prime Minister to proffer advice on whether it would be lawful to ignore the instruction of the Benn Act? The matter of whether or not he has offered advice is not subject to privilege.

The Attorney General: Words fail me; they really do. The hon. Gentleman rises in the full force of his morality, having been elected for one party and sitting on the Benches opposite for another—and with the hon. Member for Totnes (Dr Wollaston), who did the chicken run, or the rat run, before him having said already that she thinks there should be a by-election when Members change their parties—and has the nerve to suggest that somehow I should have affected greater humility. I think he should be on his knees to his own constituents, begging their forgiveness for his betrayal. The fact of the matter is that the question is subject to the Law Officers' convention as he knows, and I cannot answer him. I suggest that he asks me when he is back here, re-elected by his constituents, as no doubt he has confidence that he will be, and maybe I'll give him an answer outside.

Jeremy Lefroy (Stafford) (Con): Does my right hon. and learned Friend agree that if Her Majesty's Government choose to push their prerogative powers to the limit, as they are entitled, if perhaps not well advised, to do, they should both expect the challenge that they have had and the conclusion that has arisen from it? [*Interruption.*]

The Attorney General: I am very sorry but I did not hear a word of that.

Mr Speaker: There was a very unattractive rant fest taking place between hon. Members on opposite sides of the House, gesticulating aggressively at each other. It is a very undesirable state of affairs. Let us have a bit of calm and have the question again and the answer, but we want to proceed very quickly.

Jeremy Lefroy: You are most generous to hear me again, Mr Speaker. Does my right hon. and learned Friend agree that if Her Majesty's Government wish to push their prerogative powers to the very limit, as they are entitled, if perhaps not always well advised, to do, the kind of consequences we have seen in the past few days are inevitable?

The Attorney General: In any situation where constitutional powers are pushed to their limits, strain is bound to be caused. I completely accept that we are in an unprecedented time, when constitutional limits are being pressed on all sides, in this House, by seizing control of Order Papers, by rejecting the opportunity for a general election, and by not letting the Government govern. These are factors that place huge strain upon our constitutional arrangements, and I agree with my hon. Friend that it would be good if we resumed calmer waters, which we no doubt will as I have every faith and confidence in the good sense of this country and, in the end, the good sense of this House to be able to come to a solution. That solution must be, I believe, a general election.

Several hon. Members *rose*—

Mr Speaker: Order. A number of hon. and right hon. Members are standing to contribute who were not standing at the start of the statement. That in itself is perfectly reasonable and I will seek to accommodate them if a thought has occurred to them that they want to convey, or a question that they want to put would

otherwise go unasked, but once those who are standing have asked their questions pithily, we must move on to the next urgent question. I call Clive Efford.

Clive Efford (Eltham) (Lab): The Attorney General has tried to take the high moral ground, but I have to wonder what morals were applied by the Government that led to yesterday's Supreme Court decision. When did he first become aware that the advice given to Her Majesty the Queen, the Speaker of the House and the House itself about the reasons for Prorogation was not true?

The Attorney General: In advocacy terms, that is what we used to call a "When did you stop beating your wife?" question. I do not accept the premise of the question. There is no question that the Supreme Court found in any way that any advice that had been given was consciously or knowingly misleading.

Mr John Whittingdale (Maldon) (Con): Does my right hon. and learned Friend agree that there is a judgment that is superior to that of any court's? That is the judgment of the British people. It has once been given on the question of whether this country should remain a member of the European Union, but it has twice been prevented from being expressed in a vote of this House. Is it not now time that we allow them to give their judgment on this Parliament?

The Attorney General: I could not agree more with my right hon. Friend. The time has come. The fact is that this Parliament has no further point. There is no possibility of our governing while this Parliament continues to block everything we do.

Several hon. Members *rose*—

Mr Speaker: Extreme brevity is now required. Single-sentence questions, please, without preamble. I call Lady Hermon.

Lady Hermon (North Down) (Ind): Thank you, Mr. Speaker. I have listened very carefully to the Attorney-General—I have not agreed with a fraction of what he has said—but I would like him to answer a specific question. Did it never cross his mind that if the Prime Minister made a ridiculous decision to prorogue Parliament for five weeks in the run-up to Brexit, which is the greatest constitutional change to the UK for years, the courts would rule that to be an unlawful Prorogation of Parliament?

The Attorney General: If I were to answer that question—tempting though it is, particularly from the hon. Lady, who is also a friend—I would be transgressing the Law Officers' convention, because I would be telling her what advice I had or had not given. But if she is asking, "Did it occur to me?", my answer is that of course it did. Any barrister who enters into litigation without it occurring to him that he might lose is a bit of a nit, isn't he? Of course it occurred to me that we might lose; it would be ridiculous for it not to occur to me.

Rehman Chishti (Gillingham and Rainham) (Con): Does the Attorney General agree with the view of the overwhelming majority of my constituents that the

continued delay in delivering on the result of the referendum by 31 October is leading to a lack of public confidence in our democratic process, and that the only way to resolve that now is to have an election and let the public decide?

The Attorney General: I completely agree with my hon. Friend, who has put his finger right on it. This continuing artificial prolongation of this dead Parliament is undermining people's confidence—[*Interruption.*] I know why Opposition Members are not doing it; they know they will not survive, but they have to have the courage of their convictions, get on it, and put it to the country.

Rachael Maskell (York Central) (Lab/Co-op): The Attorney General is trying to exonerate his and the Government's determinations by saying, at the Dispatch Box, that the Supreme Court created new law. Is it not the role of the Supreme Court to interpret existing law, and is that not the action it took?

The Attorney General: That is, of course, one function of a court's role, but a court is perfectly entitled to develop the common law. I do not think there can be any doubt that that is what happened in this case.

Martin Whitfield (East Lothian) (Lab): It is often said that a lawyer who acts for himself has a fool for a client. It is also worrying if the lawyer is not aware of the costs of continuing with the advice. When the Attorney General makes a statement about the costs to the taxpayer, could he include the costs to the House authorities of having to reconvene on 24 hours' notice and the inconvenience to staff?

The Attorney General: May I place on the record, Mr Speaker, my endorsement entirely for your expression of gratitude to the staff of the House? They do an extraordinarily great job. We are deeply grateful to them for that and for the speed with which they have been able to facilitate the resumption of Parliament.

Angela Smith (Penistone and Stocksbridge) (LD): The question remains unanswered of who had sight of the legal advice before the decision was taken, so I ask the Attorney General once again: did the Cabinet and the Prime Minister's chief adviser, Dominic Cummings, have sight of the legal advice?

The Attorney General: The hon. Lady will know that I cannot disclose whether I gave advice or the content of any such advice. It is covered by the Law Officers convention. The question, "Was the advice shown?" presumes that there was advice. It simply contradicts the Law Officers convention. I wish I could answer her question, but I cannot.

Wayne David (Caerphilly) (Lab): I presume that following yesterday's Supreme Court judgment the Prime Minister got in touch with Buckingham Palace and offered his apology to Her Majesty the Queen for giving unlawful advice. Did the Attorney General speak to the Prime Minister before that conversation took place?

The Attorney General: I did not, no.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): Does the right hon. and learned Gentleman agree that any reasonable Attorney General, acting with due care, would query, challenge and perhaps even laugh at any suggestion that five weeks of Prorogation was necessary in order to prepare for a Queen's Speech?

The Attorney General: I think I understood the hon. Gentleman's question, but I do not agree with its premise.

Geraint Davies (Swansea West) (Lab/Co-op): The Attorney General has accepted the Supreme Court's judgment that the Government acted illegally in closing down democracy. Does he accept that his fundamental duty is to uphold the rule of law and democracy, not to fan the flames of hatred, pitting the people against the courts and democracy on the road to fascism, as he appears to be doing today by making fun of the Supreme Court and saying that the justices are making things up as they go along? We make the law, they interpret the law, and he and all of us should obey the law.

The Attorney General: The hon. Gentleman really needs to listen more closely to what I say. The Supreme Court was perfectly entitled to reach the view it did. It did so by reasoned decision making and it was entirely within the scope of its jurisdiction, but there is no question but that in doing so it developed the common law. That is all I have said, and that is what courts often do.

Mr Sam Gyimah (East Surrey) (LD): It is not fear of the electorate that drives some of us in this House, but our determination to do the right thing by our constituents and the country against a Government who are determined to deliver Brexit at any price. Government Ministers have said today that somehow the judgment handed down by the Supreme Court could be disputed by other parties, but they never say which aspects of it they disagree with and on what basis. When Ministers cast doubt on this judgment, what exactly do they disagree with and why are they saying it in public?

The Attorney General: The hon. Gentleman asks why Ministers might contest parts of the judgment. There is nothing wrong with the Government, the hon. Gentleman or any member of the public seeking to argue that parts of the judgment were either mistaken or poorly reasoned. I would not necessarily agree with that, but there is no harm in people doing it, because that is part of democratic debate. What is wrong, and what I deplore and urge all Members of this House not to do, is to impugn the motives of those who make the decisions. These are fine judges who reach their decisions impartially on what they think is the best view of the law. I have no doubt that that is what the Supreme Court did in this case.

I am not going to go into all the areas of the judgment that are fragile or vulnerable to alternative arguments. The arguments of the Government were set out in writing. The judgment of the Lord Chief Justice in the divisional court was brilliantly reasoned and was, in the Government's view, entirely right, but the Supreme Court chose to disagree with it.

Peter Grant (Glenrothes) (SNP): Despite the Prime Minister's repeated denials, it is obvious from the angry reaction of Brexiteers over the past 24 hours that this

attempt at Prorogation was about Brexit and nothing else. Is not the real reason why nobody would testify under oath as to what the Government's reasons were that nobody, even in Government, believed that the Prime Minister's reasons were the truth?

The Attorney General: If the Prime Minister had wished to prevent this House from debating Brexit, he would have prorogued it from 5 September to 14 October. Is the hon. Gentleman seriously suggesting that the Government were blind to the possibility that in the first few days of resumption after 4 September it was not possible that exactly what happened would happen? If we had wished to close down all debate and prevent the option of legislation, which was ultimately taken by this House with the consent of Mr Speaker, we could have prorogued it from the 5th, but we did not. Furthermore, from 14 October there would have been two and a half more weeks for this House to act. With respect, all this talk about a coup is just nonsense—inflamed political tripe, invented and inflated so that this gang can justify clinging to the Opposition green Benches for another few undeserved weeks. That is what it is all about.

Ian C. Lucas (Wrexham) (Lab): The authors of this failed political trick—the Prime Minister and Dominic Cummings—have form in treating Parliament with contempt. What is truly contemptible and cowardly is Dominic Cummings, who refuses to give evidence to a Select Committee and has been found in contempt of Parliament, hiding behind the skirts of the Prime Minister. The Prime Minister is supporting an individual who works for the Government but who will not give evidence to a Select Committee. Does the Attorney General think that that is a respectable position?

The Attorney General: I am not sure that that is a question for the Attorney General. I am sure the hon. Gentleman can find somebody who is able to deal with it better than I could, but what I will say is that attacking people who cannot answer for themselves in this House is not appropriate and I would not choose to do it myself.

Alan Brown (Kilmarnock and Loudoun) (SNP): Will the Attorney General explain why there was a lack of signed witness statements? Is it the case, as we all know, that civil servants could not defend the indefensible and thought that the Government were at it all along?

The Attorney General: As I have said in the past, I cannot answer questions about witness statements or the internal preparations of the Government's case for this Supreme Court.

Alex Norris (Nottingham North) (Lab/Co-op): The Attorney General says that this Parliament does not want to do any work and does not wish to legislate. He is wrong. We are desperate to legislate on many very important issues, none more so than the Domestic Abuse Bill, on which Members across this place and the other place have worked together for two years. It could easily come before this place and we could get it into law and improve the lives of tens of thousands of people across the country. Will the Attorney General put aside his confected outrage and ask the Leader of the House to schedule for tomorrow and next week the important stages of this crucial Bill?

The Attorney General: I certainly will talk to the Chief Whip about the matter. If there is consent from all parties, we might as well do something while we are waiting for the Opposition to make up their minds to go for an election.

Patricia Gibson (North Ayrshire and Arran) (SNP): The Queen has been misled, the law has been broken and Scotland's Supreme Court has ruled that the Prime Minister has been less than honest, yet there is not a hint of humility from the Government Benches. What sanctions does the Attorney General think that the Prime Minister's playing fast and loose with our democratic institutions merit? Is the Attorney General seriously before us today to tell us that the Prime Minister's position is tenable? Is it not the case that the decent thing for the Prime Minister to do is go?

The Attorney General: May I then encourage the hon. Lady to ensure that we vote for the election motion that will come before the House shortly? That way she can try to ensure that what she hopes for will take place. However, I do not agree. The Supreme Court found no impropriety on the part of the Government, the Prime Minister or anybody else.

Ian Paisley (North Antrim) (DUP): Does the Attorney General believe that the judgment has left 17.5 million people feeling more disfranchised than ever? How should the Government and the House repair that damage?

The Attorney General: I completely agree. This House's actions are bringing it into discredit. It is abandoning almost all reasonable precedent. The time has come for a general election, and to resist it is immoral, unparliamentary and undemocratic, but that is the decision that the Opposition have taken. Let us wait and see what the electorate make of it, but I hope they will understand that the Government are trying to fulfil the mandate of those 17.4 million people. We will never cease until we succeed.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): It is reassuring to see that we are indeed carrying on where we left off. As a senior lawyer, does the Attorney General agree that any attempt to describe the considered, unanimous and unambiguous decision of the Supreme Court as a constitutional coup is nothing more than constitutional bull?

The Attorney General: I am not sure I could have put that language in a parliamentary way. The Supreme Court's decision was legitimate, perfectly reasonable and proper. We should be proud of our judiciary and proud of its independence in all jurisdictions—I apply that to the inner house, the outer house, the divisional court. Lawyers will disagree on some of those complex and fundamental principles, and that is what has happened here.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): On a point of order, Mr Speaker.

Mr Speaker: If the point of order relates to the matter of which we have just treated, I will take it.

Emma Hardy: During the urgent question, the Attorney General made a joke about the phrase, "When did you stop beating your wife?" Part of the reason people are so upset about Prorogation is that the Domestic Abuse Bill has fallen, as my hon. Friend the Member for Nottingham North (Alex Norris) just said. May I seek your advice on how the Attorney General can perhaps learn to moderate his language and not make jokes about domestic violence?

Mr Speaker: It is open to the Attorney General to respond if he wishes, although he is not obliged to do so.

The Attorney General: If I have given offence, I certainly did not mean to. It is an old saying at the Bar, which simply relates to a cross-examination technique of asking a question that presumes the premise. It is the way in which we were taught. If I have given offence, I apologise.

Mr Speaker: I thank the Attorney General for responding. It is a matter of extreme sensitivity and it is incredibly important that we are sensitive to the wider implications and interpretation of what we say. Society's mores change and sometimes one can find that things that one has freely said in the past without causing offence can no longer be said without causing offence, but each Member must make his or her own judgment. The Attorney General made his and he has said what he has said. I thank him for that.

Craig Mackinlay (South Thanet) (Con): On a point of order, Mr Speaker. I apologise for not giving notice of this point of order, but I seek advice that is relevant to our discussions. We have heard much about the way in which the Supreme Court has extended its remit to the actions of the Executive and how that may play out in future. Can you give advice, perhaps to your successor, about whether the Speaker's actions and decisions should be similarly subject to judicial review and how that may work in future?

Mr Speaker: I am extraordinarily grateful to the hon. Gentleman, but as an attempted point of order, frankly, in old-fashioned O-level terms, with which I am familiar and of which the hon. Gentleman is probably aware, it would get an Unclassified. It was not even a good try. I do not bear the hon. Gentleman any ill will, but if people are going to have a go at these things, a degree of nuance, subtlety and ingenuity would at least command respect. There is a grade and I am afraid that the attempt was way below it.

Hannah Bardell (Livingston) (SNP): On a point of order, Mr Speaker.

Mr Speaker: I will take the point of order if it is on the matters we have been discussing and not beyond.

Hannah Bardell: Apologies for not giving you notice, Mr Speaker. During the previous exchanges, the Attorney General repeatedly said that this Parliament was a dead Parliament. He said that it should no longer sit and that we had no moral right to sit on these green Benches. How can we ensure that the Attorney General makes a statement to retract those words? They are beneath him

[Hannah Bardell]

and this place. I was sent here by the people of Livingston and of Scotland, as my colleagues were sent by their constituents. Our position should not be undermined by such flippant and ridiculous language.

Mr Speaker: There is an important issue here. Is something that causes offence required to be withdrawn? I say in all candour to the hon. Lady, whose sincerity I respect, that the answer to that is no. Lots of things are said that may cause offence or provoke umbrage and about which there will be dispute, but there was nothing disorderly about what the Attorney General said. The hon. Lady has registered her view with considerable force and alacrity, and it will be on the record for her constituents to observe. No impropriety has taken place.

Hacker House

1.17 pm

Layla Moran (Oxford West and Abingdon) (LD) (*Urgent Question*): To ask the Secretary of State for Digital, Culture, Media and Sport if she will make a statement on payments made by her Department to Hacker House, and on how her Department manages possible conflicts of interest.

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Matt Warman): I thank the hon. Lady for raising this question today. I am answering it because it is part of my portfolio.

As hon. Members may know, the Department runs a programme known as the cyber-security immediate impact fund. It is one of a range of programmes designed to increase the number and diversity of people who pursue careers in the cyber-security profession. Through the fund, we want to support new, creative and innovative projects that are delivered by a range of organisations, including start-ups and small and medium-sized enterprises.

We have supported a variety of initiatives, awarding grants of between £20,000 and £500,000 since March 2018. Hacker House is one of the businesses that was awarded a £100,000 grant in February 2019 as part of our second funding round. To date, it has been paid around £47,000 for work completed. The grant was awarded by officials from DCMS, the Department for Education, techUK and, indeed, people from the National Cyber Security Centre. If the hon. Member for Oxford West and Abingdon (Layla Moran) wishes to impugn the motives of those officials, I invite her to think carefully before she does so.

To date, we have awarded 11 companies grants to deliver 12 initiatives. More than 400 people have benefited from support through the fund. Our objective is that even more people will benefit as the businesses with which we partner further invest in a sector that I know the hon. Lady agrees is vital to the future of our security and our economy. That is part of our mission as a Department to identify untapped talent and help a broader range of individuals who have the capabilities and aptitude to develop their careers in cyber-security. I assure the House that all grants are awarded through an open, transparent and competitive process. Each grant is judged on specific assessment criteria and is approved by the panel I referred to earlier, with cross-departmental and industry representation. We are, of course, aware of the claims raised recently by *The Sunday Times*, and the Department is reviewing the decision that was taken, but we monitor all initiatives that have been awarded grant funding and we treat any allegations of impropriety with the utmost seriousness. As soon as I have any further information to share on this matter, I will, of course, update the House at the earliest possible opportunity.

Layla Moran: I thank the Minister for his reply. I should make it clear that I care very little about the personal life of the Prime Minister, but I care a lot about how this Government manage conflicts of interest and how they spend taxpayers' money. On that basis, I am concerned that the Department appears to have given Hacker House a £100,000 grant in January 2019 as part of the cyber skills immediate impact fund, a

grant that was open to initiatives based in, and that operate from, Britain. Furthermore, these grants should not exceed 50% of the company's revenue.

We now know that Hacker House is not based in the UK. *The Sunday Times* reports that its owner, Jennifer Arcuri, moved back to the USA in June 2018. The grants were not open for application until November. The registered address of the company is in fact a house in Cheshire that she used to rent, and the current occupant apparently sends any post addressed to Ms Arcuri back to the sender.

Where is the due diligence? What steps did the Department take to ensure that Hacker House was indeed based in and operating in the UK? Why did officials waive the rule that the grants could not exceed 50% of the company's collective income? How many of the other companies that we now find have had these grants have had this kind of preferential treatment? Did the Prime Minister, then a Back Bencher, make any representations, official or otherwise, to the Department recommending Hacker House for the funding? The Department says that it will investigate the award of the grant, but will the Minister tell us when will that review conclude and will it be made fully public?

The misuse of public funds and conflicts of interest in relation to Ms Arcuri run deeper than just this matter. I appreciate that the Minister will not be able to speak for the actions of the Prime Minister when he was the Mayor of London, but would he, on behalf of the Government and the Prime Minister, ensure that all Departments fully co-operate with the investigation being launched by the London Assembly's oversight committee into how the Mayor's office handled conflicts of interest?

We are back in the Commons today because the Prime Minister has been shown to ride roughshod over the laws of this land. It would indeed be disappointing if we were to find that the Prime Minister has form in bending the rules for personal or political gain.

Matt Warman: I want to start by saying that the Prime Minister and his staff have had absolutely no role in the award of this grant; I suspect I will be saying that a number of times, but it will remain the case.

In answer to the hon. Lady's other questions, the review will report by the end of next month, and I have said that I will update the House where necessary. Of course, we will fully co-operate with any other inquiry. She raises the matter of the match funding of 50%. The officials involved in awarding such grants scored the application very highly in all other aspects; as they routinely do in a number of other situations, they decided that the other aspects more than outweighed that particular criterion.

On the question of where the company is based, the officials have done the usual due diligence on the company. The hon. Lady herself mentioned the address where it is based. It will, of course, be a part of the review that we are doing, but, as I say, this is a company that is based in Britain as far as Companies House is concerned. It is a company with a British phone number. We will review that, but we have no reason to think that there is anything untoward in this particular matter.

Finally, to address the range of issues that the hon. Lady raised at the end of her question, if she wants to raise matters about a grant that was awarded by officials

through the proper process, this is of course a completely legitimate forum for her to do so. If she wants to use this opportunity to try to spread tittle-tattle that is much more about politics, she should think very carefully before doing so.

Damian Collins (Folkestone and Hythe) (Con): I welcome what the Minister said about the review being conducted in the Department. He will know that the Secretary of State is due to give evidence to the Select Committee on Digital, Culture, Media and Sport on 16 October. Will he or the Secretary of State write to the Select Committee before then with an update on the terms of reference for the review and the results of the review so far, as well as the details of other awards made to other companies and how much was given under the same scheme?

Matt Warman: I thank the Chair of the Select Committee for that question. My right hon. Friend the Secretary of State assures me that we are more than happy to write to his Committee. Of course, the awards that were made to other companies are no secret. A press release was put out about these things. We are of course happy to provide him with more details of that.

Tom Watson (West Bromwich East) (Lab): I welcome the Minister to his new role, and I thank the hon. Member for Oxford West and Abingdon (Layla Moran) for her forensic questioning this morning. This company, Hacker House, got a grant of £100,000. I have looked at the stated aim of the fund, and it says that it is "to increase the diversity and numbers of those working in the UK's booming cyber security sector"

and

"developing a sustainable supply of home-grown cyber security talent".

As I understand it, Hacker House is a company headquartered in California and the principal owners of the company live in the United States. The company claims to have employees in London, but refuses to reveal who they are or where they are.

It is very difficult to see how the company fulfilled the criteria for these grants, so will the Minister explain to us how Hacker House did so? Was the connection with the then Foreign Secretary, or any other MP in this House, declared when the application was made? Will all applications and paperwork relating to the Hacker House grant now be published in the Library or made available for public scrutiny? Did any MPs lobby on behalf of the company in regard to this or other grants granted by Government Departments?

The broader questions that the Minister has alluded to need answering, because they keep coming back to the current Prime Minister. The issue of whether he has represented the interests of the company or other companies requires scrutiny, as the Chair of the Digital, Culture, Media and Sport Committee alluded to. This is fundamentally a question of character and of suitability. Is the Prime Minister of sufficient character to occupy high office and disburse public funds? Is he suitable? Does he understand that the trappings and privileges of power come with restrictions and restraints? Is he capable of restraining himself?

The truth is that our Prime Minister does reckless things. He is a man whose character renders him unsuitable

[Tom Watson]

and unfit for the office he holds. I want answers to these questions, but we all know the broader essential truth. We can all see who Boris Johnson is.

Matt Warman: The hon. Gentleman said that it was a pleasure to see me in my place, and it is a pleasure to see him still in his, although I am not sure how many of his hon. Friends share that view.

I am, of course, happy to repeat what I said before. The Prime Minister has had no role whatsoever in this application, and it is, I think, important to bear in mind that this is a decision made by officials, including people from the National Cyber Security Centre, the Department for Education and the Department for Digital, Culture, Media and Sport. These are honourable people doing the right thing, and their reputation should not be impugned in the way the hon. Gentleman seeks to impugn it.

I have said that there was no lobbying, from either the Prime Minister or any other Member of Parliament, and we will seek to make public the bid submitted by Hacker House—I have it here—so long as there are no commercial sensitivities. The aim of the cyber skills immediate impact fund is to build our strength and depth in what is, as I know the hon. Gentleman will agree, a vital area. The Hacker House bid seeks to train people and to build a platform to train more people. That platform has already been built. He can check it out online for himself—he could even sign up—and we will seek to ensure it reaches hundreds of people. That is part of the bid and an important part of this country's national cyber-security strategy. I would have hoped that he would have supported it, rather than raise a whole host of issues that are not relevant to this question.

Margot James (Stourbridge) (Ind): I congratulate my hon. Friend on the assumption of his office. I quite agree that the cyber skills immediate impact fund is a crucial driver for Britain to upweight its skills in this vital and growing area. I commend the DCMS officials and those at the National Cyber Security Centre who have managed this fund, but I ask him to look closely at its performance in relation to the grant given to Hacker House in the light of the information shared with the House by the hon. Member for Oxford West and Abingdon. Close scrutiny of what it is doing with the money is of paramount importance.

Matt Warman: I pay tribute to the hon. Lady for her work as my predecessor. It is an honour to follow her at the Dispatch Box. She is completely right. She will know that we as a Department routinely talk to those in receipt of grants and ensure as much oversight as possible, and that process will continue. As I have said, there is a review into this particular grant to make sure it delivers maximum value for money for the taxpayer.

Hannah Bardell (Livingston) (SNP): I too welcome the Minister to his place. I wonder if when he was discussing accepting the job he knew he would be doing the Prime Minister's bidding in cleaning up his mess.

It is fair to thank and to pay tribute to the bravery and determination of those who fought through the courts to ensure we could be back here today and able to hold the Government to account: my hon. and

learned Friend the Member for Edinburgh South West (Joanna Cherry), Gina Miller and Jo Maugham of the Good Law Project. We thank and salute them.

The blame and bluster that has come out of this Government over this issue and the matter of what happened in the Supreme Court is outrageous. The Prime Minister is under significant pressure to declare what interests and relationship he had with Jennifer Arcuri. There is no disputing that the work is important—I agree with the Minister on that—but, despite what he says about other Members impugning her character, in reality it is the Prime Minister who is impugning her character because of the lack of transparency and his unwillingness to answer questions about their relationship.

The Minister will be aware that Hacker House received £100,000 from the DCMS. Members have already raised the matter of where that business is domiciled. Given the huge amount of public money spent, does he think it appropriate that his Department is investigating itself in those discussions and in that process? I would suggest that that is highly inappropriate and that there should be an independent—

Mr Speaker: Order. I am extremely grateful to the hon. Lady, but she has exceeded her time by 50% already, so that's the end of that I'm afraid.

Matt Warman: I am glad that the hon. Lady welcomes the importance of this work. This process, like all Government grant-giving processes, is conducted in a transparent way. The review will not be the Department marking its own homework, and as I said, we will put any further updates to the House as they become available, which will be by the end of next month.

Steve McCabe (Birmingham, Selly Oak) (Lab): I understand that Ms Arcuri's mother has described the Prime Minister as her daughter's sponsor? What kind of sponsorship does he provide?

Matt Warman: I struggle to see how that question is directly relevant to the one that I am here to answer, but I would say, as I have said before—[*Interruption.*] I am not here to answer for anyone's mother. As I have said before, the Prime Minister had no role whatsoever in the application, but none the less we are reviewing the process.

Kevin Hollinrake (Thirsk and Malton) (Con): I welcome my hon. Friend to his place. I also welcome the support he is providing to small and medium-sized enterprises in this area. Can he confirm that clear criteria are applied in the awarding of these grants and that grants are made on the basis of a business case and adherence to those criteria? Does he agree that Opposition Members should probably learn from the past and suspend making wild allegations until a proper review has taken place?

Matt Warman: I thank my hon. Friend for his kind words. He is absolutely right that supporting SMEs in such a sector is particularly important. It is something we will continue to do. On the process, I referred to the bid earlier. I have the form here—several dozen pages—that must be provided to access Government funding. That is right and proper. He is right also that we should all shy away from making unsubstantiated allegations.

Stella Creasy (Walthamstow) (Lab/Co-op): Many of us will have constituents who represent companies that might bid for Government funding and constituents with concerns about this place and the probity of anything that happens. It was a former Prime Minister who said that sunlight was the best disinfectant. The Minister has already said he is looking to publish the details of the bid, which might contain commercially sensitive information. If he wants to defend the Prime Minister's reputation, why does he not save us all the freedom of information request and commit to publishing all the documentation regarding the bid, including anything his officials received? I am sure some of those trainers could show him how to do it online today if he wanted.

Matt Warman: As I have said, we are doing a review into the decision, and I hope we will be able to publish as much as possible as a result. She is right that sunlight is the best disinfectant in many cases. It is a policy the Government apply very widely, including in this Department.

Wes Streeting (Ilford North) (Lab): Probity and ethics seem to have gone out the window with this Government, so can the Minister assure us that the Prime Minister will co-operate fully with the Department's inquiry and with the Greater London Assembly's inquiry? If not, is it not only right that the Metropolitan police open an inquiry into whether there has been any misconduct in public office?

Matt Warman: The hon. Gentleman is obviously right to ask the question, but the review will go wherever it needs to, and I have had no indication that anyone is not going to co-operate, be it the Prime Minister or anyone else.

Melanie Onn (Great Grimsby) (Lab): The Minister insists on calling this a review. Why is he shying away from referring to it as an inquiry? What will the scope and terms of the review be?

Matt Warman: I have already said to the Chair of the Select Committee, who is no longer in his place, that we will write to him with more information on that. All I can say now is that the review will leave no stone unturned.

Bill Wiggin (North Herefordshire) (Con): I congratulate my hon. Friend on his new position. I am sure he will also thank you, Mr Speaker, for choosing this UQ from the 44 that were submitted. Can my hon. Friend tell the House how long ago this took place and for how long we have had a Labour Mayor of London who could have investigated this before now?

Matt Warman: I am grateful to you, Mr Speaker, for providing me with my Dispatch Box debut, as my hon. Friend alluded to. He is right to refer to the fact that this matter concerns a company that was founded in 2016 and that the Government did not hide anything—we put out press releases. Perhaps the Mayor of London does not check the gov.uk website as often as we might like.

Wera Hobhouse (Bath) (LD): Some £47,000 of the £100,000 grant money has now been awarded to Hacker House. Will the remaining £53,000 be withheld until a review has been concluded?

Matt Warman: As with all such processes, while the review is ongoing that process will be paused, but I should like us to get on with ensuring that the good work done under this fund continues as rapidly as possible.

Tulip Siddiq (Hampstead and Kilburn) (Lab): *The Times* revealed today that the Prime Minister previously planned to set up a £100 million fund with the owner of Hacker House. May I remind Members that, as Mayor of London, the Prime Minister oversaw the Garden Bridge project, which was the subject of allegations of corruption and was riddled with conflicts of interest? Will the Minister reassure the House that there will be no further examples of “friends with benefits” funding from the Department for Digital, Culture, Media and Sport or any other Department?

Matt Warman: Of course I speak for the DDCMS, but, as I have said, this is a process that is scrupulously transparent, it is a process that is rigorous, and it is applied equally to all. The hon. Lady mentioned something about the Garden Bridge; perhaps she was pre-empting the Secretary of State for Transport, who will be here shortly.

Anna Turley (Redcar) (Lab/Co-op): The Minister has said that this whole process has been rigorous, open and transparent, and he is rightly making the bid available and accessible to all MPs in the Library. However, if he is completely confident that there have been no issues with this process, and if he does indeed believe in its being open and transparent, why does he not put all correspondence relating to the bid in the Library so that we can see it, instead of hiding behind his own governmental review? Show us the evidence!

Matt Warman: That is, of course, part of the point of having the review. As I said earlier in answer to another question, I will encourage those conducting the review to make as much of its material as is commercially possible in any circumstances as public as possible. The hon. Lady shakes her head, but I have agreed to the premise of her question, and we will do it.

Alison Thewliss (Glasgow Central) (SNP): This is not just about money. It is also about influence, because it has been alleged that the Prime Minister and former Mayor of London obtained access to trade missions for Jennifer Arcuri, despite her apparently not meeting the criteria for those trips. Can the Minister tell me on how many other occasions the Prime Minister has intervened to secure junkets for his pals?

Matt Warman: As I have said repeatedly, there is no input from the Prime Minister at any stage in this process. Opposition Members can say it as often as they like, but that will not make it true.

Tracy Brabin (Batley and Spennings) (Lab/Co-op): Last week's open letter from the Committee on Standards in Public Life to all public office holders describes the “long-established principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership” as “a personal responsibility”. Given the Prime Minister's seeming disregard for conflicts of interest and his refusal to answer questions, does the Minister agree that he has not the character to lead this country?

Matt Warman: The hon. Lady has talked about the Prime Minister. He will be here later, and she can put that question to him herself. She has also talked about the principles of public life. What I think the public cannot get their heads around is how they can have a Parliament that is blocking the will that they expressed in a referendum.

Brendan O'Hara (Argyll and Bute) (SNP): The Minister will realise that this is not going to go away any time soon. Does he agree that only a full independent inquiry will be able to remove the stench of sleaze and scandal that is currently engulfing the Prime Minister, and that any inquiry must investigate the circumstances of this use of public funds to check that it was legal and appropriate, that there was no conflict of interests, and that at no time did the now Prime Minister abuse his position or misuse public funds? If that does not happen, the stench of sleaze and scandal that currently engulfs the Prime Minister will linger long.

Matt Warman: It will not surprise the hon. Gentleman to learn that I do not accept the vast majority of the premise of his question, but he says that this is not something that will go away, and he is right. We are having a review. We are not seeking to make it go away, and we will leave no stone unturned.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): The Minister has given assurances that no Member of the House of Commons was involved in lobbying for Hacker House, but can he give the same reassurances about the House of Lords?

Matt Warman: As I have said, we are having a review. I have no indication whatsoever before me that there is a positive answer to the hon. Lady's question, but we are having a review, and we will make sure that that is covered.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): A great number of people out there are trying to get start-up businesses off the ground, and to those people a grant would be hugely welcome. Can the Minister at least see that the impression—I use my words carefully—of money being dished out to mates is corrosive to public confidence in the grant system, and that that, in turn, is damaging to the reputation of any Government?

Matt Warman: I agree that that impression is, in part, why we are having the review, but I would also say very gently to the hon. Gentleman that one of the things that is corrosive to public confidence in that process is people repeatedly making allegations when we have not had that review, and have not yet had any proof.

Dr Paul Williams (Stockton South) (Lab): There have been reports that the Prime Minister, when Mayor of London, had a close relationship with Jennifer Arcuri, which included receiving personal, one-to-one technology lessons from her. Can the Minister assure us that, even if no representations were made directly by the now Prime Minister, no representations were made on his behalf?

Matt Warman: I have said that, and I am happy to say again that there was no undue lobbying to the best of my knowledge. As I have said, we are having a review

and we will make that public, but I think that the hon. Gentleman's attempt to broaden the scope of this will not change the fact that there is no evidence whatsoever that the Prime Minister sought to do anything improper.

Mr Gavin Shuker (Luton South) (Ind): Has this company, or its directors, applied for any other Government funds? If so, over what period, and successfully or unsuccessfully?

Matt Warman: The two other companies that are related to Miss Arcuri have not made any applications whatsoever to this Department. Of course we will be double-checking that as part of the review, and I am sure that the review will also look at other Departments, but, as I have said, this is a process that is scrupulous, transparent, and rigorous in its independence, whichever company is in receipt of Government money.

Patricia Gibson (North Ayrshire and Arran) (SNP): I am sorry that the Minister is rattled, as evidenced by his dismissal of questions about the Prime Minister's possible conflict of interests when he was London Mayor as "tittle tattle". That is contemptible, and sadly shows—as did yesterday's announcement of the result of the court case—the staggering sense of entitlement that is at the heart of this Government, with a Prime Minister who thinks that he can do as he pleases. Will the Minister confirm that he believes that this Parliament and the public are perfectly entitled to hold the Prime Minister and his Government to account, and that any hints or suggestions to the contrary about "tittle tattle" only show yet more disrespect for the democratic process?

Matt Warman: The hon. Lady tells me that I am "rattled". I am enjoying this debut rather more than I expected, but none the less, it is always a pleasure to answer pre-written questions. [*Interruption.*] The hon. Lady shows me that it was pre-written; that is very good to see.

To be fair, the hon. Lady has raised an important constitutional principle. It is an important constitutional principle that this Government absolutely respect, and will continue to do so.

Tom Watson (West Bromwich East) (Lab): On a point of order, Mr Speaker.

Mr Speaker: Does it appertain to these exchanges?

Tom Watson *indicated assent.*

Mr Speaker: Very well.

Tom Watson (West Bromwich East) (Lab): Earlier in our exchanges, Mr Speaker, the Minister suggested that I try to register with Hacker House. I looked at social media, and saw that many people online had tried to do that, but had received the error message "502 Bad Gateway". Can you explain why Hacker House seems to have disappeared?

Mr Speaker: The Minister is under no obligation to respond to the point of order, but it is open to him to do so if he wishes.

Matt Warman: It is, of course, a part of the Department's processes that we will make sure that the services we procure are properly delivered. We are very happy to have a look at that, and we will continue to do so.

Thomas Cook

1.49 pm

The Secretary of State for Transport (Grant Shapps):

With your permission, Mr Speaker, I would like to make a statement about the steps that the Government have been taking to support those affected by the collapse of Thomas Cook, particularly for the 150,000 passengers left abroad without a flight back and the 9,000 people here who have lost their jobs in the UK.

This is a very sad situation. All parties considered options to avoid the company's being put into administration. Ultimately, however, Thomas Cook and its directors themselves took the decision to place the company into insolvency proceedings, and it ceased trading at 2 am on Monday 23 September. I recognise that this is a very distressing situation for all those involved. I assure Members of the House that the Government are committed to supporting those affected, including by providing repatriation flights free of charge for all those people.

We have been contingency planning for some time to prepare for this scenario, under Operation Matterhorn. The Government and the Civil Aviation Authority have run similar operations in the past and have been working hard to minimise the disruption to passengers and to try to assist Thomas Cook's staff. Even with our preparations, and previous experience with Monarch, the task before us represents the largest peacetime repatriation ever undertaken in the UK. Some disruption and delay is therefore inevitable, and we ask for understanding, particularly for Thomas Cook's staff, many of whom are still working, alongside the Government, to try to help ensure the safe return of their customers.

For example, the media reported on the situation in Cuba overnight. That aircraft has now left this morning, and all the passengers from Cuba who were scheduled to come home today are on that flight.

Normally, the CAA's responsibility for bringing back passengers would extend only to customers whose trips are covered by the ATOL scheme. However, there would have been insufficient capacity worldwide in the aviation market to allow people whose trips were not covered by the ATOL scheme to book tickets independently and bring themselves home. Some passengers would have had to wait for perhaps a week or longer, and others would have suffered financial and personal hardship as they waited for another flight. In my view, that would have created further economic problems, with people unable to return to work and unable to be reunited with their families. With tens of thousands of passengers abroad and with no easy means of returning to the UK, I instructed the CAA to ensure that all those currently abroad were able to return, ATOL or non-ATOL.

Due to the size, complexity and geographical scope of the Thomas Cook business, it has not been possible to replicate the airline's own flying programme and its schedule. In the case of the Monarch collapse back in 2017, the CAA was able to source enough aircraft of the right size and the right types to closely match the airline's own aircraft. But Thomas Cook was a much bigger airline, and it also provided a global network of package holidays; as a result, this operation has been much more challenging. Some passengers will be travelling home on commercial flights, where other airlines have available seats. I know that the whole House would

[Grant Shapps]

want to thank all the airlines and ground staff who have offered assistance to Thomas Cook passengers in this difficult situation.

I would like to update the House with the latest information and give hon. Members a sense of the scale of the operation that has been going on. We have put arrangements in place to bring back 150,000 people, across 50 different countries.¹ That requires over 1,000 flights by CAA-chartered aircraft over the next two-week period. Passengers will be able to complete their holidays, so that they should not be leaving early, and should return on the day that they were intending to.

So far, in the first two days of the operation, we have brought home nearly 30,000 of the 150,000 passengers, on over 130 dedicated CAA flights. We hope to repatriate a further 16,500 passengers today, on about 70 flights. I checked before I came to the House, and the operation is proceeding according to these amended schedules.

So far, 95% of people have been repatriated to their original point of departure. Again, we have not been able to bring everybody back to the airport from which they left, because of the difference in size and shape of available aircraft. In the first two days, we have therefore provided onward travel for 2,300 passengers, and have arranged an additional flight from Gatwick to Glasgow to relocate passengers who have flown back to the wrong airport because of that scheduling issue.

The CAA has reached out to over 3,000 hotels, issuing letters of guarantee to ensure that British holidaymakers can remain in the hotels in which they are booked, and that has been followed up by calls and contact from FCO officials.

Over 50 overseas airports are involved—around the Mediterranean, in north Africa and in north America—and 11 UK airports are engaged in this programme. There have been over 100,000 calls to our customer service centres, and on the first day alone there were over 2 million unique visitors to the CAA's dedicated website—thomascook.caa.co.uk—with close to 7 million page views. In total, 10 Government Departments and agencies have been involved, including the Department for Transport, Foreign and Commonwealth Office, Department for Business, Energy and Industrial Strategy and Department for Work and Pensions, in London, and our extensive diplomatic and consular network in the affected countries.

I have been hugely impressed, as the programme has been rolling out in the past couple of days. The response from everyone involved, including Thomas Cook passengers, has been generally positive, with many praising the CAA, local staff and government officials, even though there has been considerable disruption. For example, people have not been able to check in in advance, as they are used to doing these days, but have instead had to queue to check in for every single flight. That has caused some of the queues that we see on television. The programme has, though, been generally well organised and all those involved have been extremely professional.

Despite these robust plans and their success so far, this is an incredibly distressing situation for all concerned. One of my top priorities remains helping those passengers abroad to get back to the UK and do so safely, but in addition to supporting passengers, we have been working across Government to ensure that the 9,000 former

Thomas Cook employees in the UK and those overseas receive the support that they need. The decision by the Thomas Cook Group's board has been deeply upsetting for employees, who are losing their jobs. DWP's Jobcentre Plus rapid response service is in place, helping workers get back into employment. The Jobcentre Plus rapid response managers across the UK are ready to engage with the liquidators to start that vital work. Special arrangements are in place for UK employees who are owed redundancy pay and notice pay by their insolvent employer: the redundancy payments service in the Insolvency Service can pay statutory amounts owed to the former employees through the national insurance fund. I want to say more about that later, but I will do so in answer to questions.

My colleague the Secretary of State for Business, Energy and Industrial Strategy is establishing a cross-government taskforce to address the impact on employees and local communities. That will help to overcome barriers to attending training, securing a job or self-employment, such as by providing child care costs, tools, work clothes and travel costs.

My colleagues and I have been in contact with those Members whose constituencies will have been hardest hit by these job losses, and have given assurances that we will work with the industry to offer what support we can. In fact, pretty much every hon. Member's constituency is affected in some way, even if only through the number of people working in a single shop location.

My right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy has written to the Financial Reporting Council to ensure that it prioritises, as a matter of urgency, an investigation into both the causes of the company's failure and the conduct of its directors and auditors.

I am also aware of the duty that this Government have to the taxpayer, and while affected passengers have been told they will not have to pay to be flown back to the UK, we have entered into discussions with third parties with a view to recovering some of the costs of this large operation. Around 60% of passengers have ATOL protection, and the CAA's air travel trust fund will contribute proportionately to the costs of the repatriation, as well as refunding ATOL future bookings. We will also look to recoup some of the costs from the relevant credit and debit card providers and travel insurers, and will look to recover costs from other travel providers through which passengers may have booked their Thomas Cook holiday. We are also in discussion with the Official Receiver to understand what costs can be recouped through the company's assets.

The final cost of the operation to repatriate Monarch passengers back in 2017 was about £50 million, including ATOL contributions. The repatriation effort for Thomas Cook is now known to be about twice the size and is more complicated, for reasons that I have explained.

I have also seen it suggested in the press that the Government should have avoided the collapse with a bail-out of up to £250 million for the company and shareholders. Given the perilous state of the business, including the company's own reported £1.5 billion half-year loss which was reported in May and followed by a further profit warning in November, this simply was not the case, with no guarantee that an injection would have secured the future of the company. Our concern was that if we put in £250 million, we would risk throwing

1. [Official Report, 30 September 2019, Vol. 664, c. 9MC.]

away good money after bad and still having to pay the cost of this repatriation. It is quite clear that in the last several years the company ran into a number of problems by trying to expand itself through investing more in the high street rather than less, while the entire market was moving in the opposite direction.

The loss of an iconic British brand with a 178-year history—one of the oldest travel companies in the world—is an extremely sad moment. However, this should not be seen as a reflection on the general health of the UK aviation industry, which continues to thrive. Passenger numbers are actually up, and people are traveling more. However, the truth is that the way people book their holidays has changed an enormous amount over the years, but it did not change as much within the company. None of this should distract us from the distress experienced by those businesses reliant on Thomas Cook, by passengers and by Thomas Cook employees who, as I have said, have worked above and beyond, particularly in recent days during this distressing situation.

We have never had the collapse of an airline or a holiday company on this scale before, but we have responded swiftly and decisively. Right now, our efforts are rightly focused on getting those passengers home and looking after those employees who have lost their jobs, but we also need to understand whether any individuals have failed in their duties of stewardship within the company. Our efforts will then turn to working through the reforms necessary to ensure that passengers do not find themselves in this ridiculous situation again. We need to look at the options within ATOL, and also to ascertain whether it is possible for airlines to be wound down in a more orderly manner. They need to look after their customers, and we need to be able to ensure that their planes can keep flying so that we do not end up having to set up a shadow airline for no matter what period of time. This is where we will focus our efforts in the next couple of weeks, but in order to do this we will require primary legislation and, dare I say it, a new Session of Parliament.

In what has been a challenging time, I want to put on record my appreciation for the work of all those involved in this effort, particularly Richard Moriarty, the chief executive officer of the CAA. He and his team, and my officials in the Department for Transport, have done an extraordinary job so far. I am also grateful for the support of others, including the Mayor of Manchester, who has acknowledged the Government's repatriation effort and its work with all the agencies involved in helping to get people home. This has been an unprecedented response to an unprecedented situation, and I am grateful to all the parties who have stepped in to support these efforts. I commend this statement to the House.

2.3 pm

Andy McDonald (Middlesbrough) (Lab): I would like to thank the Secretary of State for giving me timely advance sight of his statement; that is a welcome change. What I do not welcome is the collapse of Thomas Cook, which is a tragedy for the 178-year-old business, its customers and its staff. The travel company went under because successive chief executives failed to steer the group effectively or to evolve the business. Thomas Cook had five offers for its airline business, yet these were rejected by the board. I, too, would like to pay tribute to Richard Moriarty and his team at the Civil

Aviation Authority for the work done yet again to repatriate holidaymakers. I applaud their sense of public service and duty.

Aviation is a fiercely competitive industry that has lost services because of terrorism and Brexit uncertainty. The Government's dithering on their aviation strategy has only added to these difficulties. In May, speaking on airline insolvencies, the Secretary of State's predecessor said that the Government

“will work swiftly to introduce the reforms that are needed to ensure a strong level of consumer protection and value for money for the taxpayer.”—[*Official Report*, 9 May 2019; Vol. 659, c. 33-34WS.]

This was misleading. The Government have done nothing to protect consumer or taxpayer interests. The Government have sat back and let the company fold.

Yesterday, Governments in Scandinavia stepped in to back Thomas Cook subsidiaries in that region. The German Government also stepped in with a loan of €380 million for the Thomas Cook subsidiary Condor, to help that company to survive. The chief executive of Thomas Cook Airlines, Christoph Debus, has seamlessly just gone to work for Condor, and jubilant scenes of the survival of the subsidiary are doing the rounds on social media. Can the Secretary of State tell the House what steps his Government took to enter into a joint investment with other interested nation states? It is reported that the Governments of Spain and Turkey were understandably willing to do this, but seemingly the UK Government were not.

We are somewhat reassured that there is provision to return holidaymakers to the UK, but sadly there is no provision for the return of Thomas Cook's staff. The unions Unite and the Transport Salaried Staffs Association have valiantly fought for their members, while this Government have done nothing. Can the Secretary of State guarantee that all staff will be repatriated? Can he say what provisions he is putting in place to ensure that customers who have lost their planned holidays are fully compensated and able to make alternative arrangements at no expense to themselves?

The Government learned nothing from the Monarch collapse two years ago. Monarch cost taxpayers £40 million in repatriation costs and Thomas Cook looks set to cost a similar amount or more, not to mention redundancy and future welfare payments. Can the right hon. Gentleman give us an estimate of what the total costs are likely to be? Monarch was the victim of financial engineering by Greybull Capital two years ago, and of conflicts of interest with the company's administrator. Similarly, the collapse of Thomas Cook raises major questions about the accounting of the firm by PwC and EY, never mind the bonuses paid to senior executives. On that point, will the Secretary of State make it clear to those executives that they should return their undeserved and unwarranted multi-million pound bonuses, including that of Peter Fankhauser, who has had £4.6 million in bonuses since 2014?

I say again that the Government have not acted to protect the public interest, and that nothing has been learned or done to improve how our insolvency arrangements deal with such exceptional and complex circumstances. What is more, the ATOL fund has been much reduced by the Monarch fiasco and has had to rely on insurance to make up the shortfall. Does the Secretary of State believe that the reforms of ATOL enacted by his Government have been effective? The

[*Andy McDonald*]

Government must confirm that they will immediately guarantee the workers full compensation for unfair dismissal, given the lack of proper consultation, and that those workers will not have to pursue the matter through the courts. Can he confirm that they will be relieved of that burden and stress?

In a further sad development, we also learned today that Northern Ireland's last manufacturer, Wrightbus, has gone into administration with the loss of 1,400 jobs. In July, the Prime Minister said that

"we will do everything we can to ensure the future of that great UK company."—[*Official Report*, 25 July 2019; Vol. 663, c. 1496.]

Is it not the case that this Government are guilty of the industrial neglect of this country? In contrast to other countries, UK Ministers have stood by and let some of our great companies wither and die. This Government are engulfed by inertia and incompetence. They are not a functioning Government, because of the Brexit chaos and Prorogation paralysis that they have brought upon themselves. The people of Britain are paying a high price for their inadequacy. They have failed to reform insolvency rules and failed to improve financial reporting. This is a colossal failure of political leadership from this Government. They were warned, but they did nothing. That is a shameful failure to fulfil their duties and their responsibilities.

Grant Shapps: Let me see what we can deal with here. It is true, as the hon. Gentleman outlined, that the world has changed. In 2007, Thomas Cook bought MyTravel just as the internet was starting to take off. In 2016, when the high street was clearly struggling because the internet had taken off, it bought the high street shops of Co-op Travel, further expanding its problems and its massive debt to £1.7 billion. I agree with him that this was, in the end, a very poorly run business that was going in the wrong direction at the wrong time.

The hon. Gentleman made a very sensible point in his query about the return of the bonuses that we have all been reading about. I have described how my right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy has written to the Insolvency Service. Under the Insolvency Act 1986, the official receiver has the power to require the return of bonuses in certain circumstances. I absolutely agree with the hon. Gentleman that that needs to be fully looked into, including the role of the auditors.

That is where we agree. Where we disagree is that it is not the case that this situation is somehow unique to Thomas Cook. As I mentioned, airlines elsewhere in the sector are in good health. Many of them have been very helpful in bringing Thomas Cook passengers home over the past couple of days and have offered extraordinary help, even lending aircraft and, in the case of one well-known airline, cutting prices for Thomas Cook customers, rather than charging more. However, in response to what the hon. Gentleman said about this insolvency, it is only right to point out that Germania, a German airline, went bust; Primera Air, a Danish airline, went bust; Air Berlin, a German airline, went bust; as did Cobalt Air of Cyprus and FlyVLM of Belgium. This is not a UK issue; this is an issue where some airlines manage to do the right things and succeed, and others do not.

The hon. Gentleman rightly mentioned what has happened with Condor. Here, we will find partial agreement and partial disagreement. Condor was operating under a somewhat different business model. In Germany, people do not book holidays in quite the same way as they do in the UK, partly because UK citizens tend to use the internet in a different way and are much more becoming their own travel agents. With Condor, the business remained profitable. [*Interruption.*] The hon. Member for York Central (Rachael Maskell) asks what difference that makes. The difference is that it was a profitable business, unlike the business here.

It is also the case—this is where I think there will be a degree of agreement—that German insolvency rules allow for administrations to take place, and then for aircraft to carry on being used and for other buyers to come in during the administration process. That is not something that our current rules on airline liquidation and insolvency allow for.

The hon. Gentleman rightly pointed out that the previous Secretary of State said he wanted to do something about that and commissioned a review. So that we are all clear on the timeline, that review reported on 9 May 2019. It suggested that we should have rules that are not dissimilar to the German rules to allow our airlines to trade in administration. That would make repatriation massively easier, because we could use those airlines. I entirely agree with the hon. Gentleman on that. Perhaps he did not hear me mention it during my statement, but we need a new Session of Parliament to introduce that primary legislation in order to bring that in. We are very happy to have a new Session of Parliament. If we get agreement, perhaps that is something we can progress.

I believe that, given the number of people and the number of lives that have been affected by this situation, we should be working together cross-party to get this job done. I welcome the hon. Gentleman gesturing that he will provide support to sort out this problem, because that would clearly be in everybody's interest.

The hon. Gentleman referred to whether foreign Governments were prepared to ride to the rescue. I confirm that I received no approach from the Turkish Government and that the only contact via the Spanish Government was not a viable plan and came so late in the day that the company was already starting its administration proceedings. There was no viable plan out there at the time.

I agree with the hon. Gentleman that the ATOL system should be reformed. As he rightly pointed out, although the funds are limited because of Monarch, ATOL itself is reinsured to cover most of that cost. Finally, on a point of accuracy, he mentioned that £40 million has been spent on Monarch. In fact, we think that the final cost was £50 million.

Antoinette Sandbach (Eddisbury) (Ind): On a point of order, Mr Speaker.

Mr Speaker: We cannot take points of order during a statement. Points of order will flow after either this statement or other statements at the discretion of the Chair.

Mr Shailesh Vara (North West Cambridgeshire) (Con): The UK headquarters of Thomas Cook are based in my constituency. The collapse of the company has meant the loss of 1,200 local jobs. Our thoughts go out to all

those people and to the thousands more across the UK who have been affected. Will my right hon. Friend join me in paying tribute to the many local organisations and companies that have come forward offering jobs to those who have been affected? The local newspaper, the *Peterborough Telegraph*, has been co-ordinating the activities. We have also seen acts of kindness. Peterborough United and Peterborough Phantoms, a local ice hockey team, are offering free tickets to those who have been affected. Does my right hon. Friend recognise that at this difficult time we need to appreciate and applaud the generosity that is coming through?

Grant Shapps: May I start by paying tribute to my hon. Friend, who has been working very hard through the last few difficult days with people from Peterborough who have found themselves without work? He has done tremendous work with his community to support all those who have lost their jobs. There are 630 jobcentres running the rapid response service that has been mobilised to pick up this issue for every single former Thomas Cook employee who has lost their job as a result of this appalling news. I should say that the best thing we can do is to make sure that we operate an economy where there is record high employment and record low unemployment, because that will give people the best opportunity to get back into a good job.

Alan Brown (Kilmarnock and Loudoun) (SNP): I thank the Secretary of State for advance sight of the statement. I pay tribute to the work of the CAA and to the Thomas Cook employees who have gone above and beyond to help stranded holidaymakers. I express my sympathies for all those who have lost their jobs.

Instead of the UK Government using the mantra that this is the biggest peacetime repatriation, they should be apologising for this collapse happening on their watch. The Secretary of State spoke of reforms and new legislation that are required to stop this happening again with another company, but why were lessons not learned from the collapse of Monarch just two years ago? What are the timescales for the new legislation? I point out that, procedurally, a new Session is not required for legislation. The Government could bring it forward if they wanted.

Will the Secretary of State explain the position with Spain and Turkey, and the fact that they were looking at ways to keep Thomas Cook trading, while the UK Government were not willing to? The German Government led the way in keeping Condor going.

The Secretary of State said that £250 million would have been good money after bad, but what discussions did the Government have with Thomas Cook and what financial appraisal did the Government make before saying that they could not fund that money? This is a Government who can find £100 million to advertise that Brexit is good for us. I think they should spend that money on supporting jobs instead.

Will the Secretary of State explain what impact Brexit had on the collapse of Thomas Cook, because it warned about the impact of Brexit? What impact did the collapse of sterling have on the company's trading position? What assessment have the Government made of the pension liabilities of Thomas Cook? What plans do the Government have to curb outrageous executive pay, given that close to £50 million has been taken out of Thomas Cook in recent years?

I welcome the update on the holidaymakers in Cuba, but are any other holidaymakers effectively being held to ransom or captive? What discussions are the UK Government having with foreign Governments when such ruthless actions are taken?

Thomas Cook vouchers are now worthless. When will the Government finally implement the scheme to protect vouchers and gift cards when companies become insolvent?

What actions are the Government taking to support the 13,000 employees who are still abroad?

Finally, I have constituents who have lost their jobs. Can the Secretary of State look my constituents in the eye and honestly say that there is nothing more the Government could have done to save their jobs?

Grant Shapps: I should have picked up the point about Thomas Cook employees abroad in answer to a previous question. We are actually bringing back some of those people, starting with the crews and the operational people. I think I am right in saying that yesterday we had brought back about 150 so far. We are not ignoring them, but we need to bring passengers back first. I have asked the CAA to be as flexible as possible in bringing back Thomas Cook employees, and the hon. Gentleman is right to remind me that I had not mentioned that before.

The hon. Gentleman asked a number of other questions that I have previously answered, and I do not want to go round in circles. The House must know that no Government would want to lose an iconic, 178-year-old famous British name. I hear people ask, "Why don't you just put the money in?" All those people have to do is open the books to realise that there is a £1.7 billion debt, with £1.5 billion lost in six months alone, and that another profit warning had been issued.

I am afraid that this situation is entirely different from that with Condor, which is a fundamentally profitable airline, and it just would not be responsible to throw good money after bad. We would probably be back here in a very short time to offer a bail-out to get people home, rather than to bail out the company. This company just was not a going concern with which we could do that.

The hon. Gentleman asks sensible questions about whether other holidaymakers are being held to ransom or being held captive elsewhere in the world, and I am not aware of any other location in which that is the case at the moment. However, it is a live and moving situation, and under our direction the CAA has been issuing proactive letters to explain that holidaymakers' bills will be settled in places where some hotels have not had bills settled for the past three months because of the company's bankruptcy. I pay tribute to and thank our foreign mission in Cuba for proactively getting in touch with Ministers yesterday to resolve that appalling situation.

I think that covers the majority of the questions that I had not previously answered.

Andrew Jones (Harrogate and Knaresborough) (Con): As somebody who worked in the travel industry for many years, I am saddened to see the demise of Thomas Cook, but it is also worth noting that the sector has seen some notable collapses over the years. The scale and complexity of this repatriation operation are significant, and I thank my right hon. Friend for his update. After this

[Andrew Jones]

urgent work on repatriation has been completed, and because this sector is prone to significant collapses, may I ask him to focus on the industry structure and a sector insurance scheme that would protect passengers and taxpayers in the future?

Grant Shapps: My hon. Friend is absolutely right. The airline insolvency review, which reported in May, provides a few useful ideas about things that could be done, including some that require primary legislation and others that do not and on which we have already started to act. We cannot keep returning to this situation. It is terrible for passengers and for all those involved, and there is a problem in finding sufficient aircraft to solve this problem when it happens.

Mr Speaker: The Secretary of State will be aware that the hon. Member for Harrogate and Knaresborough (Andrew Jones) is a distinguished former Transport Minister. Indeed, I well recall that when he served as Parliamentary Under-Secretary of State for buses, being a man of the people as he is, he was wont to come to work on the bus, no doubt to the very considerable delight of his fellow passengers.

Lisa Forbes (Peterborough) (Lab): Following the sudden collapse of Thomas Cook, which was headquartered in Peterborough, and the loss of 1,200 jobs there, many of my constituents turned up for work only to find that their jobs were lost with Christmas fast approaching. The hon. Member for North West Cambridgeshire (Mr Vara) is absolutely correct that there has been an incredible outpouring of unity from individuals and businesses in Peterborough who have stepped up to show their support and solidarity at an extremely difficult and distressing time for so many in Peterborough.

Can the Secretary of State tell me what specific support the Government are giving to my constituents, who have mortgages and bills to pay and families to support, in finding alternative employment? What measures have they put in place to support the city's economy as a whole, given the loss of so many good jobs?

Grant Shapps: The hon. Lady is absolutely right, including on the response in Peterborough, which I have been tracking closely through hon. Members, including my hon. Friend the Member for North West Cambridgeshire (Mr Vara) and others. A bespoke service will be available through Jobcentre Plus, and I have spoken at length to my right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy, who is leading a cross-Government taskforce that is meeting again tomorrow afternoon to continue to work on the issues of helping people to find new jobs.

I mentioned in my statement the additional assistance that is available through retraining, or even simple things like childcare while people go for interviews and the like. It is heartening to know that jobs are available regionally, but it would be an economic shock to any region to lose 1,000-plus jobs. Through the various mechanisms, particularly the rapid response service, we are determined to support all the constituents of the hon. Member for Peterborough (Lisa Forbes) and my hon. Friend the Member for North West Cambridgeshire.

Robert Halfon (Harlow) (Con): I thank my right hon. Friend for what he is doing, but my constituents have lost their jobs. The directors go back to their £1 million-plus houses, having taken £47 million in bonuses and wages over the past few years. My constituents worry about their jobs and their pensions. Should we not be seizing the assets of the directors who plundered this company and took it to ruin? Will he guarantee that my constituents' pensions will be protected?

Grant Shapps: I understand my right hon. Friend's concern, and I congratulate him on his work over the past few days with his constituents who have lost their jobs.

We have touched on this before, and there have been a lot of reports in the newspapers, but it is important to allow the correct channel, the official receiver, to do its job. I stress to the House that, under the Insolvency Act 1986, the official receiver, as liquidator, may seek to overturn a range of transactions made prior to the liquidation, which includes things like bonuses, although I think we need to leave it to due process to see whether that would be appropriate.

There is also the Company Directors Disqualification Act 1986, and I fully support that idea. As I said in answer to a previous question, the Government were concerned to ensure that we did not prop up an organisation that was already doing things wrong.

Lilian Greenwood (Nottingham South) (Lab): I begin by welcoming the tremendous efforts of the Civil Aviation Authority, staff across Government and others to repatriate and support the many thousands of stranded holiday-makers, but I ask the Secretary of State to provide clarity on two points in relation to his previous answers. Can he confirm that all Thomas Cook staff will be helped to return home? He referred to some of them, which I do not understand. Why not all of them?

In the four and a half months since the airline insolvency review reported, what action have the Government taken to implement its recommendations?

Grant Shapps: First, with regard to the repatriation of staff, it is not the case that all the staff necessarily want to come straight back. Aircrew, for example, have been or are being repatriated, but many others are still assisting with the operation on the ground in many different locations, and we are hugely grateful to them.

The next two weeks are critical. The largest group of people, the 150,000 holidaymakers, is so large that there is no way to get them back other than chartering aircraft to fly them back. The number of other people involved is of a size at which commercial flights can be used to return them.

We are urgently addressing not only the cabin crew and that side of things but the other employees and the scheduling for when they need to get back. I have been clear with the CAA that it should offer them every possible assistance along the way.

Sorry, I have forgotten the hon. Lady's second question.

Lilian Greenwood: If they are important, what have you been doing in the past few months?

Grant Shapps: I did not come into this job until 23 July. Some recommendations of the airline insolvency review have already been taken into account and, indeed,

used in this particular case, but we also require primary legislation and I am happy to have cross-party discussions about that.

It is not, as one might imagine, quite as simple as it seems. There are ideas around, including allowing what happens in Germany, where the airline is run in administration, and, separately, the interaction between ATOL and a proposed additional charge per flight of perhaps 50p or so for every flight taken, regardless of whether it is to a holiday destination. There are different ideas to be worked through; discussions are ongoing and I am keen to accelerate them.

Huw Merriman (Bexhill and Battle) (Con): I find this situation maddening, because two years ago, during the statement on Monarch, I welcomed the then largest peacetime repatriation effort—I welcome the current largest peacetime repatriation effort, too—and I called for reform, so that we had an insolvency regime for airlines similar to the chapter 11 arrangement in the United States and the regimes in Germany and Italy. I was told by the then Secretary of State that the Government would consider that. Two years on, we have had a review but not delivered anything. Rather than repeat what has happened before, will the current Secretary of State make sure that we reform the sector, so that jobs are not put at risk, holiday experiences are not ruined and taxpayers' money is not lost? It is all about actions, not words.

Grant Shapps: In simple terms, yes. As I mentioned, the review reported on 9 May, and I have been in my post since 23 July. However, the answer is yes, we will get on with it.

Luciana Berger (Liverpool, Wavertree) (LD): Further to the important question from the hon. Member for Bexhill and Battle (Huw Merriman), will you indulge me, Mr Speaker, by allowing me to repeat three important sentences in the statement the Secretary of State shared with the House? It says:

“our efforts will turn to working through the reforms necessary to ensure passengers do not find themselves in this position again. We need to look at all the options, not just ATOL, but also whether it is possible for airlines to be able to wind down in an orderly manner and look after their customers themselves without the need for Government to step in. This is where we will focus our efforts in the weeks and months ahead.”

Exactly the same words were used in the response to the collapse of Monarch in October 2017 given by the previous Transport Secretary, the right hon. Member for Epsom and Ewell (Chris Grayling).

Clive Efford (Eltham) (Lab): Where is he now?

Luciana Berger: He is not here, but the House has heard everything the current Secretary of State said. Frankly, it is appalling that, two years on, we find ourselves in exactly the same position. What has happened to the Government's plan, and what could have been done to ensure that the devastating impact on staff and holidaymakers, as well as the cost to this country, did not happen again?

Grant Shapps: I reject the assertion that nothing has happened. The airline insolvency review required time—in fact, the final version was published only on 9 May. A few months later, we are getting on with it. I will ensure that we work on this, and I hope we can do so on a

cross-party basis. It is not quite as simple as one might imagine, because there are multiple facets to address, not one single thing to be done, but the hon. Lady has my undertaking that we will get on with this.

Mr Owen Paterson (North Shropshire) (Con): I thank my right hon. Friend for his statement. I especially liked the passage on employees, having received a call today from a constituent who was a senior employee of Thomas Cook Airlines and has been made redundant. He is, quite rightly, seriously aggrieved that directors of Thomas Cook Airlines are continuing to function as directors of Thomas Cook Condor, and to be remunerated. My right hon. Friend mentioned in his statement that our right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy has asked for a report from the Financial Reporting Council. Will he commit to looking at the relationships between Thomas Cook Airlines and Thomas Cook Condor, and the propriety of directors continuing to receive compensation while other employees are all being made redundant?

Grant Shapps: It is for the official receiver to do that work. The official receiver has the powers of the Company Directors Disqualification Act 1986, and will no doubt use them. I should say that we know, rightly, about all the payments to executives because of the transparency established, also rightly, over the past few years to ensure that, among other things, shareholders can see and hold CEOs to account.

Several hon. Members *rose*—

Mr Speaker: Order. To this point, the erudition of questions has been equalled only by their length. Unfortunately, there is a premium on time, as we have other matters with which we have to deal, so I appeal to colleagues to cast aside pre-written scripts and to confine themselves to single sentence—preferably short sentence—questions, without preamble, so that we can make progress.

Rachel Reeves (Leeds West) (Lab): The BEIS Committee believes that Thomas Cook's directors and auditors have serious questions to answer. In the past five years, £20 million in bonuses has been paid to directors, and the company has now gone under with debts of more than £3 billion. Will the Secretary of State for Transport confirm that the directors of Thomas Cook will not be able to continue as directors at any other firm until the Insolvency Service has completed its investigation? Will the Government commit to replacing the FRC with a regulatory framework that holds directors to account, as our Committee has called for?

Grant Shapps: I think I answered the first question about the Insolvency Act and the Company Directors Disqualification Act. As the hon. Lady knows, it is for the official receiver to do that part of the work, and I cannot pre-empt it. She tempts me to stray into other areas, which are a long way from the transport brief, so I think I had better not answer now.

Several hon. Members *rose*—

Mr Speaker: In my experience, the hon. Member for Stafford is a notably well-behaved fellow, so I am sure he will confine himself to a single sentence.

Jeremy Lefroy (Stafford) (Con): Is there any way the disgraceful hiking of prices—often double or triple—by other providers can be looked at under competition regulation?

Grant Shapps: My hon. Friend will be interested to hear that I put those questions to the CAA just yesterday, and asked it to investigate for me. The CAA believes that automatic pricing kicked in and was then quickly overridden. I mentioned in my statement that some airlines have done the opposite—Easyjet actually cut its prices by 15% for Thomas Cook passengers—and I am grateful to them and to the airlines that have lent their aircraft.

Lucy Powell (Manchester Central) (Lab/Co-op): With more than 3,000 Thomas Cook employees in Greater Manchester, our economy is being hit particularly hard. May I press the Secretary of State on what has been done in the past four or five months, when the warning signs were all there but people could still buy package holidays 24 or 36 hours before the collapse? Should we not be doing more when the warning signs are so clear?

Grant Shapps: I do have a lot of sympathy with the hon. Lady's comments. To me, the process of knowing that an airline is struggling and having Operation Matterhorn underway without being able to say anything, lest it precipitate collapse, is highly unsatisfactory. Many hon. Members have mentioned the need to have a route out of this situation—one that includes administration, so that there is no instant collapse and there is a much better and more controlled path for everyone, including employees. I agree absolutely with the hon. Lady, and we will get something done about this.

Antoinette Sandbach (Eddisbury) (Ind): Will the Secretary of State join me in praising Thomas Cook employees who turned up for work on Monday to help to repatriate passengers? Will he make sure that the inquiries by the Insolvency Service take in the impact on Thomas Cook of the 20% depreciation in the pound against the euro, to help an assessment of whether other travel industry firms based in the UK are vulnerable to those currency movements?

Grant Shapps: My hon. Friend is right about the extraordinary work done by employees who know they have lost their job still working, even today, and by those who are uncertain about their future in many foreign and British locations. I pay tribute to them on behalf of the whole House, I am sure.

Many factors led to the collapse of Thomas Cook. Management, which has been mentioned many times, makes a large contribution, but so do other factors, including a very hot summer last year, which stopped people from going away, following the wrong business model, and the growth of the internet—problems that stretch back way before any of us in this House voted to have a referendum on Brexit.

Mr Clive Betts (Sheffield South East) (Lab): The Secretary of State says we need to legislate to reform the travel industry, and we need a new Session of Parliament to do that. Will he guarantee the presence of a Bill to that effect in the Queen's Speech?

Grant Shapps: Although I do not want to reveal the contents of the Queen's Speech, I hope the hon. Gentleman will appreciate that I have hinted broadly at where we want to go. With the reassurance of those on the Opposition Front Bench, I think he will have his asks answered.

Henry Smith (Crawley) (Con): Will the Transport Secretary join me in paying tribute to airlines such as Virgin Atlantic and EasyJet and to travel operators such as TUI, which have reached out to former Thomas Cook employees offering employment? I encourage the Government to get on with changing insolvency law and adopting a system similar to chapter 11 protection, which has saved so many US airlines.

Grant Shapps: My hon. Friend is absolutely right. He mentioned some airlines, and I should mention British Airways, TUI, Virgin, EasyJet and Ryanair. All of them, and others, have been incredibly helpful. It is also worth mentioning that many of them are very profitable; there is nothing systemic in the British business that is causing a problem, and most of these British airlines are doing very well. I have already answered the point about chapter 11 or an equivalent.

Ronnie Cowan (Inverclyde) (SNP): I have two constituents who are stuck in Mexico. They were told they were on a flight; when they turned up for it, they were told they were not. They face the real possibility of no accommodation and no flights. They are tired, they are anxious and they are running out of money. What have the Government done under Operation Matterhorn to help people stuck in transit who are trying to get home?

Grant Shapps: It is hugely distressing to hear about people who are stuck. The CAA is actively monitoring anyone who calls in—the line is there, and the website is there—and even people who post on social media. If the hon. Gentleman would like to get assistance for his constituents, I will make sure that he is able to hook up with the CAA to get the message through. It should be said that I do not know his constituents' particular circumstances, or whether they are under ATOL—in other words, whether their hotel is automatically being paid for, although it looks like it is not—but every effort is being made to bring people home. I hope the hon. Gentleman will understand that hiring 45 aircraft, when the 737 Max is out of commission and the market is therefore restricted, has made this an enormous project. Sometimes that has meant that we have had the wrong size aircraft for the number of passengers. However, the hon. Gentleman's constituents, if they are stuck, will be given every assistance, and I think he and I can help get them that assistance.

Nigel Mills (Amber Valley) (Con): Given that we cannot distinguish in this situation between passengers on a package holiday booking and passengers on a flight-only booking, does the Secretary of State agree that we should now bring flight-only bookings into the ATOL regime so that we have a fair contribution from those passengers and airlines?

Grant Shapps: It is not quite the case that we cannot distinguish, although I take my hon. Friend's point. We can distinguish between the two, but there is a strong

argument for making sure that, when someone books a flight one way or the other, it is insured and that the cost does not ultimately fall on the taxpayer.

Mr Kevan Jones (North Durham) (Lab): The directors have walked away with millions while hard-working employees of Thomas Cook, such as Jemma Lynch in my constituency, who contacted me at the weekend, have lost their jobs. Will the Secretary of State outline how she and others can contact the Department for Work and Pensions for the help that has been outlined? Secondly, will he comment on the pensioners in receipt of pensions and on the future pension arrangements for those who have already paid into the pension schemes?

Grant Shapps: On the pensions front, I think there are four different Thomas Cook pensions, the largest of which is a £1 billion fund. That will now be handled through the usual insolvency pension fund process. It is, of course, a worrying time for everyone involved. With regard to the constituent the hon. Gentleman mentioned, the DWP is ready for her to make contact through the rapid response unit. If there are any difficulties, will the hon. Gentleman please alert me? I will make sure that the Business Secretary and the taskforce are immediately switched on to any problem that occurs. We are very keen to get realtime feedback on this.

James Cartlidge (South Suffolk) (Con): Like many colleagues, I have a Thomas Cook branch, in Sudbury, in my constituency, which has closed, and I am grateful to the Secretary of State for the work he will be putting in place to support redundant staff. However, does he agree that the biggest cause of the collapse was the unsustainable debt that the company had, which came from a merger strategy that was completely flawed? Does he agree that those who oversaw those mergers, who would have earned handsomely from them, and those who have run this company into the ground must be held to account?

Grant Shapps: I entirely agree with my hon. Friend. Look, companies do sometimes go bust. The problem here is that they are going bust leaving a massive number of people and leaving this country with an enormous problem to resolve. That is why he is right about everything he has just said.

Daniel Zeichner (Cambridge) (Lab): Airports such as Stansted have really stepped up in terms of helping people come home, but they also offer job opportunities. Can I have an assurance from the Secretary of State that every Thomas Cook employee will be made aware of the opportunities that are available at airports such as Stansted?

Grant Shapps: The hon. Gentleman is absolutely right. Stansted and, in fact, all the other airports—I have been in touch with many of them—have been very forthcoming with their assistance. Stansted is building a science, technology, engineering and maths college, with lots of job opportunities. The hon. Gentleman has made the point, which is on record, that Thomas Cook employees, who are losing their jobs, will no doubt find some of those travel-related jobs very interesting.

Douglas Ross (Moray) (Con): Moray had two Thomas Cook branches prior to the collapse—one in Buckie and one in Elgin. I have been in discussions with the

Business Secretary over the last few days, but can the Secretary of State reiterate what the Government are doing to support, advise and help former employees of this company, not only in high streets across Moray and the United Kingdom but abroad?

Grant Shapps: Yes, absolutely. This Jobcentre Plus rapid response service is absolutely set up, ready and mobilised to assist. As I said in a previous response, if any of my hon. Friend's constituents walk in and find that that is not the case, I will certainly want to know about it, so that we can work on the cross-Government taskforce to ensure people are getting the help they need.

Wera Hobhouse (Bath) (LD): Following the closure of 588 Thomas Cook outlets, including the one in Abbeygate Street in Bath, what are the Secretary of State and the Government doing about halting the further decline of the high street?

Grant Shapps: My right hon. Friend the high streets Minister has already been in contact with me about the further hole that this leaves in our high streets. He has a number of fantastic programmes, and the local authorities of many of us in the House will be bidding under them to enhance and improve high streets. As this latest collapse has shown, our high streets are dramatically changing as people need to come to the high street for an experience or a service that they cannot get elsewhere, including perhaps online. My right hon. Friend will be very happy to speak to the hon. Lady about that.

Richard Graham (Gloucester) (Con): I welcome the action taken on the priorities, which are to repatriate customers as soon as possible and to help innocent staff, such as those at Thomas Cook in Gloucester, to get new jobs as quickly as possible. However, does my right hon. Friend agree that, as well as carrying out an investigation into the corporate behaviour, the directors' decisions, the future protection for pensioners and so on, his Department should also look at the aviation sector, and at great British strengths in general, to see whether parts of that sector—particularly package tour operators—have not adjusted to changing circumstances as quickly as they should and to see what more can be done?

Grant Shapps: My hon. Friend is absolutely right: there are very profitable parts of this sector. One large British airline has just made record profits, which shows that there is money to be made in the sector. However, I would not want to be in the position of dictating to the sector how it runs its businesses—some will succeed, and some will not. What I am passionately interested in is that, when they do go wrong, as has been discussed, the problems do not fall on the taxpayer's shoulders.

Alison McGovern (Wirral South) (Lab): I can tell the Secretary of State that my constituents are not happy with the Government's response. However, at the heart of this problem is a company that was signed off by auditors last year. The Government know that the audit system is not working well, and they had the Kingman review look into this issue and make recommendations. In terms of the cross-Government arrangements the Secretary of State is speaking about, what have the Government done to reform audit, alongside the recommendations that they themselves asked for?

Grant Shapps: The hon. Lady is well versed in these matters, and she will know that there are moves afoot to change the process. We have expressed concerns ourselves over the audit approach in this country. I do not want to completely jump to conclusions; because someone reads something in the weekend paper, that does not always mean that it is true. I read that repatriation would cost the taxpayer £600 million, but that is not the case. We do need to allow the process to work its way through. I know that the hon. Lady is actively involved in ensuring that the way that auditing takes places in this country is changed and improved. The taskforce will no doubt work on that as well.

Alan Mak (Havant) (Con): I thank the Secretary of State for the support he has given to Thomas Cook employees in my constituency. Can he reassure me that British officials at embassies and missions around the world are also working hard to provide support where needed?

Grant Shapps: I must pay tribute to the extraordinary work that has been done in the foreign missions around the world. We are very grateful to the Foreign and Commonwealth Office staff, without whom we could not carry out that work. I also want to put on record my thanks to the surge staff from HMRC and the Civil Aviation Authority who have been absolute troopers in airports across the world.

Lisa Nandy (Wigan) (Lab): Thousands of people in Greater Manchester, including many in Wigan, have lost their jobs, but the Scandinavian and German subsidiaries of Thomas Cook are still flying. The Government have failed not just to provide the financial assistance that would have been necessary to keep those companies going, but to bring forward legislation that would enable those airlines in the UK to continue flying in protective administration. It did not have to be like this. This Government have barely brought anything to this House in recent months. They do not need a Queen's Speech to do that; they should do it right now.

Grant Shapps: The hon. Lady confuses two points. It is absolutely true, as I have said many times, that we need a new administration regime, but the fundamental difference that she refers to in the Scandinavian and German examples is the profitability of the underlying business there due to the different influences in their particular markets and the way that the businesses have been run at that sub-level.

Kevin Hollinrake (Thirsk and Malton) (Con): Does my right hon. Friend agree that we should always be cautious about bailing out private sector businesses, particularly ones that are £1.9 billion in debt and struggle to make money even in a good year? We should also look at our competitions policy and try to avoid businesses getting so big that when they fail, they have a widespread effect on UK consumers.

Grant Shapps: My hon. Friend makes a very good point. We do get back to this fundamental point that I know is causing some concern on the Opposition Benches, which is that the underlying business has to be profitable; otherwise there is nothing to bail out—there is nothing to lend money to. When money is being lost at that rate,

the idea that yet more taxpayers' money is pumped into something that will lose it in a matter of weeks or months seems to me to be crazy.

Stewart Malcolm McDonald (Glasgow South) (SNP): What advice does the Secretary of State have for my constituent, Alan Paterson, who is stuck right now in Ibiza? He did not realise that he was entitled to a repatriation flight home, and, as he wanted to get back for his new job this weekend, he spent hundreds of pounds on flights that he did not need to buy in the first place. KLM is now refusing to refund him that money. Does he agree that that is mean-spirited, and that it should not be profiting from this disaster?

Grant Shapps: I am very sorry to hear about his constituent's situation. No airlines should be trying to profit out of this situation. As I have mentioned, the UK airlines in particular have really tried to assist once we got over this issue of some initial surge pricing that seemed to kick in. For the most part, they have been extraordinarily helpful, lending aircraft and cutting some of their prices. I am very concerned to hear about this KLM case.

Vicky Ford (Chelmsford) (Con): We are living through a digital age, and businesses that do not adapt will struggle, but may I thank the Government for thinking about the people who have been affected here? What assistance is there likely to be for people who have bought flights or holidays that have not yet started?

Grant Shapps: A large number of people have bought holidays that are yet to start. If they were package holidays, they are ATOL-protected and people will simply get their money back. Those who have bought flights-only will not automatically get that money back, and will want to refer to their credit cards, debit cards, holiday insurance and, sometimes, an alternate travel agents from whom they have booked.

Anneliese Dodds (Oxford East) (Lab/Co-op): Yes, there are legal differences between the UK and Germany, but there is a big, big difference in political will as well. The Secretary of State keeps mentioning Air Berlin, so I have one little general knowledge question for him. The German Government loan that was provided to Air Berlin enabled its operations to be transferred in a planned manner into other companies. Has it, or has it not, been paid back?

Grant Shapps: The big difference with the airlines that are surviving or even sub-surviving within this group is their profitability. I think we have gone round this quite a few times. I am in agreement with the hon. Lady that we do need to have an airline administration system that enables airlines to continue flying, but those two differences—profitability and/or the ability to be in administration—are fundamental differences from the situation that existed here. This idea, which I think is the third option that she is trying to inject into this, that somehow for some crazed reason the Government would not want to do everything possible to try to save a 178-year-old British icon is completely ridiculous. Of course, we want to save it.

Paul Masterton (East Renfrewshire) (Con): The Thomas Cook branch in Clarkston was operated by a small but excellent team who are now worried about their futures

and it also occupied a key high street unit. I very much welcome the cross-departmental taskforce, but can the Secretary of State ensure that Members across the House continue to be updated as to its progress, so that we can continue to provide the best support and advice to our constituents?

Grant Shapps: I will ask my right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy, who is part of the cross-departmental taskforce, to make sure that that happens and I will continue to take a keen interest in the matter myself.

Susan Elan Jones (Clwyd South) (Lab): My constituents and many, many other constituents across the country have been affected by this awful situation. What I do not understand is the fact that this Government and the Opposition, and pretty much everyone, have recognised that we need new legislation. Why the heck do we have to wait for a new Queen's Speech? Why can we not have emergency legislation next week?

Grant Shapps: This has been the most interesting part of this afternoon. As has been discussed, we have an airline insolvency review that has now reported, and there seems to be a very strong desire across the House to do something with that. So let us talk about it.

Mike Wood (Dudley South) (Con): Will my right hon. Friend work with other travel companies, as well as ministerial colleagues, to ensure that the skills of Thomas Cook employees up and down the country can be retained within the sector?

Grant Shapps: My hon. Friend will be pleased to know that the skills are in high demand and that many of the other travel companies are employing. Indeed, as we have heard from other hon. Members, both airlines as well as skill centres, such as those in Stansted, are actively reaching out. I am very hopeful that those who have lost their jobs through Thomas Cook will, in fact, be employed very quickly within the travel sector.

Kate Green (Stretford and Urmston) (Lab): What discussions are the Government having with the commercial lending sector, both in relation to the very substantial debt that will be the legacy of this debacle, and to the personal debt of employees? Some of my constituents are extremely concerned about the attitude of their creditors to their mortgages and other loans.

Grant Shapps: My right hon. Friend the Business Secretary is writing to the lenders on this specific point, and so perhaps can provide more detail about what she has asked them to do at this Dispatch Box, or I will ask her to write separately. It is also the case that we will be looking to provide as much support as possible. It is important to remember that the deal that Thomas Cook was trying to arrange was actually with a Chinese company for £900 million, so the corporate funding issue is another interesting part that will, I know, be unpacked over time.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): On behalf of my constituents in Aberdeenshire, who have found themselves in difficulty of late, may I thank my right hon. Friend, all the staff at the Department

for Transport and the CAA? For those people who might find themselves in difficulty after the two-week period of the official operation has ended, will he commit his staff at the Department for Transport and the CAA to continue their support for those who find themselves in difficulty in a fortnight's time?

Grant Shapps: I should mention why it is a two-week period. It is actually because the holidays mostly coincide with those dates when people are coming back on the normal day of their holiday, after which point there would be sufficient capacity in the travel system to get people home on regular commercial flights. We will stand by people who have already booked, who are already out there, and who are perhaps on a two-and-a-half week holiday, to get them home by alternative means.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I have many constituents who are pilots. Two holiday reps who have been affected by this crisis have contacted me. Is the Secretary of State aware that some former and current employees until very recently of Thomas Cook are affected themselves, because employee holiday benefits do not appear to be covered by ATOL? I know of one constituent whose relative is now currently stuck in Turkey. They used employee holiday benefits and are not covered by ATOL. Will he look urgently at that matter, because it is a double whammy for the employees of Thomas Cook?

Grant Shapps: Yes, that is right. The hon. Gentleman will know the strict rules that apply through the Insolvency Service on people's redundancy pay, which cover the holiday element as well as the non-holiday element being tax free. If the hon. Gentleman wants to write a letter to me, I would be very happy to look into the case for his constituent.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): Will the Secretary of State pay tribute to Peel Park firm AGO Outsourcing in my constituency, which is very keen to offer job opportunities to the staff affected at the two stores in my area? It really is remarkable and we are so pleased that the company is doing that. East Kilbride is particularly affected by the situation, so I would be grateful if the Secretary of State would arrange for me to have a meeting with the taskforce to ensure that I can help people on the frontline.

Grant Shapps: I am very pleased to pay tribute to the employers in the hon. Lady's constituency that are providing or offering employment. She is not the first Member this afternoon who has suggested that others are stepping in to offer employment. I would also be very happy to ask my right hon. Friend the Business Secretary to set up that meeting.

Bill Esterson (Sefton Central) (Lab): Those of my constituents who have lost their jobs tell me that the airline was indeed profitable, so why did the Government not intervene to ensure that the airline and any other parts of the business that were profitable—along with the jobs in those businesses—could have been saved?

Grant Shapps: I am interested to hear that the hon. Gentleman's constituents say that, because the accounts clearly show that the company lost £1.5 billion within a

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six-month period alone, and then issued a further profits warning. There is obviously a lot of detangling of the business to be done. As the hon. Gentleman will understand, the Government are not in the business of running a travel company, but we do want to ensure that whatever went wrong here is properly investigated and we will certainly ensure that that happens.

Liz McInnes (Heywood and Middleton) (Lab): The Secretary of State talks about throwing good money after bad, but surely it would have been better for British business if Thomas Cook had been bailed out, rather than spending millions of pounds on repatriating holidaymakers.

Grant Shapps: I mentioned the £900 million Fosun deal that eventually fell through to indicate the extent of the money required just to keep the business afloat. That was the deal that was on the table while this was all going on. It then turned out, at the eleventh hour, that even Fosun was not happy to go with a deal, because it had concerns. A new number then started to emerge: an additional £250 million. Any rational person—including, incidentally, the accounting officers throughout Government—would have looked at the deal and refused to sign off such a payment. I am absolutely certain that anyone looking into this matter in detail will demonstrate that the deal would have been a very poor move for the taxpayer, and that it would probably have led us to exactly the position we are in today of repatriating 150,000 people—yet having spent up to £250 million of taxpayers' money as well.

Paula Sherriff (Dewsbury) (Lab): I have been contacted by a constituent—and I am aware of a small number of others—who has been contacted by a person purporting to be responsible for delivering refunds on behalf of Thomas Cook Group, asking for their credit card details. These people are adamant that they have not booked flights or holidays, and that they do not have any outstanding financial arrangements with the Thomas Cook Group. Is the Secretary of State aware of what appears to be a scam? If so, what is he doing about it?

Grant Shapps: The hon. Lady is right. I was made aware of this scam yesterday, and it is absolutely disgusting that it could happen at this time. We have issued messages through things such as Neighbourhood Watch's Online Watch Link email system, which the hon. Lady will be familiar with, telling people to be on the lookout for these sorts of scams; obviously, to someone who did not actually even have a holiday booked, it is absolutely ridiculous.

Hannah Bardell (Livingston) (SNP): My constituent, Mr Boland, lost his wife Elizabeth last year in Cuba on a Thomas Cook holiday. It now turns out that the cause of death was wrong on the death certificate, and for the last year I have been trying to get Thomas Cook to investigate the issue properly and to give due compensation. In the past day, I have been told that the company will not investigate because it has gone under and that the case is closed. I am sorry, but this is not good enough for my constituent. Will the Secretary of State meet me to discuss the issue?

Grant Shapps: That is obviously very distressing. I would be pleased to meet the hon. Lady and to take up the case with the Insolvency Service.

Julie Cooper (Burnley) (Lab): I have constituents who are due to travel on their holidays in October—holidays provided by a third party, booked using Thomas Cook travel agency services—but who have found out this week that the final moneys have not been paid to the holiday provider and that there is going to be no holiday for them. Can the Secretary of State tell me what support will be available to people in that position?

Grant Shapps: Yes. That situation will depend on whether the holiday was in the end booked through an ATOL-protected scheme or not. From the hon. Lady's description, it sounds like it may have been, but I suggest that she writes to me with the full details and I will ensure that the case is investigated.

Douglas Chapman (Dunfermline and West Fife) (SNP): In this House on 16 May, I raised the issue of the sustainability of Thomas Cook following a Brexit-related trading warning. The ministerial response at that point reeked of complacency on stilts. What discussions have taken place between the Government and Thomas Cook during this period, and what actions were agreed between the Government and Thomas Cook to avoid the company's collapse?

Grant Shapps: The CAA holds a large part of the duty of ensuring the sustainability of an airline. In fact, it would have been responsible for renewing the airline's licence at the beginning of October, so it was keeping a close eye on things. The Department will—latterly, as things got much more serious, particularly through the later profit warnings—have become increasingly involved. I was made aware at some point after I joined the Department of the difficulties that the company may have been in. Of course, everyone was hoping that the airline would be rescued, and there were very serious and full talks in place to rescue it. The problem for anyone commenting on such things is that they can precipitate exactly the thing they are trying to avoid.

Jo Platt (Leigh) (Lab/Co-op): May I thank the Greater Manchester Mayor and the Greater Manchester Combined Authority for their work over the past few days, helping to signpost customers and staff stuck overseas? Like my colleagues, over the weekend I have been contacted by several Thomas Cook employees who are understandably distressed. Thomas Cook executives have taken home £20 million in bonuses over the last five years. Does the Secretary of State agree that this shows just how broken our system is?

Grant Shapps: As the hon. Lady knows, I share her concerns. I do not want to abuse Mr Speaker's counsel, so I refer the hon. Lady to my previous comments and will have the Insolvency Service look fully into the situation.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): About 250 Thomas Cook staff based at Glasgow airport in my constituency, along with countless others in shops across Renfrewshire, have lost their livelihoods; my thoughts are very much with them. Can the Secretary

of State tell us whether, in taking his deeply disappointing decision not to intervene, he asked his Department and other Departments to calculate not only the cost of Operation Matterhorn itself, but the related costs, including out-of-work benefits, the loss of tax revenue to the Exchequer and the wider economic impact of the collapse?

Grant Shapps: As the hon. Gentleman will know, there are pretty strict rules involved in when the state can and cannot intervene in private businesses. If it intervened all the time, other much more successful businesses would be disadvantaged and those employments could be affected. As I mentioned briefly earlier, an accounting officer would not have signed off that kind of intervention because it simply would have represented a big problem for the state, and we almost certainly would have ended up having to repatriate people in any case, as we are today.

Jim McMahon (Oldham West and Royton) (Lab/Co-op): Three thousand people in Greater Manchester—the loyal workforce of Thomas Cook—are affected by this situation, and we are disgusted by the greediness of the directors and management of the company. The Secretary of State mentioned that the Turkish Government did not make an approach, and that the Spanish Government did but were too late. Why were the UK Government not proactive? Why did they not pick up the phone and make the call to those Governments?

Grant Shapps: Let me explain so that the House fully understands the situation. This is a private company that was getting on with trying to put together its own rescue deal, which—just to be clear—the British Government would absolutely want it to do. As I said before, why on earth would we want to lose a landmark British company? Of course, we would not want to do so. But it is for the directors of that business properly to organise for its rescue. Had any kind of substantial plan been put to us by the company, or by other interested parties or countries, we would have been very interested in it, but the truth is that no viable plan was put forward.

Chris Ruane (Vale of Clwyd) (Lab): I thank the Minister for his answers to questions about Thomas Cook workers who work abroad, but they were a little bit woolly, so let me ask him specifically: can he give a cast-iron guarantee that not one of those workers will be left stranded abroad, and that each and every one of them will be paid in full for the hours that they have worked since the company was declared bankrupt?

Grant Shapps: I have tried to be as clear as I can about Thomas Cook workers abroad. I have asked the CAA to work on the matter urgently. Obviously the first priority is getting 150,000 people home. In terms of getting the employees home, we are obviously not going to leave people stranded. As regards pay, that is very tightly set out under legislation in an insolvency situation, and that is exactly what will be followed.

Mr Gavin Shuker (Luton South) (Ind): When Monarch collapsed in my constituency, we learned that many people with sector-specific skills, such as pilots, cabin crew and so on, could walk into a new job, but those who were lower-paid with less sector-specific skills really

struggled. What is the Secretary of State doing on that particular issue? If his honest answer is that it had not occurred to him, will he look at it urgently?

Grant Shapps: It absolutely has occurred to us. There are 630 jobcentres and the Rapid Response Service, alongside the National Careers Service. They are already working with local partners in all the different areas to try to ensure, through the national employer partnership teams, that people get back into employment. I have already mentioned some of the other support to do with childcare and the tools needed when people are going for interviews. We absolutely stand behind that. I say to the hon. Gentleman and everyone in this House that, at a time of record employment and record low unemployment, I hope that people find that that support helps them into another job very quickly.

Mary Glendon (North Tyneside) (Lab): Given the importance of the rapid response teams, will the Secretary of State say what extra Government resources they are receiving so that they can fully support these unemployed workers?

Grant Shapps: Yes, I will.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I used to work for Thomas Cook and ABTA doing holiday protection, so I know that the ATOL scheme covers repatriation and also refunds. The Secretary of State has set out the repatriation costs. Will he set out how much the refunds cost is, because I understand that it is nearly £1 billion? Is that a figure he recognises?

Grant Shapps: I know that the hon. Gentleman has considerable expertise in these areas. The answer to his question is that £420 million is the projected cost of future bookings through the ATOL system, insured or through its funds.

Christian Matheson (City of Chester) (Lab): Over the weekend I was contacted by numerous constituents, most of whom work out of Manchester airport. The message that they were giving me was that trading could have continued, if not a bail-out but a £200 million line of credit guaranteed by the Government had been extended. Is that correct, and if so, why was it not extended?

Grant Shapps: We have this slightly strange situation where everyone is acknowledging how badly they think the company may have been run and expressing concern about the decisions that have been made and the directors, but at the same time saying, please bail out this failing—what people think is a failing—organisation. The simple answer is that if we thought that it was possible, we absolutely would have done something.

Justin Madders (Ellesmere Port and Neston) (Lab): My constituents who have lost their jobs are absolutely furious at the sight of directors waltzing off to Germany with their jobs intact, as I am sure the Secretary of State can understand. I hope that in due course the directors disqualification proceedings come in. In the meantime, people need the statutory payments due to them as soon as possible, so can he assure me that the Redundancy Payments Office is sufficiently well resourced?

Grant Shapps: Yes, I absolutely can. In fact, early indications are that the first payments will start flowing this Friday the 27th.

Several hon. Members *rose*—

Mr Speaker: I will take remaining questioners if they have a short sentence each, but if it is longer I am afraid I will have to cut it off.

Chris Stephens (Glasgow South West) (SNP): Going back to the question of the £250 million, will the Secretary of State confirm that that was for credit purposes—that it was effectively in order for Thomas Cook to be able to say to the bank that it had that reserve fund of £250 million?

Grant Shapps: Yes. The problem was that it was never apparent that there was a package to sit behind that that somebody putting money in would support—in other words, that it was not necessarily going to save the company even then.

Mike Amesbury (Weaver Vale) (Lab): Penny Jepson has lost her job after working for Thomas Cook for 16 years—one of 9,000 people. She is concerned about the inept response from the Government. It is costing an absolute fortune to repatriate people. Why not simply invest in this company via a bridging loan?

Grant Shapps: I know the hon. Gentleman has heard this answer before, but Governments are not about running travel companies, obviously. If there was any way in which we thought a short-term guarantee or loan would have kept the company going, it would have been a serious prospect, but I am afraid that there was never a serious plan brought to us on that front.

Several hon. Members *rose*—

Mr Speaker: One sentence—Stephen Lloyd.

Stephen Lloyd (Eastbourne) (Ind): Is the Secretary of State aware that scam telephone artists are fanning out across the country phoning people offering a refund if they provide their bank details? People will lose money. Will he publicise the fact that the public should be aware of this?

Grant Shapps: I certainly will. The hon. Gentleman's question has helped to highlight the issue, and I will do my best to do the same.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): It would be helpful if the Secretary of State set out the cost to the taxpayer of Operation Matterhorn so far and what likelihood there is, realistically, of getting money back from individual people's travel insurance.

Grant Shapps: Broadly speaking, we know that the previous Monarch operation was £50 million, and this issue is probably about twice the size, so that indicates a cost of some £100 million.

Patricia Gibson (North Ayrshire and Arran) (SNP): My constituents in Largs and Saltcoats will be keen to make sure that outstanding wages are paid to them.

What words of advice does the Secretary of State have for the other airlines that are clearly and ruthlessly profiteering on the back of this collapse?

Grant Shapps: There were some early examples of what looked like incredible surge pricing, and that is very unwelcome. We contacted the airlines through the CAA. Most of them have overridden that system, as I mentioned. Some of them are undercharging and others have lent their planes. I would therefore be interested to see any ongoing examples that I can ask the CAA to investigate.

Tulip Siddiq (Hampstead and Kilburn) (Lab): The EU package travel directive protects those who are travelling if their package holiday has been cancelled. Does the Secretary of State believe that we should be retaining this protection for future generations of travellers?

Grant Shapps: Yes, absolutely, or even enhancing it.

John Mc Nally (Falkirk) (SNP): I would like to make the Secretary of State aware that one of my constituents has had three emails today wondering why he has cancelled his direct debit for his Thomas Cook holiday next year.

Grant Shapps: Again, I am very happy to look into any individual circumstances that the hon. Gentleman might write to me about.

Ruth George (High Peak) (Lab): There are many young, vulnerable travel reps stuck abroad. The Secretary of State's statement that he is talking to the CAA about their position does not offer them much reassurance when they will have no right to continue working in the EU after 31 October. What will he do to make sure that he can give them the assurances they need that their costs of coming home will be paid?

Grant Shapps: It is important not to worry unnecessarily worry people who are already in a very distressing situation. This will be done well before 31 October, given that we are not even into October yet and this operation is going to run for another 12 days, plus time to bring people home. The two issues are not connected. I absolutely want to reassure anyone working for Thomas Cook, "We absolutely are with you."

Martin Docherty-Hughes (West Dunbartonshire) (SNP): The Secretary of State has sought to assure my constituents in the Vale of Leven and in Clydebank, and in offices across the UK, that their pensions are fine and that employment opportunities are available for the future. Nevertheless, can he take a step forward and also assure them that if they need to claim universal credit they will not need to wait six weeks for it; and more specifically, for those abroad who are UK nationals, that Thomas Cook has paid their national insurance contributions, allowing them to claim social security when they return home?

Grant Shapps: As I said, the pension set-up is very clearly described through the usual channels. It depends on whether somebody is retired, what stage they are at and so on. With regard to universal credit, if people go in for it now, they can get an advance payment on it.

Ian Murray (Edinburgh South) (Lab): What discussions has the Secretary of State had with the travel insurance sector to ensure that individual claims can be put in easily and no obstacles will be put in the way of settling those claims?

Grant Shapps: We will absolutely put every pressure on to make sure that these claims are settled as quickly as possible. Along with my right hon. Friend the Business Secretary, we are on the case.

Alison Thewliss (Glasgow Central) (SNP): I appreciate what the Secretary of State has said about employment opportunities, but my constituent, a Thomas Cook employee of 17 years, is pregnant and worried about her prospects for future employment. Is there anything specific he can say to assist my constituent at this time?

Grant Shapps: As I say, I am very heartened by the fact that we live in a time of high employment levels that will give the hon. Lady's constituent the very best opportunity. Also, the sort of bespoke arrangements being made through Jobcentre Plus should enable her constituent—I would be grateful to the hon. Lady for keeping me posted on the case—to find herself in new work. I would be very happy to follow up the case with the hon. Lady.

Brendan O'Hara (Argyll and Bute) (SNP): Can Thomas Cook employees, including those in my constituency—particularly, in the towns of Dunoon and Helensburgh—be assured that there is absolutely nothing more the Secretary of State could have done to help? If he was given the chance again, would he follow exactly the same path as he has done?

Grant Shapps: Yes, absolutely.

Antoinette Sandbach (Eddisbury) (Ind): On a point of order, Mr Speaker.

Mr Speaker: Is it a continuation of the exchanges?

Antoinette Sandbach: No.

Mr Speaker: Does it appertain to what has just been said?

Antoinette Sandbach: It does.

Mr Speaker: Very well.

Antoinette Sandbach: At the start of this session, the Secretary of State gave the impression that primary legislation could not be introduced in this House without a further Prorogation of Parliament and a Queen's Speech. I seek your guidance on whether that is, in fact, the correct position.

Mr Speaker: In procedural terms, there is no bar to the introduction of primary legislation in the course of the current Session, if the Government are minded to schedule it. I think, to be fair to the Minister, what he was probably driving at is that the Government have to take a holistic view of a wide range of potential legislative options, and that the best or most propitious time for considering the inclusion of a new measure might be in the context of the Gracious Speech. I am sure that that is what the Secretary of State meant to say, and as he did not quite get round to saying it, I know that he will be inordinately and probably permanently grateful to me for saying it on his behalf. We will leave it there for now.

Brexit Readiness: Operation Yellowhammer

3.20 pm

The Chancellor of the Duchy of Lancaster (Michael Gove): With your permission, Mr Speaker, I would like to make a statement on our preparations to leave the European Union and the steps that we are taking to be ready for every eventuality.

Some 17.4 million people voted in the referendum in June 2016 to leave the European Union—more than have ever voted for any proposition in the history of our democracy—and this Government are committed to honouring that verdict. The Government are determined to secure a good deal with our EU partners. Negotiations have been led by the Prime Minister, the Brexit Secretary and the Foreign Secretary, and those negotiations have seen significant movement over recent weeks. Until recently, the EU has maintained that the withdrawal agreement was sacrosanct, but now it has acknowledged that it can be changed. Up until this point, the European Union has also said that the backstop was inviolable, but again, European leaders have said that they are not emotionally attached to the backstop and that there are other ways of ensuring that we can safeguard the gains of the Good Friday/Belfast agreement and also ensure smooth trade flows across the island of Ireland.

I want to commend the Prime Minister and his colleagues for the progress that has been made in those negotiations, and I hope that everyone in the House will agree that it is better for all of us if we can leave the EU with a withdrawal agreement in place, but Government need to be prepared for every eventuality. Since the PM took office, he has created a new Cabinet structure to ensure that, across Government, we take all the steps necessary to prepare for exit. A new Cabinet Committee—XO—has met 48 times and brought greater focus and urgency to our preparations. Our top economic priority is to ensure that we can maintain a smooth and efficient flow of goods and people from the UK into the EU and vice versa. We need to make sure that businesses are ready for changed circumstances and new customs requirements. There are, of course, some goods that require not just customs checks but other procedures—particularly food and products of animal origin—and we have been working with the Department for Environment, Food and Rural Affairs and the relevant sectors to ensure that those businesses are ready.

We take very seriously our responsibility to ensure that the rights of millions of EU citizens in this country are protected, and we are working with our European partners to ensure that UK nationals in EU nations also have their rights safeguarded. The XO Committee has also taken steps to safeguard and enhance national security and the operation of our criminal justice system, to enhance the free flow of personal data across borders, to ensure that we can support the devolved Administrations in their work and, in particular, to support the Northern Ireland civil service in its vital work.

With your permission, Mr Speaker, I would like to go into a little more detail about how we can facilitate the free flow of goods across borders, and it is in that context that I would like to explain the role of Project Yellowhammer in the Government's planning. If the UK leaves the European Union without a withdrawal

agreement, we will be a third country, subject to the EU's common external tariff and trading on World Trade Organisation terms, and exports will be subject to new customs and sanitary and phytosanitary checks. These are unarguable facts, they pose specific challenges, and they constitute the base scenario with which we all have to work.

The Government's Civil Contingencies Secretariat has used these facts to develop a reasonable worst-case scenario of what might happen, including in cases where appropriate mitigations are not put in place and readiness measures are not implemented. That reasonable worst-case scenario and the steps required to mitigate it are the work undertaken under the name Operation Yellowhammer. As the National Audit Office reported in March, work on Operation Yellowhammer has been going on since June 2018. The NAO made it clear then that

“Departments are working on the basis of a reasonable worst case scenario.”

Many of the challenges that Operation Yellowhammer identifies relate specifically to flow at the border. It contains careful estimates of how flow might be affected through a range of factors, including if steps are not taken to help businesses to be ready. That is why this Government have taken significant steps to ensure that businesses are ready. Specifically, we know that in adjusting to this new situation, businesses require support to deal with those new customs procedures, and Her Majesty's Revenue and Customs has acted to support traders. Importers will have access to transitional simplified procedures, which ensure that businesses have time to adjust to new duties. Businesses exporting to the European Union will need a specific economic operator registration and identification number from HMRC, and HMRC has already allocated EORI numbers to 88,000 VAT-registered businesses that currently trade with the EU and not beyond it.

We have introduced postponed accounting for import VAT and negotiated access to the common transit convention, so that both imported and exported goods can continue to flow across international borders without the payment of any duties until they reach their final destination. We have established new transit sites in Kent and Essex, to ensure that trucks can flow freely, carrying goods into France and beyond to the wider EU. We are also providing tailored information to hauliers and businesses through a range of sites across the country, to ensure the greatest level of readiness. We have funded business representative organisations to share information with enterprises large and small, and they are preparing for exit. We have also worked with the authorities in both Dover and Calais to smooth trade, and I want to take this opportunity to thank the French authorities for the work they have done to ensure the operation of a smart border at Calais, so that compliant consignments should experience no delay.

The steps we have taken are designed to ensure that businesses are ready for exit without a deal on 31 October, but these steps will in any case be necessary for life outside the single market and the customs union when we secure a new free trade agreement with the EU. Thanks to work undertaken under the previous Government, and accelerated under this Administration, many businesses are already well prepared. For any business that is in any doubt about what is required, the Department for Business, Energy and Industrial Strategy

is conducting roadshows and visiting businesses in their premises, and gov.uk/brexit provides all the information required.

As I mentioned, there are specific additional requirements for those who are exporting food and products of animal origin, with sanitary and phytosanitary checks. Traders will require export health certificates for food and catch certificates for fish. Hundreds of vets have now been trained to issue those certificates and additional personnel certified to support them. Again, the French authorities have taken steps to ensure the smooth flow of critical produce. They have specifically created a new border inspection post at Boulogne-sur-Mer to ensure that fish and shellfish products can be caught in the UK today and be on sale in the European Union tomorrow.

Of course, as well as making sure that commerce flows, we must safeguard the rights of individuals. That is why this Government have provided the most comprehensive and generous offer to EU citizens in this country, in order to guarantee their rights. It is already the case that under the EU settlement scheme, more than 1 million people have been granted status, and the Home Office is helping thousands of new applicants every day. If any Member of Parliament finds that any of their constituents are having difficulties with that process, I would welcome their getting in touch directly with me and the Home Secretary.

In the same way, we have taken steps to secure the rights of UK nationals in the EU, including access to healthcare after exit, and we will continue to work with our partners in member states to provide further protection for UK nationals. It is important that UK citizens in those countries register with the appropriate authorities. On gov.uk/brexit details are outlined, member state by member state, to enable every citizen to have the rights they deserve.

Also this month, the Government committed to increasing the UK state pension, which is paid to nearly half a million people living in the EU every year, for three years after a no-deal exit. Previously the commitment was solely for the financial year 2019-20. As well as making sure that UK nationals in the EU, and EU citizens in the UK, have their rights protected, we want to make sure that UK citizens can continue to travel in the EU without impediment. That is why UK nationals will have visa-free travel into the EU. We are also talking to member states to understand how people who provide professional services can continue to do so, member state by member state.

On security, it is vital to ensure, as we leave the EU, that we have the right approach to safeguarding citizens. That is why we have been talking to the EU about making sure we continue to have access to law enforcement and national security instruments. It is also important to recognise that, as we leave the EU, new tools will be available to ensure that we can better deal with people trafficking, smuggling and other criminal activity.

On the situation in Northern Ireland, the Government are absolutely committed to the Good Friday/Belfast agreement, absolutely determined to ensure there will be no infrastructure at the border, and absolutely determined to uphold the functioning of the all-Ireland economy. That is why we will have no checks at the border and no tariffs. We wait to see what Ireland and the EU Commission

will decide, but we stand ready to work with them to help to safeguard commerce and rights across the island of Ireland.

I do not shirk from the fact that leaving the EU without a deal provides economic challenges, but it is also provides economic opportunities. There is the opportunity to secure new trade deals and become a strong voice for free trade at the WTO; the opportunity to develop new technologies that will help feed the world and enhance the environment; the opportunity to overhaul Government procurement to better support growing British businesses; the opportunity to introduce a fairer, more efficient and more humane immigration system; the opportunity to deal more effectively with cross-border crime; the opportunity to invest more flexibly and generously to support overlooked communities; and the opportunity to strengthen our democratic institutions.

The British people gave us a clear instruction to leave the EU. This House now has a clear choice. Do we honour that instruction, or do we continue to delay and seek to frustrate the British people's vote? The Government are clear that we must honour that decision. I commend this statement to the House.

3.31 pm

Keir Starmer (Holborn and St Pancras) (Lab): I thank the Chancellor of the Duchy of Lancaster for an advance copy of his statement. Let us get to the detail and test what he says.

First, the right hon. Gentleman says that the negotiations have seen significant movement over recent weeks. Will he confirm that three papers were submitted to the EU last week and one was submitted today, but they are what the EU called non-papers, because they are for discussion and do not commit the member state to the policy outlined in them, and at the moment they are being kept secret from the EU27? What is the thrust or gist of those papers? If we are to assess the likelihood of success in negotiations, we need to know.

Secondly, may I challenge the right hon. Gentleman's statement that many businesses are already well prepared for no deal? At 3 o'clock last Wednesday, I sat round a table with the leaders of pretty well all the business sectors, and the one message they wanted to get across was how concerned they were that businesses were not prepared for a no-deal Brexit. I do not believe those businesses are saying one thing to me and another thing to the Government. Will he therefore clarify what he meant?

The statement significantly and studiously avoids giving any detail of the scenario that we are told the Government's civil contingencies secretariat has drawn up. On 9 September, just before we were shut down, an order was made that all the documents prepared within Her Majesty's Government since 23 July relating to Operation Yellowhammer and submitted to Cabinet or a Cabinet Committee should be laid before the House by 11 o'clock on 11 September. The Government are spending a lot of money telling businesses and the country to get ready, and they want to know what they are to get ready for. They need to know what could happen so that they can prepare. On 11 September, the Chancellor of the Duchy of Lancaster wrote to the Chair of the Brexit Select Committee,

"I thought it would be helpful to publish the Operation Yellowhammer document based on assumptions drawn up by the last Government."

[Keir Starmer]

I have that document in my hand; it was the only document disclosed. He went on to say,

It is...my intention...to publish revised assumptions in due course”.

Nothing else has been produced.

The document disclosed to the Chair of the Select Committee is dated 2 August. Will the Chancellor of the Duchy of Lancaster explain how it is a document of the last Government, not this one? As he knows, it was leaked pretty well in full to *The Sunday Times*. Just so that the Chancellor of the Duchy of Lancaster does not try to avoid this by saying that he will not comment on leaked documents, I understand that it also went to the Welsh Government. In response to that leak, the Chancellor of the Duchy of Lancaster said on the Marr show on 1 September that the document

“predated the creation of this new government”

and that its predictions were the “worst possible eventuality.” The impression he was trying to create was that it is an old document and a worst-case scenario. [Interruption.] Thank you—that is exactly the point I want to come on to: the Chancellor of the Duchy of Lancaster went on to say that it is “constantly updated”. Given that the document is dated 2 August, was it produced for this Government, the last Government or both? If it was for the last Government, have this Government produced any documents of their own since 23 July relating to Operation Yellowhammer? It is no good saying, “We are going to produce them.” This Government have been in place for nine weeks, and there are only five weeks and two days to go until 31 October.

If it is an old document and it was produced for the last Government, why did somebody change the title after the leak to *The Sunday Times*? It used to be branded the “base scenario”. Somebody got hold of an old, apparently irrelevant document and changed the title, so it is now called, “HMG Reasonable Worst Case Planning Assumptions”. Why was it changed if it is out of date and an old document? Who did it?

Will the Chancellor of the Duchy of Lancaster confirm that the rebranded document has 20 substantive paragraphs, each word for word the same as those in the document leaked to *The Sunday Times*? If it is constantly updated, where are the constant updates? This is the only document we have. Will he confirm that, according to this document, there will be “significant and prolonged disruption” at ports; that the “worst disruption” to the channel straits will last “up to 3 months”; and that there will be “significant queues in Kent” and delays of up to two and a half days at the border for HGVs attempting to use the channel route to France? If the answer is no, what is that based on if there is not another document in existence that the Chancellor of the Duchy of Lancaster has not disclosed in accordance with the order of this House? The answer is either yes or no, based on a document that has not been disclosed.

Paragraph 18 has not had the attention it should have had. It centres on the impact of no deal on Northern Ireland. I know that this is a matter that the House takes extremely seriously. It sets out the Government’s planned model. It states:

“The agri-food sector will be the hardest hit... Disruption to key sectors and job losses are likely to result in protests and direct action with road blockages. Price and other differentials are likely to lead to the growth of the illegitimate economy.”

It also mentions severe disruption at the border. The document itself concludes that the pressure will be such—[Interruption.] Northern Ireland happens to be extremely important to many people in this House. [Interruption.] We are here to scrutinise the Government; let us get on with it. This document indicates that the Government’s proposed model will come under such pressure that it is unlikely to survive for more than a few days or weeks. The Government’s preferred model for Northern Ireland is unlikely, according to their own assessment, to survive for more than a few days or weeks. A model that will not last more than a week is not a plan. There must be an update. Where is it?

Has the Chancellor of the Duchy of Lancaster received any representations from the energy sector about the impact on oil and gas supplies to the UK in the event of no deal?

Anyone watching today’s proceedings and still thinking that somewhere lurks a clever and cunning plan to get through the chaos of the Government’s making needs to think again. The Government have lost six out of six votes in Parliament and the Prime Minister has lost his majority and his case in the Supreme Court. The Chancellor of the Duchy of Lancaster said on the radio this morning that the Prime Minister is a born winner. I am glad that he has not lost his sense of humour. However, this is not a game, and for the Government to be five weeks away from leaving the EU without a plan is unforgivable.

Michael Gove: I welcome the shadow Brexit Secretary back from Brighton and to the House of Commons. One thing about the House of Commons is that, whether we lose or win votes, at least they are recorded accurately.

The right hon. and learned Gentleman repeated on several occasions that he believed in constant updates. What a pity he did not update his list of questions in the light of the points that I made in my statement. What a pity he relied on a list that he had drafted many hours earlier.

On the first point, which was about negotiations, there have been detailed negotiations with the European Commission and EU member states. The Commission briefs the EU27 on those negotiations. As a result of those briefings and conversations, we have made the progress that I charted earlier. I hoped that the right hon. and learned Gentleman would have been generous enough to acknowledge that the withdrawal agreement is now in play and the backstop can be replaced by alternative arrangements.

The shadow Brexit Secretary asked about business readiness. He said that he met some business organisations and they kept him up until 3 o’clock in the morning with a single message. I imagine that it was, “Whatever you do, please replace your leader.” [Interruption.] I will treat the right hon. and learned Gentleman’s comments with the seriousness they deserve. The automotive sector, which I met earlier this week, confirmed that it was ready. The retail sector has confirmed that it is ready. Ninety per cent. of the companies measured by value that trade with the EU also trade with countries outside the EU and they are in a position to be ready.

The right hon. and learned Gentleman asked about the Operation Yellowhammer document, but he seemed to miss the point that the National Audit Office appreciated earlier this year and that has entirely passed him by.

Operation Yellowhammer is a reasonable worst case scenario. The Government have taken and are taking steps to mitigate it and the XO Committee has authorised more than 300 actions since we started meeting in August to mitigate the consequences. We will update the House on all the steps that we have taken, many of which are listed in my statement and none of which the right hon. and learned Gentleman asked about, from transitional simplified procedures to the application of EORI numbers. The shadow Brexit Secretary asked not a single question about all the things that business needs to get ready. His pretensions to speak for business are exposed as a hollow sham.

The right hon. and learned Gentleman talked about clever and cunning plans. I suppose he was thinking about the Labour party's position on Brexit. In February 2017, he said that

“politically the notion that the referendum was merely a consultation exercise... holds no water... we in... Labour... have to accept the result. —[*Official Report*, 31 January 2017; Vol. 620, c. 825.]

Now, in some sort of political equivalent of VAR, he wants to annul that result. Now Labour's policy is to delay Brexit further, seek an extension of indefinite duration, renegotiate a new deal, then put it to the country in a new referendum, with the deputy leader saying, “Vote remain”, many Back Benchers saying, “Vote leave” and the Labour leader undecided. Labour's position on Brexit is as solid as a blancmange in a hurricane and as coherent as an apology from Vicky Pollard.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): When my right hon. Friend refers to Operation Yellowhammer as a document that was introduced by the previous Administration but is being read and updated by the current Administration, does he also recognise that its purpose was to advise the Government of what more they needed to do to be ready? It was not meant to be an assistant to the Opposition spokesman, who struggles hard to get his lines right. It was there for a purpose, which is being met.

Michael Gove: My right hon. Friend hits the nail on the head.

Tommy Sheppard (Edinburgh East) (SNP): I thank the Chancellor of the Duchy of Lancaster for advance sight of the statement. That allows me to begin by pointing out the glaring omission in what he told the House a few moments ago. He really ought to have started by thanking Lady Hale and her fellow judges in the Supreme Court for the decision they took yesterday because, without that judgment, he would not have had the opportunity to come to the House today and explain the Government's preparations, and we would not have the opportunity to see in all its glory just how woefully inadequately prepared the Government actually are.

I do not put this down to a lack of effort on the Government's part. I am sure that the right hon. Gentleman's XO committee is in permanent session, almost, and we know from the right hon. Member for Hastings and Rye (Amber Rudd) that the Government are fixated, almost to the exclusion of everything else, on preparations for no deal. The fact that we are so far away from concluding those preparations is simply testament to the enormity of the task and the fact that it is simply not doable in the next five weeks.

As a result, rather than being honest with the House, the Chancellor of the Duchy of Lancaster is indulging in euphemisms, wishful thinking, banter and jokes. The truth of the matter is that he is trying to sugar coat a disastrous situation, and that begins with the very title of the document. I return to the point raised by the Opposition spokesperson. The First Minister of Scotland has confirmed that the document—the very same document—given to the Scottish Government was referred to as a “base scenario”, yet several days later, when it is published, it is referred to as a “worst-case scenario”. That is an attempt to suggest that there are of course much better scenarios and there is nothing to see and no need to worry.

I ask again, and I do not want a joke in response: who made the decision to change that title and why? There are other things throughout the document that show the degree of sugar feeding as well, but probably one of the most bizarre things that the Chancellor of the Duchy of Lancaster has just said—he said it just a few moments ago—is that UK citizens would have visa-free travel throughout the EU in the event of a no deal. That is just rubbish. That is nonsense. The very fact of a no deal means that there will not be that—that is what no deal means. This is either an exercise in self-delusion or a wilful attempt to mislead the House, but it is most certainly not the truth. We ought to be hearing the truth.

This is my principal question for the Chancellor of the Duchy of Lancaster. Surely the time has now come to assess whether it is realistically possible to get a deal to leave the European Union on 31 October. The House has considered this question and come to a judgment that it probably would not be possible, and that therefore it is necessary for the Government to apply for an extension of the process. Will he accept that mandate from this Parliament? Will he act as a member of this Government to make sure that it is implemented, or will he continue to flout the will of the House and proceed with preparations for a situation that is now frankly unlawful according to the law of the land? This is what I want to know: will he commit to discharging the mandate given to him, will he follow the law of the land, and will he confirm to the House whether he has had discussions with the Prime Minister about doing anything other than that?

Michael Gove: I am very grateful to the hon. Gentleman for his questions, and may I also say that I am grateful to the Supreme Court for the clarity of its judgment. I am also grateful to the hon. Gentleman's colleagues in the Scottish Government for the extensive work they have done along with colleagues from the other devolved Administrations to help us prepare for a no-deal exit. Only yesterday, I was chairing a committee meeting at which the Scottish Cabinet Secretary responsible for agriculture and rural affairs was, along with other Ministers from the devolved Administrations, actively taking steps to ensure that his constituents were actively ready to prepare for a no-deal Brexit. It is only right that we should record our thanks to the civil servants of the devolved Administrations for that work, too.

I do not shirk the fact that there are serious challenges. We are all aware of them, and we would all much prefer to leave with a deal. The hon. Gentleman asked what preparations are being made to secure a deal. I listed some of the advances that have been made in negotiations earlier, but one thing that I would say is that we have

[*Michael Gove*]

had a chance in this House of Commons to vote for deals before, and it was the choice of his party resolutely not to vote for a deal. We could have—[*Interruption.*]

Mr Speaker: The right hon. Gentleman should plough on.

Michael Gove: We could have had a withdrawal agreement if only Scottish National party Members had been as good as their word and put the interests of Scotland ahead of narrow sectarian, secessionist and separatist arguments.

The hon. Member also asked about the Yellowhammer document. As I mentioned earlier, the NAO confirmed earlier this year that it was a reasonable worst-case scenario, and it is one that, as I mentioned in response to both the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) and my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith), we have taken steps to mitigate. Those steps, many of which have been taken in co-ordination with devolved Administrations, extend to everything from the provision of infrastructure to ensure catch certificates for the Scottish fishing industry to the licensing of new people to ensure export health certificates for other areas of agriculture.

Finally, the hon. Member made a point about lawfulness. It is vital that we all uphold the law in this House of Commons, but it is also important that we recognise that we passed a Bill in order to create a referendum in which we said that the people's verdict would be respected. Our democracy depends not just on respect for the rule of law but on respect for the people's verdict.

Damian Green (Ashford) (Con): I thank my right hon. Friend for the information he shared with me and other Kent MPs earlier this week about the accelerating preparations for ensuring that freight traffic approaching the port of Dover can run smoothly. I am sure he agrees that avoiding chaos on the roads in Kent will be one of the key indicators of smooth planning for Brexit, however it takes place. Can he give the House his assessment of how well the haulage industry across Europe is responding to the British Government's information about the paperwork necessary to make sure that the short strait crossing in the channel works as efficiently as possible after Brexit?

Michael Gove: It was a pleasure to meet my right hon. Friend and other Kent MPs earlier this week. More than 80% of the hauliers who ply their trade through the short strait come from EU countries, which is why we have created offices in those EU countries to provide hauliers and traders with information, why we have published guidance in more than 10 EU languages, and why we are contacting traders in the UK who use those hauliers to make sure they are ready. Steps are also being taken to ensure that the traffic management in Kent under the aegis of the Kent resilience forum is as effective as possible. That said, further steps do need to be taken, and I hope to update him and the House as they are taken.

Tom Brake (Carshalton and Wallington) (LD): How will the British people be safer than ever before if we lose access to EU crime-fighting databases in a no-deal scenario?

Michael Gove: Because Border Force will have considerable new powers to intercept people smugglers, human traffickers and those dealing in organised crime.

Sir David Lidington (Aylesbury) (Con) *rose*—

Mr Speaker: I call Sir David Roy Lidington KCB CBE.

Sir David Lidington: While completely supporting the need to engage in rigorous contingency planning, as my right hon. Friend is doing, can I ask him also to confirm that in Northern Ireland, in the absence of an Executive, the civil service there lacks the necessary powers to take the mitigating measures that he is rightly putting in place for England, and will he say what plans the Government have to introduce the necessary steps, including legislation, to ensure that guidance and direction are available in Northern Ireland?

Michael Gove: I will take a little longer than I would ordinarily want to because I first want to congratulate my right hon. Friend on his knighthood and to thank him for his years of Government service. He was an outstanding Minister in a number of offices. For my part, I particularly recognise that as Chancellor of the Duchy of Lancaster he did so much to prepare us for EU exit and to advance negotiations with the EU.

My right hon. Friend makes a very important point about Northern Ireland. The Northern Ireland civil service and the Police Service of Northern Ireland have done an enormous amount to prepare for the contingencies of no-deal exit. We should all be grateful to them for the work they do. He is right, however, that in the absence of a functioning Executive, they lack ministerial direction. It is important that we do everything we can to restore a functioning Executive. If no Executive is in place, we will have to consider in the House and in discussions with our neighbours in the Republic of Ireland what steps might be required to ensure that we can give appropriate support to the Northern Ireland civil service.

Hilary Benn (Leeds Central) (Lab): Paragraph 18 of the Operation Yellowhammer document states that the Government's current plans to manage the Northern Irish border after no deal—which are no new checks or tariffs on goods coming in from the Republic of Ireland—are

“likely to prove unsustainable due to significant economic, legal and biosecurity risks and no effective unilateral mitigations to address this will be available.”

That is not a description of a worst-case scenario; it is a description of what is likely to happen because, as the Chancellor of the Duchy of Lancaster knows, Northern Ireland businesses will all face tariffs from the very first day.

Given that, earlier this year, the right hon. Gentleman wrote that the United Kingdom “didn't vote to leave without a deal”,

are the Government really prepared to allow their willingness to pursue a no-deal Brexit to jeopardise the peace and security that have been achieved in Northern Ireland as a result of the Good Friday agreement?

Michael Gove: I am grateful to the Chairman of the Exiting the European Union Committee for making that point. Let me stress again that Operation Yellowhammer

is a reasonable worst-case scenario. The scenarios that it outlines are those that would happen if no mitigation steps were taken. However, he is right to say that Northern Ireland businesses would face specific challenges in the event of a no-deal exit as a result of having to face a common external tariff. Indeed, agri-food businesses across the UK would face those challenges. There are steps that we can take—economic interventions and others—to help those businesses, and it is important that we do so. It is also important that we continue our conversations with the European Commission and the Irish Government about making sure that the position of businesses and individuals in Northern Ireland is safeguarded.

The right hon. Gentleman made a broader point about no deal. A deal is preferable, which is why I hope that he will vote for one in the future, having not been able to do so in the past.

Sarah Newton (Truro and Falmouth) (Con): I very much agree with the Chancellor of the Duchy of Lancaster that it is essential for us to agree a deal with the EU, but while we are making those preparations for a no-deal Brexit, can he assure the leaders of the NHS in Cornwall that his plans will include social care services alongside NHS services, because they too are so essential?

Michael Gove: My hon. Friend was a very distinguished and effective Minister, and she is absolutely right to focus on some of the challenges that the NHS and, indeed, social care will face in the future. We have taken steps—the Secretary of State for Health and Social Care has taken steps—to make sure that we can have all the medicines that we require, both by ensuring that we have unimpeded flow in the short straits and by ensuring that we can procure additional freight capacity.

The broader adult social care sector does also require close attention. In leaving the EU, we must take account of both the impacts on the labour market and the potential impacts of any devaluation of sterling. We are taking a close look at that particular sector, and at the vulnerable people who should be our first concern.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The Chancellor of the Duchy of Lancaster has just claimed that Border Force will have new powers to carry out checks and that that will make us safer, but can he confirm that under no deal it will no longer have most of the information that it needs to carry out those checks, because it will lose access to the SIS II database, which contains more than 70 million pieces of criminal information, whereas the replacement Interpol database has only several hundred thousand?

The Home Office has also told the Select Committee that the border crossing arrangements will remain unchanged in the event of no deal. Given that the Cabinet Secretary, the National Security Adviser, top police officers and counter-terror chiefs have all said that in the event of no deal we will be less safe, can the right hon. Gentleman tell us which of those individuals have now told us we will be safer, and if not, will he withdraw that claim to the House?

Michael Gove: The right hon. Lady is right about the Schengen Information System. If we leave without a deal and the EU does not put provisions in place, we will lose access to that database. However, I have had an

opportunity to question people who have been involved in national security and individuals who work for Border Force. Appropriate mitigations are in place, and, indeed, new powers are available.

John Redwood (Wokingham) (Con): Can my right hon. Friend confirm that in the case of our current borders with the EU—our currency borders, VAT borders, excise borders—all the calculations and payments that those require take place away from the border; and so will not customs also be handled electronically, away from the border, not leading to queues?

Michael Gove: My right hon. Friend makes a very important point. It is the case that for most companies, the customs procedures that they will now need to engage in will be conducted away from the border, at offices of departure, by authorised consignees, and as a result, with the operation of the smart border that the French put in place in Calais, that should lead to as smooth as possible a flow of trade.

Sammy Wilson (East Antrim) (DUP): The Irish Government have made it clear that they intend to impose full tariffs on goods coming from Northern Ireland into the Irish Republic, yet without border checks. If that is the case, why is the Minister insisting that no taxes will be imposed on goods coming from the Irish Republic into Northern Ireland? Does he not recognise that, first, that places businesses in Northern Ireland at an unfair disadvantage; that it will lead to a loss of tax revenue; that it will make Northern Ireland a back door to GB; and lastly, that it will put no pressure at all on the Irish Government, who have adopted an intransigent position in these negotiations?

Michael Gove: My right hon. Friend of course makes a very strong case for a particular approach, but we believe that the approach we are taking is in the interests of the people of Northern Ireland; and of course what will be in the interests of everyone—including the people of Northern Ireland—is for us to secure a deal, so that these mitigations are not required.

Sir Edward Leigh (Gainsborough) (Con): I suspect that my constituents in Gainsborough, who voted 62% to 38% for Brexit, are just fed up with this process carrying on—unless they enjoy root canal treatment every other day—so they are not fussed about what deal we get. They would take any deal—they just want the House to compromise, come together and get a deal. But they tell me that if we cannot get a deal, we have to leave on 31 October. I want an absolute commitment from this Secretary of State at the Dispatch Box that, no matter what, we are leaving on 31 October; otherwise, this Government are dead in the water.

Michael Gove: I thank my right hon. Friend for his point. He speaks very effectively and clearly for the people of his constituency. I can confirm that that is Government policy. May I also say that the way in which he shaped his question, in a balanced, thoughtful and reasonable way, recommends him as a successor for your office, Mr Speaker?

Liz Kendall (Leicester West) (Lab): Can the Minister confirm that according to the Government the food sector, which employs around 12,000 people across Leicester and Leicestershire, will be hardest hit by no deal,

[Liz Kendall]

and that people on low incomes will be disproportionately affected by any rises in food prices? Have the Government done any planning on how on earth we are going to support the thousands of food banks in this country, which tell me they are desperately worried that no deal will threaten the supply of surplus food that we, tragically, now depend on to feed the poor?

Michael Gove: The hon. Lady raises three important points. The first is whether the food or agrifood sector, in the event of a no-deal scenario, is likely to be the worst affected. It is certainly the case that our agrifood exporters will face the highest tariffs if we leave without a deal, and in this job and my previous job, when at the Dispatch Box, I have not shied away from the consequences. There are risks and challenges; that is why DEFRA has taken steps in order to be able to mitigate those risks and challenges.

The hon. Lady asks about the impact on the vulnerable of a rise in prices. It may well be that some food commodity prices rise; others are likely to fall overall. She makes the point about food banks. It is vital that we support those who work with food banks, but I have seen no evidence or indication so far—I am very happy to talk to the hon. Lady—that the supply of food to food banks would be affected in any scenario, deal or no deal.

Mr Dominic Grieve (Beaconsfield) (Ind): I always enjoy listening to my right hon. Friend, but I am always slightly conscious when he moves from answering questions to displacement activity. Can we go back to the issue of base case and worst case? Quite specifically, when were the words “base case” changed to “worst case”—the precise date, please, and who authorised the change? When was it done? That is the first question, because I think the House needs to be able to understand why that decision was made.

The second issue concerns the Schengen database. I am fascinated to hear about these measures of mitigation; I am familiar with the database in my role as Chair of the Intelligence and Security Committee. This is undoubtedly a key piece of data for the security of the United Kingdom. What exactly are the mitigations that my right hon. Friend is talking about that will be an adequate substitute for the loss of access to this database on a no-deal Brexit?

Michael Gove: It is always a pleasure to hear from my right hon. and learned Friend. In my statement, I drew a distinction between the base scenario, which involves those unarguable facts that we can all agree in this House will be the consequence of a no deal-exit, and a reasonable worst-case scenario. Operation Yellowhammer uses those base facts to draw up what a reasonable worst-case scenario might be. That is the distinction between them.

With respect to the Schengen information system, I would say, in fairness to my right hon. and learned Friend, that that is not the only law enforcement or national security tool that we will lose access to in a no-deal Brexit. There are others as well, but I have had an opportunity to talk to people who are involved in the provision of our national security, and I recognise that there are appropriate steps that we can take.

Anna Soubry (Broxtowe) (IGC): I am going to remind the Minister that he has yet again not answered the question about when the name on the Yellowhammer document was changed and by whom, so I would like to ask him that as well. Please will he answer the questions that he did not answer from the right hon. and learned Member for Beaconsfield (Mr Grieve) and from the shadow Brexit Secretary, the right hon. and learned Member for Holborn and St Pancras (Keir Starmer)? Could he also confirm the existence of Operation Kingfisher and Operation Snow Bunting? There is a bird theme in all this. I do not know whether there is also an operation dodo, covering his plans for a no-deal Brexit, or an operation ostrich, involving the communal sticking of heads in the sand as the realities of no deal dawn—or, indeed, an operation blue tit, upon which I will make no comment. My final question is this: does Operation Yellowhammer still exist, or has it also had its name changed? If he could answer those specific questions, we would all be very grateful.

Michael Gove: I am grateful for that ornithological outing from my right hon. Friend. The first thing to say is that Operation Yellowhammer absolutely does exist. It is the reasonable worst-case scenario, and the planning assumptions, as the National Audit Office has outlined, are those which we seek to, and have taken steps to, mitigate. She also referred to Operation Kingfisher, which is the programme led by the Treasury and the Department for Business, Energy and Industrial Strategy in order to ensure that we can intervene as appropriate in particular sectors in the event of no deal. I am afraid that there is no operation dodo, although I can well understand why the Independent Group for Change would be interested in such an exercise.

Justine Greening (Putney) (Ind): Taxpayers are funding the £100 million Get Ready for Brexit publicity campaign, but the reality is that they do not actually know what Brexit is going to mean. It is difficult for them when the two prime scenarios we are faced with are no deal and a negotiated deal. On no deal, as we have just heard, there are no real details that the Government are prepared to divulge on Operation Yellowhammer. In relation to a negotiated deal, our Government have given papers to the European Union to negotiate a settlement that the British people will have to live with, even though the British people themselves are not being allowed to see what is being negotiated on their behalf. My question to the Chancellor of the Duchy of Lancaster is: what is the problem? Is there some need for secrecy? If there is, he should explain it, but I do not think the British people want to have a secret Government. They want openness. Or is it a fact that there simply is no plan for no deal and that there is not really a plan for getting a deal? If that is the case, we ought to know about that, too.

Michael Gove: I am grateful to my right hon. Friend for the points she makes. With respect to the preparations for no deal, I listed some of them in my statement. I would welcome any Member of this House who would like to visit the Cabinet Office and the Department for Exiting the European Union to be taken through the extensive preparations that we are taking. As I mentioned earlier, it is the case that on everything from the provision of transitional simplified procedures and the allocation of EORI—economic operators registration and identification—numbers to the traffic management steps that we are

taking in Kent, and indeed the information that exists on gov.uk/brexit, there is plenty of information that enables businesses to prepare for no deal. And, as I mentioned in my statement, that preparation will not be wasted in the case of a deal, because we are securing—well, we are seeking to secure—a free trade agreement with the European Union. With respect to negotiations, the Prime Minister, the Brexit Secretary, the Foreign Secretary and I have been clear: we are seeking to replace the backstop with alternative arrangements on the island of Ireland, and in any withdrawal agreement we want to guarantee the rights of EU citizens and move towards a future economic partnership that is based on a best-in-class free trade agreement.

Owen Smith (Pontypridd) (Lab): In the Minister's statement, he rightly praised the work of the PSNI in Northern Ireland. He will know that the new Chief Constable of Northern Ireland warned just a week ago that any deployment by the PSNI to monitor checkpoints or cameras at or near the border would risk his officers being killed by dissident republicans. Can the Minister offer a guarantee to the people of Northern Ireland that that will never happen, that those officers will not be asked to patrol a hard border and that he will not be putting their lives at risk?

Michael Gove: I thank the hon. Gentleman because he gives me an opportunity once again to record my thanks to the Police Service of Northern Ireland—a brave group of men and women who do so much to keep not just the people of Northern Ireland but the people of the whole of the United Kingdom safe. We have absolutely no intention of erecting infrastructure at or near the border that would require the PSNI to place its officers at risk. Moreover, I want to underline the point that the threat from dissident republicans remains, whatever future relationship we have with the European Union. It is important that we all remain vigilant and support the PSNI in its valuable work against those who would seek to disrupt the peace process.

Sir David Evennett (Bexleyheath and Crayford) (Con): I welcome my right hon. Friend's statement. Will he update the House on the advice and funding that are available to ensure that businesses, particularly small and medium-sized businesses, are ready for Brexit on 31 October?

Michael Gove: My right hon. Friend the Chancellor of the Exchequer has significantly increased the amount of money available. He has tripled the amount of money available specifically to ensure that customs agents are trained. Money has also been supplied to business representative organisations to ensure that the information that it is necessary should be ready is widely available, in particular to SMEs, which are the backbone of our economy.

Kate Green (Stretford and Urmston) (Lab): May I return to the concerns about lack of access to the Schengen information system and the 70 million pieces of data it contains, compared with other databases that contain very much less data? Will the Chancellor of the Duchy of Lancaster guarantee that no vulnerable person, in particular no vulnerable child who may be missing, abducted or at risk of criminal exploitation, will be put in any danger by the loss of access to that system?

Michael Gove: The hon. Lady makes a very good point. We have talked to the EU because it is in the collective interests of the UK and the EU to make sure that law enforcement and national security instruments which work to the benefit of both of us are shared. That is what we seek to do.

David Duguid (Banff and Buchan) (Con): I welcome my right hon. Friend's comments in his statement on the provision of training and resources for the production of catch certificates for seafood. I presume that he is talking from the point of view of DEFRA and England, because the devolved Administration in Scotland, through Marine Scotland, are responsible for catch certificates in Scotland. What assurance has he received from the Scottish Government that adequate resources and training have been and will be provided to allow all catch certificates to be in place in time for 31 October?

Michael Gove: I know how effectively my hon. Friend stands up for the fishing sector—the catching sector and the processing sector. I have been talking to the Scottish Government and the relevant Cabinet Secretary, Fergus Ewing, to ensure that we do everything we can. We want to remain closely in touch not just with the Scottish Government but with good constituency Members like my hon. Friend and local authorities to ensure that the resources are there. Of course, if specific concerns have been expressed by Aberdeenshire as a local authority or by individual businesses, I hope he will bring them to my attention.

Tim Farron (Westmorland and Lonsdale) (LD): The chief executive of the Dale Farm dairy co-operative, who speaks for 1,300 dairy farmers across the United Kingdom, says that leaving the European Union without a deal would “wipe out” all profitability in the dairy sector. Cumbrian dairy farmers know that too, yet there is not a single explicit mention of the dairy industry in the Yellowhammer document. Is that because the truth of how badly hit dairy farming in Cumbria and elsewhere will be is so serious that it is not even written down, or is it that the Government have overlooked the interests and needs of Britain's dairy industry?

Michael Gove: No and no.

Alberto Costa (South Leicestershire) (Con): On Monday there was a welcome announcement by the Department of Health and Social Care that, for up to six months, certain British citizens living in the EU—about 180,000 retirees and others—will have the cost of access to healthcare services in the EU met by the UK Government. What message does my right hon. Friend have for those vulnerable and elderly British citizens living in the EU who might fall ill after the six-month period and who cannot afford health insurance?

Michael Gove: I thank my hon. Friend for his outstanding advocacy on behalf of EU citizens in the UK and UK nationals in the EU.

On the broader point, the Secretary of State for Health and Social Care has written in precisely those terms, but we are also taking additional steps, member state by member state, to ensure access to healthcare. The NHS also stands ready to ensure that any UK national can get the treatment they need.

Peter Grant (Glenrothes) (SNP): When the Minister appeared before the Brexit Committee on 5 September, he was unable to answer my question about what the reaction has been in Ireland to the UK Government unilaterally reneging on the commitments around the Irish border found in the joint report of December 2017. He did say, though, that he was looking forward to meeting the Tanaiste—the Irish Deputy Prime Minister—and other Irish politicians that weekend. Now he has had a chance to meet them, can he tell us what the reaction is of the Irish Government and of the politicians who represent the majority of the population in Northern Ireland to that unilateral reneging by the UK Government?

To be fair to the Minister, I should warn him that I met the Tanaiste last week on a cross-party delegation in Dublin, so I know the answer. I would like him to tell the House what Ireland thinks of how the UK is behaving.

Michael Gove: It is always good to ask a question to which you already know the answer.

I have had cordial conversations with the Tanaiste and, indeed, other Irish politicians about the vital importance of making sure that we do everything possible to underpin the gains made by the Belfast/Good Friday agreement. Those gains are not simply in the economic life of the island of Ireland but, as the hon. Gentleman says, in human flourishing and in stronger cultural and personal relationships. I had the opportunity at the British Irish Association conference to underline this Government's commitment to strengthening all those relationships.

Mrs Maria Miller (Basingstoke) (Con): I thank my right hon. Friend for so clearly setting out the contingency planning he is doing, but I am deeply concerned about the way in which leaked information has sometimes wilfully been used or misinterpreted to cause anxiety among our constituents. Can he reassure parents in my constituency whose children rely on short shelf-life medicines and liquid medical foods, which cannot be stockpiled, that those supplies will not be stopped when we leave the EU?

Michael Gove: My right hon. Friend makes two very good points. I understand that, in the political to and fro, people do not always look at the detail in every document, but she is right that it is important for all of us that we do not turn a sliver of a leak into an exaggeration. We face undoubted challenges in leaving the European Union, but one area where the greatest amount of mitigation has been taking place is in making sure that we can continue to provide all our constituents and the NHS with the drugs and medical supplies they need to maintain good health.

Stephen Timms (East Ham) (Lab): As the Minister knows, the Freight Transport Association says that long delays at Dover are inevitable after a no deal because hundreds of non-compliant trucks will continue to arrive. Those trucks will have lengthy inspections in a lorry park in Calais that has only 300 spaces. When the lorry park is full, the ferries will stop. On what grounds does he reject that assessment?

Michael Gove: I do not. The Freight Transport Association, the Road Haulage Association and other organisations have been invaluable in making sure that

the Government can take steps to communicate with individual hauliers, companies and traders about the steps they might need to take to obviate those risks. If traders ensure their goods have the appropriate transit accompanying documents or movement reference number barcode, they will smooth their passage through Calais without needing to go into any car park at all.

Kirstene Hair (Angus) (Con): While Scottish Conservative Members actively want a deal, Scottish nationalist Members are actively pursuing no deal, because they have no desire to support any deal put to this House. Does my right hon. Friend agree that it is better that the two Governments of Scotland work together? Will he explain what conversations he has had with the Scottish Government? Does he know how much of the no-deal planning and preparation money of the Scottish Government has been spent in Scotland?

Michael Gove: It is an interesting feature of this House that whenever a Scottish Conservative Member makes an important and honest point, the decibel level from the Scottish nationalist party Members rises to the sort of pitch normally heard at Parkhead when Celtic scores a goal. The truth is that my hon. Friend is absolutely right: while the Scottish Government have taken some steps to mitigate the consequences, there is more that they can and must do. I salute the work of Scottish Ministers such as Humza Yousaf and the Deputy First Minister, who have taken a pragmatic approach, but it is critical that the First Minister and representatives here live up to their responsibilities to the people of Scotland and support a deal.

Mary Creagh (Wakefield) (Lab): The Government are spending £100 million on the Get Ready for Brexit campaign—the largest ad campaign for 70 years, which is clearly intended to provide a party political, partisan drumbeat to the general election that the Prime Minister has twice tried and twice failed to get through this House. An article on BuzzFeed reveals that the data collected through the Get Ready for Brexit campaign is being collected centrally, and I have been inundated by communications from concerned civil servants who are worried about what this Government are asking them to do. When was it decided to collect that data, by whom, and with what purposes? What security is the Chancellor of the Duchy of Lancaster providing to the 15 million citizens who use the gov.uk each week? What help has he given the Information Commissioner, who at my request is now investigating?

Michael Gove: I hope that as a result of the hon. Lady's question, for which I am grateful, more of her constituents and others will visit the Brexit pages on the gov.uk website. The Government Digital Service has done a wonderful job in making sure that we provide information. As a result of the information campaign, which is authored, directed and supervised by civil servants, many more businesses are better prepared. It is the case that we make sure that the data we have is used better to serve our citizens.

Stephen Crabb (Preseli Pembrokeshire) (Con): One area of risk not mentioned in the redacted Yellowhammer documents relates to the UK oil-refining sector. Since my right hon. Friend and I last spoke about this, have

the Government had a chance to develop their thinking on how best to protect UK oil refineries if they are to face new tariffs for selling product into EU markets?

Michael Gove: My right hon. Friend makes an extremely important point. If we leave without a deal, refineries in this country will face a new tariff for selling fuel into the EU, which inevitably will have an impact on their business mode. The Business Secretary and I have been in touch with those companies to ensure that we are in a position to support them. It is vital that we recognise that those refineries, as well as being key distribution hubs for fuel, rely on exports to the EU and beyond as part of their current business model, which is why we are so anxious to support them.

Hywel Williams (Arfon) (PC): Although the Yellowhammer report refers to the channel ports, it does not mention the Welsh ports of Fishguard and Holyhead, even though Holyhead is the second-busiest roll-on roll-off port in the UK. In August, Department for Transport documents marked “Officially sensitive” said that following an abrupt exit from the European Union, two thirds of vehicles would not be allowed into the ports. Why did Holyhead and Fishguard not warrant inclusion in Yellowhammer, or are the five pages crowbarred from the Government’s hands merely dust thrown into our eyes?

Michael Gove: I am grateful to the hon. Gentleman for the opportunity to say that I was discussing precisely how we can ensure the free flow of goods from Holyhead into the Irish Republic and vice versa with representatives of the Welsh Assembly Government earlier this week. I had the opportunity to visit Holyhead and to talk to the port authorities, ferry companies and hauliers, to bring them up to speed with the Government’s preparations and to learn from them what more the Government could do to help them.

Stephen Kerr (Stirling) (Con): I am grateful to my right hon. Friend for the detail he has given today, but before he gives Derek Mackay another £52 million, can he find out what has happened to the £92 million he has already had, because Scotland’s local authorities are getting precious little sight of it?

Michael Gove: I am disappointed to hear that Scotland’s many excellent councils are not receiving the money the Scottish Government have been allocated to pass on to them. Once again, even though there are many good Ministers in the Scottish Government, with whom it is a pleasure to work, it is a pity that the First Minister consistently puts the narrow political interests of the Scottish nationalist party ahead of the interests of Scottish citizens, for which Scottish Conservative MPs are such effective advocates.

Ruth Jones (Newport West) (Lab): Regarding the preparations for Brexit, the Chancellor of the Duchy of Lancaster told “The Andrew Marr Show” on 1 September that there “will be no shortages of fresh food”. He was absolute and resolute. However, the Yellowhammer documents, which we have now seen, reveal that no deal will “reduce availability and choice” of fresh products. My question is, who should the public believe—the Minister or his Department?

Michael Gove: The hon. Lady raises an important point. It is important to recognise that, in the event of a no-deal exit, we will have means by which we can ensure that there is a wide choice of products on our shelves and that, thanks to the efforts made by our retailers, we continue to enjoy the choice, range and plenitude of products we have grown used to.

Neil O’Brien (Harborough) (Con): I met local farmers recently. Like me, they generally support Brexit and are frustrated by those in this House who will vote against any Brexit deal, no matter how good it is. However, they want to know what is happening with the Government’s published no-deal tariff. They want to know whether it will be revised, whether the agriculture section will change and whether we will have a debate on it.

Michael Gove: That is a very good point. We published a no-deal tariff schedule in March, and it is going to be updated. It is important to recognise that there was specific protection in that no-deal tariff schedule for agrifood, as a vulnerable sector that requires that additional protection.

One thing I would say, and this question gives me the opportunity to do so, is that there are sometimes those who actively embrace no deal and think it would be the best of all possible worlds. I think that is absolutely not the case; it is far better that we have a deal. There are others who say that, in no deal, there will be consequences that are almost biblical in their horror. The truth is that no deal will generate challenges, particularly for the agrifood sector. That is why the Government are taking steps to mitigate them, and those steps are along the lines that I have outlined today. However, there is much more that DEFRA is doing, which the Secretary of State in that Department, and other Secretaries of State, will have the opportunity to acquaint the House and the public with in the days and weeks to come.

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): Earlier, the Minister said the Government were talking with the industry concerning the effects of EU tariffs on petrol exports. What he did not say is that the UK is proposing to have a zero tariff on petrol imports. That could result in the closure of two oil refineries, the loss of £50 million a year to the industry, the loss of 2,000 jobs and a potential loss of fuel availability. Will he be more specific and say what the Government will do about that?

Michael Gove: The hon. Gentleman makes an important point. Where we look at tariff schedules, there are things that we have to balance. One is appropriate protection for sectors, and that is why the agrifood sector, because of the vulnerabilities and the level of the EU’s common external tariff, is one sector that we have sought particularly to protect. However, we also need to have regard to the interests of the consumer and of industry overall. We need to make sure that we keep access to fuel at a level and a price that ensure that our economy continues to motor ahead.

Rachel Maclean (Redditch) (Con): A decisive majority of my constituents expect us to leave the European Union on 31 October, in accordance with that historic Brexit vote. However, they do expect the Government to take care of supplies of medicines and to ensure that

[Rachel Maclean]

our health services are protected. Can my right hon. Friend give assurances specifically on the supply of hormone replacement therapy medicines, which are so important for women?

Michael Gove: My hon. Friend is absolutely right. The availability of HRT medicine has made a dramatic and beneficial difference to the lives of women in this country. It has been a medical breakthrough over the past few decades, which has to be celebrated. It has been the case, even before we have left the EU, that there have been particular problems with HRT supply in certain areas, and that underlines the fact that, occasionally, there can be interruptions in supply of particular medicines, which are completely unrelated to Brexit or other challenges. We are doing everything that we can to ensure that we have a free flow of medical products through the short straits and also additional capacity to ensure that medical products, including HRT treatments, are available as before after we leave.

Mr Chris Leslie (Nottingham East) (IGC): As the Minister has dodged the specific questions from the right hon. and learned Members for Holborn and St Pancras (Keir Starmer) and for Beaconsfield (Mr Grieve) and my right hon. Friend the Member for Broxtowe (Anna Soubry), he is giving the House the impression that those Yellowhammer document versions were improperly manipulated by the Government from the ones that were leaked to the ones that were eventually published. May I now ask him very specifically for the fourth occasion: when was the title changed from base case to worst case?

Michael Gove: As I have said on more than four occasions, it is the case that the base scenario relates to the unalterable facts; a reasonable worst-case scenario relates to the Yellowhammer assumptions.

Derek Thomas (St Ives) (Con): In his statement, my right hon. Friend referred to the measures that were taken to ensure that fish caught today along the coast of Cornwall would be sold the following day in the EU. This welcome statement will reassure fishermen in Newlyn, but uncertainty, lack of investment, and concerns over ownership of the quota are already causing problems. Will my right hon. Friend say something to reassure fishermen that we can get on with this, so that they can know exactly where their future lies?

Michael Gove: My hon. Friend is a brilliant advocate for the fishing industry. It is the case that, in the event of a no-deal exit, we anticipate that we will be able to negotiate as an independent coastal state at the Fisheries Council in December 2019. It is also the case that, if we do leave without a deal on 31 October, we anticipate that the current level of access to particular stocks should be maintained in a continuity approach.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): In response to written questions, the Government had this to say in the event of a no-deal Brexit:

“A system of hardship payments, benefit advances and budgeting loans will be available for those who need them.”

Operation Yellowhammer warns of food and medicine shortages and soaring prices. That will drive thousands of the most vulnerable people in our society into debt—debt with loans—and despair. How will people qualify for these hardship payments and loans, and when will they be made available to them?

Michael Gove: It is important to make two points. The first is that Operation Yellowhammer, as I have pointed out, deals with a reasonable worst-case scenario for which mitigating steps have been taken since it was first drawn up. On the second point, of course Government and the Department for Work and Pensions always stand ready, in the event of any change in economic circumstances which has an adverse effect on vulnerable people, to step in and to help. None the less, the steps that we are taking in order to mitigate those impacts will, I hope, ensure that we do not need to intervene in that way.

Steve Brine (Winchester) (Ind): What assurances has my right hon. Friend been able to give the port of Portsmouth, which is, as he knows, a roll-on roll-off port? He is aware of my concerns about lorries parked on the M27 and the A31 in my constituency in particular. Hampshire County Council has already invested significant amounts of my constituents' money in preparatory work. Can he reassure me that his Department will see that Hampshire gets its share of this new welcome Government investment to prepare for a no-deal exit if it happens, and, specifically, that the very latest DFT modelling is with the local resilience forum in Hampshire so that it can plan practically and responsibly for whatever scenario comes forth?

Michael Gove: My hon. Friend makes a very important point. Portsmouth is one of our most important ports. It is important for a host of reasons—for the commercial life of this nation, for access to medical supplies and, of course, for access to our Crown dependencies and the Channel Islands. It is the case that we need to work closely with the local resilience forum in Hampshire to ensure that it understands what our modelling assumptions are and take appropriate steps. I know that it is the case that both the Secretary of State for Transport and the Secretary of State at the Ministry of Housing, Communities and Local Government have been in touch with the LRF recently, but obviously more work needs to be done.

Eleanor Smith (Wolverhampton South West) (Lab): The recent Operation Yellowhammer report notes that low-income groups will be disproportionately affected by any price rises in food and fuel. What plans have the Government put in place to offset the effect on low-income families in the event a no-deal Brexit on 31 October?

Michael Gove: I am grateful to the hon. Lady. She is absolutely right that it is the most vulnerable who should be at the forefront of our minds in the event of price rises in any commodity. As I mentioned in response to the hon. Member for West Bromwich West (Mr Bailey), one reason that we have taken the overall approach to tariffs that we have is that we want to ensure that the impact of leaving means that we can keep tariffs as low as possible so that we can keep prices as low as possible. Although it may be the case that one or two specific commodities will see price rises, we also anticipate that prices will drop for some other food commodities.

Gareth Johnson (Dartford) (Con): It is essential that we prepare fully to avoid any congestion around the port of Dover that could be caused by lorry drivers arriving without the necessary customs paperwork. Could the Minister therefore please confirm that HMRC in particular is doing all it can in this regard, and specifically that it is recruiting and training sufficient numbers of staff to cope with the process?

Michael Gove: HMRC is not only recruiting and training staff for itself; money has also been made available by the Chancellor of the Exchequer to ensure that business has the support and staff that it needs to be ready. My hon. Friend is absolutely right. One of the things we need to do is contact those businesses that do the most trade with the EU. There are some 3,000 businesses over a particular size that are responsible for a significant amount of trade with the EU, and HMRC is in touch with them this week to ensure that they fully understand what is required of them by way of customs procedures.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): The Minister has said that in the event of a no-deal Brexit, people will have “the food they need”, raising the terrifying spectacle of him deciding what we in the north-east should be eating. What actually puts food on the tables of many people are our excellent manufacturers with their closely-integrated European supply chains. That is why Make UK has said that we stand to lose the most from a no-deal Brexit. What specific financial support is available for north-eastern manufacturers facing a no-deal Brexit?

Michael Gove: I would never seek to tell anyone in the north-east what they should eat. Having spent five happy months working in the north-east, I know that the range and quality of cuisine offered to the people of Newcastle and the surrounding area is second to none.

On the hon. Lady’s specific point about manufacturing, I had the opportunity earlier this week to meet manufacturers in the west midlands that represent companies with manufacturing interests across the United Kingdom. One of the things that I underlined there is that money is available through business representative organisations and others to help such companies to prepare. If, in the event of no deal, businesses that are fundamentally viable experience any particular economic turbulence that requires us to step in to see them over that turbulence so that they can survive in the future, we stand ready to do so.

Simon Hoare (North Dorset) (Con): My right hon. Friend is a former DEFRA Secretary, so will he confirm once again the pivotal importance of securing a deal for our British farmers and food producers? May I also gently nudge him on the rather lackadaisical approach to the pressing needs of Northern Ireland in the absence of Stormont—just waiting to see what might turn up, when businesses and individuals across Northern Ireland are now starting to panic as 31 October looms large? This rather lackadaisical approach of “Let’s wait and see what happens” is no longer sufficient.

Michael Gove: I absolutely take my hon. Friend’s points. First, I think it has been the case that farmers’ unions across the UK—the Ulster Farmers’ Union,

NFU Scotland, the Farmers’ Union of Wales and the NFU in England—have been clear that they would infinitely prefer a deal, as would I. As I had occasion to state earlier and will happily repeat again, the sector that is most vulnerable in the event of no deal is the agrifood sector, which is why we need to be conscious of its concerns.

With respect to Northern Ireland, I hope that nothing I have said suggests or implies that the Government take a lackadaisical approach. Nothing could be further from the truth. The Northern Ireland Secretary, Home Office Ministers and I have made regular trips to Northern Ireland, and are in contact with the Northern Ireland civil service. We are acutely aware of the difficulties that the Northern Ireland civil service would be in under a no-deal situation if the Assembly were not restored. I would also say that we need—and I hope we can get—greater clarity about what might happen on the other side of the Irish border, but that is a sovereign matter for the EU and the Irish Government. I do not make any criticism of them, but obviously it would be in all our interests if we were able to work to mitigate the impacts in the event of no deal.

Catherine West (Hornsey and Wood Green) (Lab): Eighty per cent. of cheddar cheese is from dairy farms in Northern Ireland. It is manufactured in Ireland and then comes across at Holyhead into other parts of the UK. What assessment has been made of the impact on the dairy industry across Ireland and the UK? Can the Minister rule out food riots as a result of a lack of basics like cheddar?

Michael Gove: That was a very serious point but the final twist, I felt, was wrong. [*Interruption.*] The reason it is a serious point, to be fair to the hon. Lady, is that a significant amount of raw milk from Northern Ireland is processed south of the border. The two most vulnerable agrifood sectors in the UK are sheep meat, across the UK, and the Northern Ireland dairy sector. She is absolutely right to raise that. As for the prospect of food riots, I am afraid that that is precisely the sort of exaggerated language that, as my right hon. Friend the Member for Basingstoke (Mrs Miller) pointed out, does nothing to enable us to focus on the real risks and challenges and the importance of mitigating them.

Luke Graham (Ochil and South Perthshire) (Con): I welcome my right hon. Friend’s comments that our one united civil service is preparing for Brexit. Can he reassure the House that there will be direct due diligence in Scotland to make sure that companies, community groups and Government agencies are getting the support they need to prepare for Brexit? Can he also confirm how much of the £90 million given to the devolved Administration in Scotland has been spent on supporting frontline services there?

Michael Gove: My hon. Friend makes a very important point. We are doing everything possible to make sure that the funding is there. If there are community groups and others in Scotland who are not receiving the funding from the Scottish Government that they should, I hope he will bring that to my attention. I know that Scottish Government Ministers would never want to stand in the way of helping Scottish citizens.

Deidre Brock (Edinburgh North and Leith) (SNP): The Minister's statement suggests that progress has been made since the Operation Yellowhammer document was leaked, but it is a little bit difficult to check against delivery, so when will he publish the most up-to-date version?

Michael Gove: I have just updated the House on the many, many steps that we have taken in order to ensure that we are better prepared.

Antoinette Sandbach (Eddisbury) (Ind): On 19 August, I tabled a question asking the Minister to publish his no-deal planning, so I am very grateful for his invitation to MPs to attend his Department to view that. On 9 September, I received an answer to that question saying that due to Prorogation it was not possible to respond. I have also asked that the up-to-date Yellowhammer document be published and that each version of it be published. The written answer to that question was the same—that due to Prorogation it was not possible to respond. Will he now commit to publishing the various versions of Yellowhammer?

Michael Gove: I am very sorry that the hon. Lady's questions were not answered. We will and we have published extensive information about our preparations for exit, and I would be more than happy to direct her to those. However, I would stress that Yellowhammer—a reasonable worst-case scenario—is just one aspect of the preparations that we have undertaken, and it would be wrong to think that it was the only thing that the Government were concentrating on.

John Woodcock (Barrow and Furness) (Ind): The Minister has repeated his assertion that in the event of a no-deal Brexit some food prices will go up and some will go down, but our constituents deserve a straight answer. Will the cost of the weekly food basket of an average low-income family be higher, lower or the same in the event of a no-deal Brexit?

Michael Gove: That is a very fair point, but it is one of those questions that it is impossible to answer, because none of us can predict the variety of factors, from fluctuations in exchange rates to harvests to world grain prices, that will all affect the price of food. The one thing that I would say is that the Government are doing everything they can, and everything all of us can, in order to ensure, through application of the correct tariffs and through making sure that we have correct flows at the border, that people can continue to have access to not just plentiful but competitively priced and healthy food.

Tim Loughton (East Worthing and Shoreham) (Con): I should probably declare an interest, as the parliamentary RSPB species champion for the yellowhammer. The Minister has sought to give assurances about the transportation of goods and the status of people in particular but has given little detail on services, so can he answer a question from a solicitor constituent of mine who uses European enforcement orders for legal judgments against companies registered in other EU countries? In the event of no deal, will existing EEOs remain enforceable after no deal, and after no deal, how will people be able to enforce judgments against EU-registered entities?

Michael Gove: That is a very good point. I believe it is the case that work is going on with individual EU member states to provide reassurance and guarantees on that, but I will write to the hon. Gentleman about the situation that pertains to the provision of services in each of those member states and the impact it will have on UK businesses and citizens.

Mr Speaker: He was an hon. Friend, and I very much hope he still is.

Michael Gove: He is a very honourable Friend.

Mr Speaker: It is good to hear it. Not merely an hon. Gentleman, but an hon. Friend—I am sure the hon. Member for East Worthing and Shoreham (Tim Loughton) will rejoice in the fact of that approbation.

Richard Burden (Birmingham, Northfield) (Lab): The Chancellor of the Duchy of Lancaster may recall that the Society of Motor Manufacturers and Traders, representing the UK auto industry, described the prospect of a no-deal Brexit as an “existential threat” to their sector. Nobody could complain that they have not made preparations for a no-deal Brexit—they have spent millions of pounds in so doing—but I have not heard them say anything that indicates that they have changed their mind about the severity of the threat they face in the event of a no-deal Brexit. Has he?

Michael Gove: I had the opportunity to meet representatives of the Society of Motor Manufacturers and Traders and of others in the automotive sector earlier this week, and it is fair to say that the hon. Gentleman makes a very good point in saying that those businesses have undertaken extensive preparations. We heard earlier some doubt from the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) about the extent to which business is prepared. Extensive preparations have been undertaken, but it is the case that in the event of no deal, there will be particular challenges in making sure that we have the effective flow of products to the just-in-time supply chains of these companies. That is why we are taking the steps we are, to ensure that we have effective border flow. The steps that I have outlined and other steps that Government are taking are designed explicitly to ensure that the highly skilled, highly talented and hugely valuable workforces in all those companies can continue to produce the automobiles that are the envy of the world.

Dr Julian Lewis (New Forest East) (Con): Was there a plan equivalent to Operation Yellowhammer back in 2016 to deal with the widely predicted run on the pound and financial catastrophe if the country dared to vote for Brexit, and is there any reason to believe that our current worst-case scenario is any more likely to materialise than that which applied three years ago?

Michael Gove: My right hon. Friend makes a characteristically elegant point, and it goes to the heart of this. None of us can predict with absolute accuracy what will happen in the future. During the run-up to the 2016 vote, a number of people made lurid predictions about what a vote to leave might lead to, and those lurid predictions were not found to be true. Government can take and have taken steps to mitigate the impacts of a reasonable worst-case scenario.

Janet Daby (Lewisham East) (Lab): Like the right hon. Member for Basingstoke (Mrs Miller) and my hon. Friend the Member for Washington and Sunderland West (Mrs Hodgson), I am concerned about the supply of medicines in the event of a no-deal Brexit, especially when a constituent of mine, Des, tells me that his local pharmacy is not receiving certain prescriptions because the suppliers say they are not sure what will happen after 31 October. What would the right hon. Gentleman say to my constituent, and what steps is he taking to ensure the supply of medicines for hospitals and independent pharmacies in the event of a no-deal Brexit?

Michael Gove: I am disappointed to hear that Brexit is being cited in these circumstances, because obviously it has not yet happened, and we enjoy the free flow of goods through the short straits and elsewhere. I would be interested to know further details, and I hope that I can put the hon. Lady's constituent's mind at rest; it is important that people have peace of mind when we are talking about these important issues. It is the case that appropriate steps have been taken to ensure that we have the maximum level of flow at the short straits. That is why I stressed earlier that business readiness is so important. If all businesses are ready, it means that flow for everyone is easier. It is also the case that the Department for Transport and the Department of Health and Social Care have put in place provision to ensure that there is additional freight capacity specifically for what are called category 1 goods, and those include the medicines that her constituents rely on.

Mike Wood (Dudley South) (Con): What assessment has my right hon. Friend made of ferry and port capacity in the UK, and in EU ports, for transporting goods to and from the UK after we leave the European Union?

Michael Gove: My hon. Friend makes a very good point. There are a number of ports through which companies in the UK and the EU can find alternative routes to the short straits to ensure their goods can find a way to market. The British Ports Association and others emphasise that there is significant additional capacity that can be utilised. It is the ingenuity of the private sector that will help us in government to ensure that trade and commerce succeed in the future.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The Chancellor of the Duchy of Lancaster has clearly not complied with the terms of the resolution of 9 September, because he has not provided all the documents. My constituents listening to this statement will feel that the Government are not being clear with them about the impact on food, medicines and security. Is it true that, within the Yellowhammer documents, there are extensive plans to redeploy police from their home constabularies to London, the borders and Northern Ireland?

Michael Gove: The hon. Gentleman can reassure his constituents, as I know would always be his first intention, by drawing their attention to gov.uk/brexit on which there is a wealth of information that will provide them with the means to ensure that the businesses for which they work, or that they own, can be ready. Operational decisions about police resources are of course a matter for chief constables.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): Given my right hon. Friend's apparent close and positive relationship with the Scottish Government, will he ask on our behalf how much of the £92 million that has been sent up to the Scottish Government is being given to local authorities, specifically Aberdeenshire? When we ask the question, the answer is not forthcoming.

Michael Gove: I am disappointed to hear that. I will use the good offices I have with Scottish Government Ministers to make sure that the money is spent. It is absolutely vital that the money raised by the Exchequer and shared with the Scottish Government is spent for Scottish citizens, especially to ensure that local authorities have everything they need to do their valuable work. In particular, I commend Aberdeenshire Council, which has an inspirational leader and a fantastic team of Conservatives who are responsible for delivering services.

Tracy Brabin (Batley and Spen) (Lab/Co-op): Picking up on the questions from my hon. Friend the Member for Lewisham East (Janet Daby) and the right hon. Member for Basingstoke (Mrs Miller), Primary Care Network Leeds has told me that shortages are already being caused by the stockpiling of HRT and Naproxen, a painkiller, and the health unions say that no deal could devastate the NHS and cause fatal shortages of medicines. Can the Minister tell us now that the health of no one in this country will suffer because of a no-deal Brexit?

Michael Gove: Yes.

Paul Masterton (East Renfrewshire) (Con): Although Opposition Members have rightly raised serious concerns about the possible impact of no deal, it is a shame those concerns have not been accompanied by an awareness of their own role in rejecting a perfectly good deal three times and leading us to this point. If we achieve a deal with the EU, Yellowhammer will not be necessary, so does my right hon. Friend envisage that, between now and 31 October, MPs will get a chance to vote on a withdrawal agreement package?

Michael Gove: I sincerely hope so. My hon. Friend makes a very acute point, which cannot be made often enough. If people want to avoid a no-deal exit, there is an easy way of doing so, and that is to vote for a deal. He did so, as I did, on three occasions. Some Opposition Members also voted for a deal. I would encourage them all to vote for a deal in order to ensure that we can leave with one.

Sir Edward Davey (Kingston and Surbiton) (LD): Let me be generous to the Chancellor of the Duchy of Lancaster: let us imagine that his no-deal preparations are successful and that if we were to leave, we would do so in a benign way. Is he aware that in its "Fiscal risks report", published in July, the independent watchdog, the Office for Budget Responsibility, said that a benign no deal would cost the public purse £30 billion a year for the next four years? What preparations have the Government made to plug that £120 billion gap of a benign no-deal Brexit?

Michael Gove: The right hon. Gentleman makes a fair point. One of the things that I think any forecaster would say is that when someone makes forecasts, of course they look at a variety of different factors, but

[*Michael Gove*]

facts and forecasts can change. The Office for Budget Responsibility has in the past made forecasts, with the best will in the world and the best minds available, and the outcome has not necessarily always been exactly as predicted. Of course, economic forecasts are helpful, but it is always appropriate to balance them by recognising the many other variables in our economy.

Jeremy Lefroy (Stafford) (Con): We have, understandably, concentrated on the movement and supply of goods in the case, which I hope never happens, of no deal. However, data flow is the lifeblood of businesses and, indeed, public services, and we have heard very little about that. What assessment does my right hon. Friend have of data flows immediately after 31 October in the case of no deal, and what is the state of data adequacy preparations? How long will it take to get there?

Michael Gove: My hon. Friend makes a very good point. If we leave without a deal, it will be the case that we will have to wait some time before data adequacy is granted. It should be granted, because it is the case that similar jurisdictions outside the EU, like the Crown dependencies—the Channel Islands and so on—have data adequacy ratings. It is also the case, however, that companies can take steps by having standard contractual clauses with their counterparties in the EU in order to ensure the uninterrupted flow of personal data. I encourage companies in that position to look at the information on the Information Commissioner’s website, which can help them.

Cat Smith (Lancaster and Fleetwood) (Lab): My constituent Jenny is currently undergoing treatment for cancer and has been seeking reassurances from local health trusts about the continuation of cancer treatment in the event of a no-deal exit from the European Union. As her constituency MP, I have also submitted freedom of information requests, including to Blackpool Teaching Hospitals NHS Foundation Trust, seeking the risk assessments in the event of a no-deal exit, but it has not shared that information with me. My constituent Jenny is also concerned about the capacity of UK ports to bring in nuclear medicines in the event of a no-deal exit. What assessment has the Minister made of the capacity of UK ports to bring in important medicines, including for cancer treatment, insulin for diabetics and formula milk for formula-fed babies?

Michael Gove: The hon. Lady is absolutely right: we need to make sure that not just individual medicines but medical products, including radioisotopes, are available for the NHS to use. Extensive steps have been taken, not just, as I mentioned earlier, to ensure the smooth flow of goods through the short straits, but to ensure that there is additional capacity at other ports and that that capacity can be provided by a variety of different modes of transport.

Heidi Allen (South Cambridgeshire) (Ind): The Chancellor of the Duchy of Lancaster is deliberately dodging questions this afternoon, which suggests that he still has not got his head around the House’s scrutineering role over the Government. Perhaps he should refer again to yesterday’s Supreme Court ruling. I would have liked to have asked him a couple of difficult

questions about statutory safeguards for EU citizens in the UK in the event of no deal, and about the fact that being determined not to have a hard border in Ireland is no solution at all and that the Government have still not made any practical proposals. Instead, I will ask him a really simple question: for the fifth or sixth time of asking, what was the date on which the Government changed the title of the Yellowhammer document?

Michael Gove: I am very grateful to the hon. Lady for reminding me of the vital role that this House plays in scrutiny, which I take exceptionally seriously. It is and always has been the case that we have a base scenario based on unarguable facts and a reasonable worst-case scenario. That has always been the case.

Alex Cunningham (Stockton North) (Lab): I recently visited farmers in my constituency, including Jim Cowan, to discuss the impact of Brexit on their already fragile business. They and the National Farmers Union are worried sick that farms will close down and are not convinced by the Government’s rhetoric. The Minister has said that they are mitigating the effects on farmers, but how?

Michael Gove: There are several steps that we can take. The first and most important is ensuring that we have an appropriate tariff regime, which makes sure that we safeguard the sector. There is a variety of ways in which DEFRA can intervene to help any hard-hit sector. We can also ensure, as the Department for International Trade has been doing, that there are new markets for our farmers’ excellent produce.

Lady Hermon (North Down) (Ind): I hold the Minister in the highest regard, but I was disappointed that so little about Northern Ireland was reflected in his statement. I pay tribute to him for putting on the record yet again his commitment—indeed, his words were “absolutely committed”—to the Good Friday agreement, but does he agree that actions speak louder than words? The Yellowhammer document dated 2 August 2019 explained and warned about the real risks of the disruption of a no-deal Brexit in Northern Ireland. I will quote a particular sentence that I want the Minister to address. It states that the disruption

“will be particularly severe in border communities where both criminal and dissident groups already operate with greater threat and impunity.”

How is the Minister mitigating that threat? He boasted about conducting roadshows and visiting businesses. If he tells me that he is sending roadshows to Crossmaglen and South Armagh, I will be amazed, but I will welcome them.

Michael Gove: I have several things to say to the hon. Lady, for whom I have enormous respect and whose commitment to the Belfast/Good Friday agreement and to peace and progress in Northern Ireland is second to none in this House. She is absolutely right. Roadshows and other activities were to ensure that businesses throughout the UK were prepared for exporting. Critically, I had the opportunity to visit border communities with the Police Service of Northern Ireland and others. She is right that one of the big risks of leaving without a deal is the progress that has been made in those communities on either side of the border. That is why it is critical that

we all do everything we can to support a deal. In particular, we need to recognise in the language we use as Ministers and in our co-operation with partners in the Irish Government the importance of operating in a way that promotes and underpins peace.

Albert Owen (Ynys Môn) (Lab): I know that the Chancellor of the Duchy of Lancaster understands the importance of my constituency and the port of Holyhead to trade to and from the Republic of Ireland. I was disappointed that, when he visited, he did not arrange to meet me. I could have given him the benefit of my experience of not just serving in this House but working in the port of Holyhead for more than a decade before coming to this place. He did not explain in a previous answer why the port of Holyhead was omitted from the Yellowhammer document. Will he please tell the House why that was the case?

Michael Gove: It was a pleasure to visit Holyhead and I appreciate the hon. Gentleman's hard work not just on behalf of his constituents but in that port. I pay tribute to those who work there. Again, I stress that Yellowhammer is a reasonable worst-case scenario, which looks at a particular set of challenges. The Government have taken many other steps, including communication with the Welsh Assembly Government and their Labour Ministers, to ensure that we can support the port of Holyhead in its vital work.

Alison McGovern (Wirral South) (Lab): The Minister told us that HMRC has allocated EORI numbers to 88,000 VAT-registered businesses that currently trade with the EU. However, two years ago, HMRC told the Treasury Committee that 130,000 such businesses need them. What has happened to the other 42,000?

Michael Gove: Many of them had applied beforehand for EORI numbers.

Jane Dodds (Brecon and Radnorshire) (LD): Operation Yellowhammer states that delays to animal medicines could

“reduce our ability to prevent and control”

animal

“disease outbreaks”.

What reassurances would the Minister give to livestock farmers such as those in my constituency of Brecon and Radnorshire that Brexit will not have an impact on access to those medicines?

Michael Gove: I welcome the hon. Lady to the House and congratulate her on her victory. In the run up to that victory, I had the opportunity to visit her beautiful constituency and talk to farmers, and one of the things that I was able to reassure them of was that vet medicines are part of the category 1 set of goods that are absolutely prioritised for entry into this country because, of course, we want to make sure that we can deal effectively with any threats to animal health.

Mr Clive Betts (Sheffield South East) (Lab): A few weeks ago, I went with a parliamentary delegation to visit the port of Rotterdam. That port is trying to recruit more than 100 vets to do checks on animals, food and other related products. We were also shown where they are going to build major lorry parks to deal

with the knock-on effects of those checks, and they confirmed that that will result in delays in fresh products getting across to the United Kingdom. If there will be delays in fresh products leaving the port of Rotterdam, how can the Minister say that that will not result in a shortage of those fresh products in UK shops?

Michael Gove: It is important to state that it would actually be sanitary and phytosanitary checks undertaken in the UK that would delay those products, and we are not undertaking SPS checks in the UK because of our continuity approach.

Karin Smyth (Bristol South) (Lab): Picking up on the points well made by the hon. Member for North Down (Lady Hermon) and the Minister's response to the hon. Member for Glenrothes (Peter Grant), I, too, appreciate that the right hon. Gentleman's comments have been much more thoughtful than many made about Ireland from others on his Front Bench and in the rest of his party. However, his statement today was very banal. Can he specifically tell us what the Government are now doing to enhance those provisions in the Belfast/Good Friday agreement that develop a relationship based on mutual respect, recognising our mutual interest in the people of Northern Ireland? What, specifically, are the Government now doing with the Irish Government?

Michael Gove: Talks are taking place at a number of levels. I had the opportunity to meet the Tánaiste and other TDs recently, and the Brexit Secretary, the Foreign Secretary and the Prime Minister have all met representatives of the Irish Government and the Dáil over recent weeks.

One thing I want to emphasise is that, of course, negotiations over our future withdrawal agreement are taking place through the European Commission. The Republic of Ireland, as an EU member state, recognises that, but the strong bilateral links we have are critical. One thing we want to ensure is that not just through the formal relationship we have as a result of a new deal with the EU, but through a plethora of relationships, bilateral and multilateral, we do everything we can to recognise how close a relationship there is between Ireland and this country.

Dr David Drew (Stroud) (Lab/Co-op): With regard to the earlier exchange about veterinary medicines, which the Chancellor of the Duchy of Lancaster knows a good deal about, it is all well and good saying he would give a guarantee if there was an emergency, but I am led to believe that two operators have already relocated to the EU. What priority will British farmers get not just in the event of an emergency but regarding the normal supply of veterinary medicines? Can he give some guarantees on that?

Michael Gove: I am grateful to the hon. Gentleman for raising that. If we maintain effective flow at the border, there should not be any interruption. I would be interested to know from him—I would be grateful if he wrote to me—about the two companies he mentions, as I would want more closely to investigate the situation in which they find themselves.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): How many fish lorries—fresh, frozen and vivier—are crossing the channel at the moment? If a no-deal Brexit

[Angus Brendan MacNeil]

comes along, how many fish lorries—fresh, frozen and vivier—can be processed by French border teams and at which ports?

Michael Gove: It is my understanding that if we have both fresh fish and fresh shellfish, and also, as it happens—I shall explain the circumstances—day-old chicks crossing the border, there are about 70 lorries daily. Those lorries will be prioritised when they arrive at Calais on a specific route to take them to Boulogne-sur-Mer, where a border inspection post will be in place, and if they have the appropriate documentation, the products can be sold so that French consumers can continue to enjoy them.

Lisa Nandy (Wigan) (Lab): The Minister said that there would be specific measures put in place at many of the ports. The Yellowhammer report said that there would be limited disruption at ports outside Dover and Calais. In today's *Financial Times* a report from the Department for Transport reveals why: the Government believe that two thirds of vehicles will not be compliant with the new checks. The right hon. Gentleman has already acknowledged that Portsmouth, in particular, is critical to the import of medicines from across the EU. Can he tell us why he believes that medical supplies and medicines will not be disrupted in the event of a no-deal Brexit? Will he publish those assumptions in full so that I can look my constituents in the eye and tell them that in just a few weeks' time they will still have access to life-saving medicines?

Michael Gove: The hon. Lady makes a very important point. I would want to stress two things. First, we are currently stress-testing the figure for the degree of readiness. It relies on several calculations. In the past, those figures have been signed off by the Office for National Statistics, but we are testing some of the propositions.

Lisa Nandy: Will you publish the assumptions?

Michael Gove: When we are confident that those figures are accurate, of course we will publish and share them. More broadly, I want to emphasise to the hon. Lady that it is not just through the short straits, but through other ports, including Portsmouth, that we will be bringing in the medicines and other commodities we require.

Martyn Day (Linlithgow and East Falkirk) (SNP): The Secretary of State will be aware of the strategic importance of the Petroineos refinery at Grangemouth in my constituency. What comfort can he give my local community, who know that the redacted paragraph 15 in the Yellowhammer report warns of a potential 2,000 job losses and two refinery closures?

Michael Gove: Grangemouth is a vital part not just of Scotland's but of the UK's infrastructure, and it is important that we do everything we can to support the workers in that refinery, as we do those in the five other major refineries in the UK.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): The Chancellor of the Duchy of Lancaster has obliquely conceded that fresh perishable food supplies will be

adversely affected by a no-deal Brexit, but he seems to be dismissive of the idea that this could cause civil disruption. It does cause civil disruption; it has been widely observed in the UK that unexpected disruption to food supplies causes civil unrest. In my experience—and his probably—of working in a supermarket, that can happen. Carrot shortages caused by flooding resulted in the police having to split up fights over carrot supplies in supermarkets. He has to address this seriously. Will he do that? Will he also look at using the fall-back in state aid rules to ensure that businesses are properly compensated for those shortages of vital food supplies?

Michael Gove: When I was a food hall porter at British Home Stores in Aberdeen, I never saw any violence when the last lettuce was taken off the shelves, but maybe people are politer in Aberdeen than elsewhere.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): On 10 September, the Treasury's official account tweeted that beer, wine, spirits and cigarettes would all be duty-free for people travelling to the EU if we left without a deal. Does the Secretary of State seriously think that promoting cheap booze and fags is a good use of public money, or does he believe that the hundreds of thousands of people whose jobs could be affected by our exiting the EU without a deal should drown their sorrows to recover from the blow?

Michael Gove: The hon. Lady makes a fair point, but we have a responsibility to explain what the duty-free regime will be in the event of a no-deal exit. As I pointed out earlier, a no-deal exit without mitigations would have an adverse economic impact, but we are taking steps to mitigate those and to exploit the opportunities of exit in order to be in the strongest possible position to safeguard jobs in her constituency and to provide new opportunities for the next generation.

Dr Philippa Whitford (Central Ayrshire) (SNP): We are well aware of the impact of high tariffs on agrifoods, but organic farmers and food producers will not be able to export at all until UK certifiers are approved and registered. That will affect food producers in my constituency and across the UK, particularly those who export across the Irish border. Will that be sorted by the end of next month, or will they just have to accept the impact on their businesses?

Michael Gove: The hon. Lady makes a very good point. Food producers will be able to export, but the organic certification under which they secure a particular benefit at the moment will not automatically be granted on 1 November. Some agri-food sectors—not just organics, but seed potatoes, for example—will experience a particularly adverse effect. We are seeking to ensure that the EU recognises that and moves rapidly to mitigate it, but I am grateful to her for having given me an opportunity to put it on the record that yes, the organics sector will be among those that face the strongest headwinds if we leave without a deal.

John Mc Nally (Falkirk) (SNP): I read the document on Operation Yellowhammer. Part of it reminded me of a hooded crow masquerading as a swan—otherwise known as a special adviser—but may I draw the right hon. Gentleman's attention to the part that states that

the French authorities have taken steps to ensure the smooth flow of critical produce? He has told us that he has visited ports. Can he also tell us whether any extra reefers have been put in place to ensure that the critical flow of produce continues from those ports to Boulogne-sur-Mer?

Michael Gove: We are doing everything we can to ensure that, through the provision of information and additional personnel and resources, we can have that smooth flow.

David Hanson (Delyn) (Lab): Paragraph 10 of the document shows that law enforcement agencies and information exchange will be disrupted. Given that that covers child protection issues, drug trafficking, terrorism and international crime, what level of risk increase has the right hon. Gentleman assessed, and is that disruption worth it?

Michael Gove: The right hon. Gentleman was a very distinguished Minister, with great experience of criminal justice. He is right—those law enforcement and national security tools are definitely assets—but, having talked to national security and law enforcement professionals, I know that there are steps that we can take, and have taken, to safeguard UK citizens.

Alan Brown (Kilmarnock and Loudoun) (SNP): The Yellowhammer document states that, in the event of a no-deal crash-out, a hard border between Ireland and Northern Ireland would be inevitable, but the right hon. Gentleman has dismissed that out of hand. The Government have also pledged to end freedom of movement. We have heard about this mythical technology; can the right hon. Gentleman explain what technology will end freedom of movement by checking people's passports and visas, and will also check customs arrangements and tariffs on goods moving backwards and forwards between the different markets, without as much as a camera at the border in question?

Michael Gove: I think it is the case that we are absolutely committed to there being no hard border. One of the reasons is that—certainly governing the United Kingdom and Ireland, Great Britain and the island of Ireland—we have had a common travel area since 1922, and we are pleased to be able to maintain that. It is not the case that people will require any checks to travel between these two islands.

Chris Bryant (Rhondda) (Lab): I wish that the Chancellor of the Duchy of Lancaster had been able to join me over a Welsh cake last week in the kitchen at Llwyncelyn Farm, where I met farmers from the Rhondda and nearby. They do not have biblical concerns—they are not worried about plagues of locusts, or anything of that kind—but they have genuine concerns about what will happen to Welsh lamb, because 35% of it is sold in the European Union at the moment, and they fear that if there is a 48% tariff on it, they will end up having to burn carcasses. They are also worried that there are not enough UK and national vets in the abattoirs and elsewhere to ensure that they can continue their business into the future. We are relying on migrants from elsewhere in the EU. Will the right hon. Gentleman come to the Rhondda to meet those farmers again, just to make sure that he really has everything in place to protect them if there is a no-deal Brexit?

Michael Gove: The hon. Gentleman has made a series of very good and absolutely critical points. One of the sectors that would be most adversely affected by no deal is the sheepmeat sector, and the points that his farmers made to him and he has made here are entirely right. The common external tariff, and the amount of sheepmeat that we export to the EU, will create potential economic disruption. That is why the Department for Environment, Food and Rural Affairs has plans to intervene to support farmers in the way to which I alluded earlier.

I believe that we have a significant number of additional vets with the capacity to export health certificates. The hon. Gentleman is also absolutely right about abattoirs. A significant number of those who work in our abattoirs are EU nationals; we value them, which is why I am so pleased that, so far, so many people have been granted status through the EU settlement scheme.

Carol Monaghan (Glasgow North West) (SNP): The right hon. Gentleman said in his statement that compliant consignments should experience no delay. However, non-compliant consignments have the potential to cause serious traffic jams and delays.

An issue about which I have been asking for a number of years is the transport of radioactive isotopes, which come through Calais. If they are caught up in delays at Calais owing to non-compliant consignments, they will lose all their useful life. What steps has the right hon. Gentleman taken to ensure that that does not happen? We were previously told that the isotopes would come in through Coventry airport, but we have now been told that that will not happen. What will happen about those radioactive isotopes, which are so important to cancer treatment?

Michael Gove: The hon. Lady raises an important point. I would say two things. First, we want to minimise the number of non-compliant consignments of all kinds, which is why we are spending so much on readiness, and why businesses have responded so well. However, radioisotopes and other vital medical supplies are category 1 goods, and as well as ensuring that we have the maximum possible flow over the border, through the short straits, we are providing additional freight capacity. The Department for Transport will update the House on that shortly.

Chris Ruane (Vale of Clwyd) (Lab): The Yellowhammer report warns of shortages of key drugs and medicines. Can the Minister supply the House with a list of those medicines that are likely to be in short supply? If there is scarcity, what measures are in place to ensure fair and equitable distribution of those scarce medicines across the nations and regions of the United Kingdom?

Michael Gove: The first thing to stress yet again is that it is a reasonable worst-case scenario and we have taken steps to mitigate it. In terms of the fair and equitable distribution of medicines across the UK, the system we have, and one I am proud to uphold, is the NHS.

Martin Whitfield (East Lothian) (Lab): I rise again to mention heat-treated pallets. Twenty-two days ago I asked a question on those, and the right hon. Gentleman confirmed that

“we have been working with the industry in order to ensure that we can mitigate the consequences of that.”—[*Official Report*, 3 September 2019; Vol. 664, c. 61.]

[*Martin Whitfield*]

Since nothing can be exported from the United Kingdom into the EU if it is not on a heat-treated pallet, can he give me one example of the mitigation he has discussed in the last 22 days?

Michael Gove: Yes: more pallets.

Rachael Maskell (York Central) (Lab/Co-op): Operation Yellowhammer highlights that HGVs could be delayed by two and a half days at the border, and although we have heard about medicines and foods and disruption to business, we have not heard about the impact that that will have on lorry drivers. Clearly, there is such inadequate planning that it will be very disruptive to recruitment into the sector, and to the lives of people who work in that industry. What additional steps have the Government taken to support the staff working in the sector?

Michael Gove: Again, I stress that we have taken steps to contact hauliers, not just in the UK but in the EU, in order to ensure that they and traders are ready to export; that should significantly reduce the risk of any delays. There are facilities in Kent to ensure that, should there be queuing of any kind, those who are caught in those queues who are hauliers can get the services they need.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): The Prime Minister, the Home Secretary and indeed the Chancellor of the Duchy of Lancaster all pledged during the referendum campaign that the rights of EU citizens would be protected automatically after Brexit—in other words, without the need for any application at all. Will he now fulfil that pledge, as recommended by the Home Affairs Committee and the 3million, or is he prepared to see tens, if not hundreds, of thousands of EU nationals miss the Government's deadline and be left without any status in this country at all?

Michael Gove: As I mentioned earlier, more than a million people have been granted status. Tens of thousands of people are applying every day, and the process, as far as I know, is working well. The process will continue right up until the end of next year, and we are providing people in this country who are EU nationals with a guarantee of their rights that no other EU nation is matching for UK nationals. It is the most generous offer, and I am delighted that the Home Secretary is presiding over a system that works in the interests of our friends and neighbours.

Anneliese Dodds (Oxford East) (Lab/Co-op): Because BMW Cowley's shutdown was brought forward, many workers in my constituency had to choose between missing a rent or mortgage payment and missing a family holiday. So please, can the Minister be specific? Will Operation Kingfisher cover the costs of an additional shutdown if that is necessary because of no-deal chaos? Please tell us: will it be covered or not?

Michael Gove: I had the opportunity to talk to executives from BMW, and they explained to me, among other things, the particular challenges that they face. Of course the Treasury will review any requests for support. However,

the hon. Lady can obviate the need for that if she, like me, supports and backs the deal that the Prime Minister brings back.

Clive Efford (Eltham) (Lab): Mark Sedwill, the National Security Adviser and Cabinet Secretary, said in a letter in April regarding no deal:

“Our national security would be disrupted. The UK would forfeit access to criminal justice levers. None of our mitigation measures would give the UK the same security capabilities as our current ones.”

Can the Minister say what mitigation measures are now in place, or he is aware of, that did not exist when Mark Sedwill wrote that letter? Would Mark Sedwill write this letter again today?

Michael Gove: The Cabinet Secretary and National Security Adviser does wonderful work, but I shall not speak for him; he will speak for himself. We have had a significant number of meetings, not just with those in the national security community but with those in policing and other areas, in order to ensure that steps are taken to keep people safe.

Ian C. Lucas (Wrexham) (Lab): Will the Secretary of State please confirm that, as stated on the Cabinet Office website, he has oversight of all Cabinet Office policies, including data protection, elections and the Government Digital Service?

Michael Gove: That is the work of the Minister for the Cabinet Office and Paymaster General, my right hon. Friend the Member for Hertsmere (Oliver Dowden).

Melanie Onn (Great Grimsby) (Lab): The Government's plans for 0% import tariffs on petrochemicals will see a flood of cheap products coming from Russia and the middle east and make UK producers such as the Lindsey oil refinery uncompetitive. Are the Government planning to cut excise duty in a domestic sector-specific arrangement, and will that result in a loss to the Treasury? If so, how much? Is there a risk to fuel security if we become dependent on volatile regions for supply?

Michael Gove: The hon. Lady raises an important point, but I stressed earlier that some prices will rise and others will fall, not just in the event of a no-deal Brexit but in the event of global economic circumstances. If prices fall for consumers, that is good for them and good for business.

Justin Madders (Ellesmere Port and Neston) (Lab): Does the Secretary of State envisage using powers available to him under the Civil Contingencies Act 2004, and if so, what might he use them for? In those circumstances, can he guarantee that Parliament will remain open to ensure that there is scrutiny of those powers?

Michael Gove: I am tempted to say don't tempt me, but actually I have no plans to use those powers.

Ronnie Cowan (Inverclyde) (SNP): Operation Yellowhammer highlights a range of issues. Can the right hon. Gentleman remind me: at what point during the referendum campaign were the public told that there was a possibility of delays at borders, shortages of

medical supplies, fuel shortages, food shortages, food price increases, clean water shortages, civil disruption, losing access to the single market for all goods and services or, indeed, reigniting unrest in Northern Ireland? For the life of me, I cannot remember any one of those outcomes being painted on the side of a bus.

Michael Gove: I certainly recall many of them featuring in the speeches of those who were campaigning for remain.

Mr Speaker: I am grateful to the Minister, to the Front-Bench spokespersons including the shadow Secretary of State, and to the 87 Back Benchers who posed questions.

Ian C. Lucas: On a point of order, Mr Speaker.

Mr Speaker: Points of order come after statements—*[Interruption.]* The hon. Gentleman says that it appertains directly to this statement, and he has an honest face. Of course I take him at his word. Let us hear the fella.

Ian C. Lucas: Thank you, Mr Speaker. This relates directly to the question that I specifically put to the Minister when I asked him whether he had overall responsibility for the work of the Cabinet Office. He did not answer that question in the affirmative. He has answered a number of questions today relating to, for example, the Government Digital Service and data protection, but I am unclear, given that he is the Minister for the Cabinet Office, why he is so determined to avoid responsibility in his Department for data protection and for elections. I wonder whether you could assist me in establishing how I can get a straight answer on this question.

Mr Speaker: The hon. Gentleman can table questions, if he wishes. I heard the Minister for the Cabinet Office, who I think advised the House that the Minister with responsibility for the particular matters to which he referred was the Minister for the Cabinet Office and Paymaster General, the right hon. Member for Hertsmere (Oliver Dowden). It has always been my understanding that the right hon. Member for Hertsmere was one of the Minister for the Cabinet Office's junior Ministers and that, therefore, overall the right hon. Member for Surrey Heath (Michael Gove) has top-level responsibility, but if I am wrong I am sure that we will all be disabused of our error.

Michael Gove: Thank you very much, Mr Speaker, for giving me the opportunity once again to underline the division of responsibilities in the Cabinet Office. It is my responsibility to prepare the Government for Brexit, both deal and no deal, but the Minister for the Cabinet Office, my right hon. Friend the Member for Hertsmere, sits around the Cabinet table and has direct responsibility for the issues to which the hon. Member for Wrexham (Ian C. Lucas) referred.

Mr Speaker: I think the position is pretty clear, to be honest. Overall responsibility lies with the most senior Minister. I do not think that the Minister for the Cabinet Office would disavow that proposition for a moment. The Chancellor of the Duchy of Lancaster was offering greater specificity, but the overall position is, I think, blindingly obvious.

Martin Whitfield: On a point of order, Mr Speaker. My point also relates to the specific answer to the question I raised. I asked for an example of the mitigation and received the answer, "Yes I can." Are we going to end up in the duplicitous situation where we phrase questions to have closed answers from Ministers, or is this supposed to be the opportunity for the Government to explain their position?

Mr Speaker: I do not think I can arbitrate between the hon. Gentleman in his question and the Minister in his reply. The hon. Gentleman has put his concern on the record. He is a most perspicacious fellow and I feel sure that he will have recourse to the Table Office if he wishes to table further questions. Knowing the appetite of the right hon. Member for Surrey Heath (Michael Gove) for responding to inquiries, I am sure he will be getting up even earlier in the morning and going to bed even later at night specifically to attend to the inquiries of the hon. Member for East Lothian (Martin Whitfield). The nodding of the head of the Minister on the Treasury Bench is testament to his acceptance of the point I have just made.

Ian Murray (Edinburgh South) (Lab): On a point of order, Mr Speaker. During the earlier exchanges, the Chancellor of the Duchy of Lancaster said on a number of occasions that the retail sector was "ready for Brexit"—I think those were the three words he used. The British Retail Consortium has subsequently said that that is not the case and is incorrect. How can we get the record corrected?

Mr Speaker: The hon. Gentleman has found his own salvation, and he knows that. I say that as much for those attending to our proceedings as for Members. The hon. Gentleman has found his own salvation, and he has done so through the entirely bogus use of a point of order to get his concern across. He is not the first person to do that and he will not be the last. Whether he is satisfied or not, I do not know, but he will have to make the best of what he has done, given the prodigious character of his efforts today.

People are quite understandably in an inquisitive mood. That is entirely to be expected, particularly when we have not been sitting for some time, but we must now move to the next statement by the Secretary of State for Foreign and Commonwealth Affairs.

Iran

5.32 pm

The Secretary of State for Foreign and Commonwealth Affairs and First Secretary of State (Dominic Raab): With permission, Mr Speaker, I would like to make a statement on Iran.

The United Kingdom has always been clear-sighted about our engagement with Iran. We want to see Iran come in from the cold, but that can happen only if Iran shows the respect required for the basic principles of the rules-based international system.

Iran's violations are not mere technical breaches of international rules; they are serious and systemic destabilising actions that undermine the international rule of law. Those actions must have consequences. Take first the recent attacks on the Aramco facilities in Saudi Arabia. On 14 September, 18 drones and seven cruise missiles hit an oil field and a processing facility.

As the UK Government, we took our time to assess the facts carefully and independently. We are now confident that Iran was responsible. The evidence is clear and there is no plausible alternative explanation. This conduct amounts to an armed attack on Saudi Arabia, a violation of one of the basic principles of international law under the United Nations charter.

The attacks caused serious damage in Saudi Arabia and affected 5% of the world's oil supply. In those circumstances, the UK has sought, and will continue to seek, to de-escalate tensions. However, our response is also an acid test of our resolve. We have condemned the attacks in co-ordination not just with Saudi Arabia and the United States, but with our European partners. I draw the attention of the House to the E3 statement released yesterday after meetings in New York. We will now continue to work with the widest international support to determine the most effective response.

At the same time, Iran's attacks on the Aramco facilities are a reminder of the importance of ensuring that Iran never gains access to nuclear weapons. That is why the UK remains committed to the 2015 joint comprehensive plan of action, notwithstanding US withdrawal. Equally, we have always recognised that it is not a perfect deal. The JCPOA has its strengths, including its provisions granting the International Atomic Energy Agency unfettered access to Iran's nuclear facilities, but it also has its limitations. Its provisions are time limited, with some expiring next year, and it was never designed to address our long-standing concern about Iran's wider destabilising behaviour in the region.

Since May, Iran has gradually reduced its compliance with key aspects of the JCPOA, putting the deal at risk. Before any wider progress is possible, Iran must reverse those steps and must come back into full compliance. At the same time, as both President Trump and President Macron have said, we can improve upon the JCPOA. Ultimately, we need a longer-term framework that provides greater certainty over Iran's nuclear programme and, as the attacks on Aramco demonstrate, we must also bring Iran's wider destabilising activities into scope. That includes putting an end to Iran's violations of the freedom of navigation, which are disrupting shipping in the strait of Hormuz and undermining the international law of the sea.

Alongside our partners—the US, Australia, Saudi Arabia and Bahrain—we remain committed to the International Maritime Security Construct to ensure freedom of navigation in the region. We also welcome the European-led initiatives to achieve the same goals. We want the widest international support to uphold the rules-based international order.

We must also see an end to Iran's interference in Yemen, which has stoked further conflict through support for the Houthi rebels and fuelled the greatest humanitarian crisis in the world today. A political solution is the only viable way to bring peace to that terrible conflict. Iran must start to play a constructive, instead of destructive, role in that conflict.

Finally, when it comes to respecting international law, Iran's dire human rights record continues to be a serious concern to the United Kingdom, especially its practice of arbitrary detention of dual nationals. Today a range of UK dual nationals are languishing in jail in Iran. They have typically been arrested on spurious charges, denied due process and subjected to mistreatment, contrary to the basic tenets of international human rights law. This practice causes great anguish and suffering not just to those detained but to their families.

Iran's behaviour is unlawful, cruel and totally unacceptable. I have raised all these cases, along with Iran's wider conduct, with Foreign Minister Zarif, and the Prime Minister raised the cases with President Rouhani yesterday in New York. We will continue to press for their release.

Iran's record of respect for the basic rules of international law is woeful, and it is getting worse. Let us be clear about this and about the Iranian Government's responsibility for the plight of their own people. It is a matter of political choice—their Government's choice—yet, even now, we retain the hope that we can work with Iran and with our international partners to de-escalate tensions, to rebuild confidence and to establish a clear path for Iran towards international respectability.

Iran is a proud nation with a rich history and remarkable economic potential. It is held back by a regime that fails to respect the fundamental tenets of the rules-based international system. Iran faces a choice: it can double down on its approach, in which case the international opposition to its behaviour will only intensify; or it can take immediate steps to de-escalate tensions and rebuild international confidence by respecting international law and reducing the range of threats it presents to its neighbours. That is the only path to stability and prosperity for Iran and the wider region, and I commend this statement to the House.

5.39 pm

Emily Thornberry (Islington South and Finsbury) (Lab): I thank the Foreign Secretary for advance sight of his statement.

We have been summoned back here due to the unlawful actions of the Prime Minister, attempting to avoid debate on one vital issue, but it is important that we debate other vital issues, including the threat of war with Iran. First, Mr Speaker, may I take the opportunity of this discussion of vital issues in the middle east to apologise publicly to my Liberal Democrat colleagues for my crass throwaway “Taliban” remark in an interview last week? I am sorry for what I said. I believe that our politics is better when we are honest and apologise for

our mistakes—a lesson that our country's Prime Minister, Her Majesty's Prime Minister, would be well placed to learn.

I do not have a scintilla of doubt that Iran was responsible for the drone attacks in Saudi Arabia and the attacks on oil tankers in Hormuz. I totally agree with the Foreign Secretary that Iran's actions are utterly unacceptable and must be condemned by all sides. Sadly, this was all too predictable, because just like during the tanker wars in the 1980s, there is a reckless and ruthless logic being applied by the Iranian hard-line theocrats who are now in the ascendancy in Iran, and it is this: "If you stop our oil supplies, we're going to stop yours."

That development has been inevitable since the United States reimposed sanctions on Iran. There are absolutely no excuses for what Iran has done, but there is also no excuse for the Trump Administration wilfully wrecking the nuclear deal, destroying the chances of progress on other issues, and handing power back to the Khamenei hard-liners, who have always wanted to reverse the Rouhani Government's attempt to engage with the west. What are we left with now? With a Trump Administration agitating for war and Iranian hard-liners actively trying to provoke it—war with a country that is nine times the size of Syria and has three times Syria's pre-war population. That leaves us with a choice to make as a world and, even more important, a choice to make as a country and as a Parliament.

In an era when we can no longer rely on the United States to provide any global leadership on matters of peace and war, or anything to do with the middle east, we need the EU and the UN to step up, to do our job and to demand that, after working so hard to negotiate the nuclear deal, we will not let it be thrown away and allow the spiral into war to continue. As the Leader of the Opposition said yesterday, real security does not come from belligerent posturing or reckless military interventions; it comes from international co-operation and diplomacy. Let me add that it does not come from what successive Governments have done by committing to military intervention with no planning for what comes next, creating chaos in the aftermath and opening up ungoverned spaces in which the evil of jihadist death cults thrives.

If war with Iran is where the world is headed and we cannot stop it, we have a choice to make as a country, and we should have a choice to make in this Parliament. That choice is whether our country is involved and the lives of our servicepeople are put at risk as a result of a power struggle between Tehran and Riyadh, as a result of a power struggle between Khamenei and Rouhani, and as a result of a power-crazed president in the White House who wants to start wars rather than end them. In that climate, there is only one thing we should be doing now, and that is working to de-escalate the tension with Iran, getting the nuclear deal back on track, and using that as the foundation, which it promised to be, of addressing all the other concerns that we have about Iran, not least its continued detention of Nazanin and other dual British nationals.

Instead, at this crucial moment, we have a Prime Minister openly talking about sending troops to Saudi Arabia, in an apparent bid to please Donald Trump. As the Leader of the Opposition said yesterday, have we learned nothing? On a day when we are also rightly focused on the powers of Parliament and the abuse of

power by the Government, let me close by asking the Foreign Secretary one simple but vital question. Will he guarantee that, before any decision to join Donald Trump in military action against Iran and to put British servicepeople in harm's way, this House will be asked to approve that action and given the chance to save our country from the disaster that war with Iran would be?

Dominic Raab: I thank the right hon. Lady for her remarks. I think we have agreement on at least some of them—on unequivocally condemning Iran for its responsibility for the Aramco attacks, for its attacks on shipping in the strait of Hormuz and for its treatment of dual nationals, including Nazanin Zaghari-Ratcliffe.

I share the right hon. Lady's view that we want to maintain the JCPOA and that we remain committed to it, and that is the position of the Government. However, we can, we should and we must do better, because the JCPOA is limited. That is now recognised by the President of the United States—she has lambasted that—but also by the French President. Rather than trying to engage in tit for tat over whether this is a European or a US initiative, we should welcome the opportunity to forge a stronger international consensus. The choice here is not between the US and Iran, Saudi and Iran, or indeed the US and the EU, which is the paradigm the right hon. Lady presented. The choice is about those of us who are willing to stand up and uphold the rules-based international order, and the UK will be unflinching and unwavering in committing to doing that.

The right hon. Lady also talked—she will correct me if I am wrong—about whether the UK will be sending troops to Saudi Arabia. There has been no suggestion of that at all; it is simply wrong for her to say it. What has been said is that the US is sending troops to Saudi Arabia to make sure that Saudi can protect itself from further attacks or repeats of the attacks on Aramco. We have said that we would consider requests that we have received for support in relation to air defences. However, we are absolutely clear that our overarching strategic objective is de-escalation and reducing tensions. We want to see Iran come in from the international cold, but we need to be absolutely unwavering and clear in our resolve that the only way that that will happen is if Iran steps up and starts to meet its responsibilities, whether it is on dual nationals, nuclear compliance or the basic rules of international law, such as not attacking one's neighbours.

Tom Tugendhat (Tonbridge and Malling) (Con): I very much welcome my right hon. Friend's statement on Iran and the clarity of the position he has set out. It is important that we remember that Iran has been an aggressor to not just British dual nationals but people around the region, sponsoring, in many ways, the invasion of Syria and the violence that has caused millions of people to be displaced from their homes and hundreds of thousands to be killed. Does my right hon. Friend agree that the recent decision by the Iranian Government to put further fuel on that fire by sailing the *Grace 1* into Syrian waters is simply further confirmation that this terrible regime is breaking international rules at every turn? Does he also agree that getting allies and partners, such as India and China, to support our actions in this area is essential? It is actually essential to them, too, if they are to prosper from the international system that has made them rich.

Dominic Raab: I thank my hon. Friend the Chairman of the Foreign Affairs Committee. He is absolutely right that the behaviour in relation to not only Syria but Grace 1 is contrary to the international good. That is particularly true in terms of the breaching of sanctions on Syria and the support for the Assad regime, but also in terms of the absolutely explicit assurances that were given to the United Kingdom that these things would not happen.

I also share my hon. Friend's view that, rather than asking, as the shadow Foreign Minister did, whether there is a tit for tat or a spat between the US and the EU on this, we want the broadest basis of international support, to provide the most effective response and the clearest signal to Iran that its behaviour cannot continue.

Stephen Gethins (North East Fife) (SNP): I am particularly grateful that we are able to raise important issues such as this in Parliament just now. I also thank the Foreign Secretary for early sight of his statement.

We have long argued on the SNP Benches that there is a need for engagement, cool heads and dialogue, and that is especially important when dealing with the de-escalation of conflict in the middle east, as well as the nuclear threat. It is also important that we work with those who should be closest to us politically, and I welcome the joint statement with France and Germany. It is so important that we make progress and get the JCPOA back on track. We should be closest to our European partners.

We condemn the attacks on the Aramco facilities, just as we condemn any attacks on civilian targets in the Arabian peninsula. When dealing with a regime such as Iran that regularly flouts human rights and international norms, it is critical that we lead by example. Does the Foreign Secretary agree that we must respect the rule of law and that any comparisons of the UK and Iranian judicial process would be deeply irresponsible? Does he also agree that we must adhere to that rules-based system, which means that any rules that the court hands down on arms sales to Saudi Arabia or elsewhere must be adhered to?

Finally, Nazanin Zaghari-Ratcliffe and the other UK nationals who are being held must be the highest priority for the Government. As this is a critical and complicated issue, may I gently ask the Foreign Secretary to ensure that, when the Prime Minister is in meetings with the Iranians or is dealing with this, he is fully briefed so that he can do no more damage than he has already done?

Dominic Raab: I thank the hon. Gentleman for his question. We certainly agree that we want to be in partnership with our EU partners, but again I gently push back on this idea that that is enough—it is not. We need the broadest international response to provide the clearest signal to Iran about its behaviour and to deter any future attacks, as we have seen in relation to Aramco. He is absolutely right that if we are going to talk about adhering to international law, we need to practise what we preach. In relation to any judicial proceedings on export licences, we will adhere to them meticulously and fully. Ultimately, the most important thing in relation to dual nationals is that we are absolutely clear not just with Iran, but working with our international partners, that this behaviour is unacceptable. There is no quid pro quo in any of this. The treatment of our dual nationals,

including Nazanin Zaghari-Ratcliffe, is unlawful and unacceptable and it must end. They cannot be treated, in the words of my predecessor, my right hon. Friend the Member for South West Surrey (Mr Hunt), who did such a great job on this, as “political hostages”, which is tantamount to what is being done at the moment. We will be absolutely unwavering in raising these cases.

The hon. Gentleman mentioned the Prime Minister. The Prime Minister raised these cases with President Rouhani yesterday, so I hope that he can be reassured that we take this matter seriously and raise it at every possible opportunity.

Mr Jeremy Hunt (South West Surrey) (Con): I congratulate my right hon. Friend on his appointment, for which I was delighted to be the warm-up act. Does he agree that western policy towards Iran is, unfortunately, basically failing? It is failing to stop malign activity, as we saw with Aramco, failing to stop re-nuclearisation, and failing to stop hostage taking, which has sadly continued long after the case of Nazanin. Is not the answer close alignment between the United States and Europe, clearer consequences for wrongdoing, and a ladder for Iran to climb down so that we can get out of this incredibly dangerous situation?

Dominic Raab: I thank my right hon. Friend and pay tribute to the professionalism, dynamism, and the values and integrity that he brought to the post in his time as Foreign Secretary. I am very lucky to have taken over a team that is at the top of its game, owing in no small part to his efforts. I agree with the basic ingredients that he has set out. We need the widest possible international support—not just from the EU, not just from the US but the broadest international support—and very clear consequences for Iran if its unlawful behaviour in all the different areas that we are talking about—nuclear, dual nationals, and the attacks on Aramco—continues.

Several hon. Members *rose*—

Mr Speaker: With such a glittering array of parliamentary celebrities on both sides, it is difficult to know whom to choose, but I think that I must call not just a Member, I say for the benefit of observers, but a president—the president of the NATO Parliamentary Assembly, Madeleine Moon.

Mrs Madeleine Moon (Bridgend) (Lab): Thank you, Mr Speaker. This week, Iran has announced its intention of carrying out exercises in the Gulf, along with China and Russia. How is this a decrease in an escalation of tension and what risks does the Secretary of State see arising from this announcement?

Dominic Raab: The hon. Lady has highlighted precisely why we need the broadest international support for delivering the clearest messages to Iran. We talked to the Russians and the Chinese—both permanent members of the UN Security Council—about their responsibilities for maintaining the principles of the UN charter and the base tenets of international human rights law. This only goes to show why we need the broadest possible range of allies and partners in getting that message across and draining Iran from any of the otherwise alternative sources and bases of support that it would have.

Dr Liam Fox (North Somerset) (Con): As my right hon. Friend knows, I have always been extremely sceptical about the JCPOA because of the financial front-loading that has enabled Iran to finance international terrorism, and—as my right hon. Friend said—because of the lack of restraint on Iran’s regional destabilisations. If Iran continues to be in breach of the JCPOA, as it is when it says that it will continue to accelerate uranium enrichment, will the UK, under the agreement, trigger the process that would result in the snapback of UN sanctions?

Dominic Raab: I share some of my right hon. Friend’s concerns in relation to the JCPOA. It is clear that Iran cannot continue to go down the path that it is on without significant consequences. If he does not mind, I am not going to get ahead of myself with regard to what we will do in any set of circumstances in the future. The most important thing now is that Iran returns to full compliance with the JCPOA and ends its destabilising conduct in the region.

Several hon. Members *rose*—

Mr Speaker: I am keen to accommodate colleagues, but I am also keen to proceed to the next statement as close as possible to 6.30 pm. I am sure that colleagues will take their cue from that and will be admirably succinct.

Ann Clwyd (Cynon Valley) (Lab): It was not always the case that we slammed Iran in this Chamber; 25 years ago when I stood at the Dispatch Box, I in fact congratulated Iran on helping to save the Kurdish population who were fleeing across the mountains. The Turks shut the borders and the Iranians opened the borders, so at that time we were congratulating Iran on its moves. But may I say, as somebody who has campaigned for Nazanin Zaghari-Ratcliffe, that we are all concerned about the deterioration of relationships and that I would like to know exactly what we are doing? It is very vague; we are all having talks here and there. Did the Prime Minister come to some agreement with the Iranian President when he met him yesterday? What is physically being done to get Nazanin Zaghari-Ratcliffe and the other dual nationals out of jail?

Dominic Raab: I pay tribute to the right hon. Lady for her long-standing interest in this area. I remember visiting Tehran under the former reformist regime of President Khatami when I was a Foreign Office lawyer before coming into this House, and working on behalf of the UK Government for a bilateral investment treaty. I am afraid that we have taken a significant series of steps back since those days, but it does show that there is a path for Iran to come in from the cold, to get international respectability and to prosper as a result of it.

In relation to the dual national cases and that of Nazanin Zaghari-Ratcliffe, we need to be very careful. We are absolutely clear that Iran must release our dual nationals who have been detained on a whim unconditionally, and that there is no deal to be done—no linkage. As much as I would love to see all of the detainees reunited with their families, there would be acute moral hazard if we allowed ourselves to be blackmailed. All that we would find is that, shortly after the return of those detainees, a whole number more would be picked up; Iran would take the wrong lesson from our actions. We need to be

very careful, and we will campaign unflinchingly and unwaveringly with our allies to secure the release of the detainees, but we must also be mindful of not creating the moral hazard to which I have referred.

Sir Hugo Swire (East Devon) (Con): The United Kingdom is involved in this, whether we like it or not, and we have already seen the effects on the price of oil resulting from the attacks on the Aramco field. Can my right hon. Friend assure me that in any contingency planning, the Foreign Office is considering the wider effects on the region? The United Kingdom has huge investments—people and companies—right across the Gulf. I hope that is being considered if anything gets worse there.

Dominic Raab: My right hon. Friend served with distinction in the Foreign Office, and I am mindful of his experience in this area. He is absolutely right that we need to bear in mind the wider implications of a military conflagration. That is not our strategic objective. We want to de-escalate and dial down the tensions, and to see Iran moving to re-establish confidence that it can be a lawful and respectable member of the international community, and that is what we are working towards.

Tulip Siddiq (Hampstead and Kilburn) (Lab): Last year, in an urgent question about Nazanin, the Minister for the Middle East at the time said to me that

“we do not share the view that the IMS debt or any other bilateral issue is the reason for Mrs Zaghari-Ratcliffe’s detention.”—[*Official Report*, 22 May 2018; Vol. 641, c. 729.]

This sentiment was echoed to me in a private meeting with the Prime Minister and Nazanin’s husband, Richard Ratcliffe. But this week in *The Guardian*, Iranian Foreign Minister Zarif said that successive British Foreign Secretaries have come to him and raised the issue of the £400 million debt in exchange for Nazanin’s freedom, so will the Secretary of State confirm categorically that the Iranian Foreign Minister is lying and that the UK Government would never negotiate with my constituent’s life?

Dominic Raab: I read that article in *The Guardian*, which referred to me as well in terms of the recent conversation that I had with the Foreign Minister. I can tell the hon. Lady unequivocally that no such deal was on offer and no such deal will be made. We expect Iran to live up to its responsibilities under international human rights law and under the Vienna convention on consular relations, and to release Nazanin, and the other dual nationals, without delay. They are being held unlawfully, and there is no bargaining with Iran—it must live up to its international commitments and do so without delay.

Mr Richard Bacon (South Norfolk) (Con): Given that President Trump has in recent months, on five occasions, sought to meet the Iranian leadership and has been repeatedly rebuffed on the basis that the Iranians cannot trust the Americans to adhere to agreements that they have reached, was the American decision to withdraw from the JCPOA premature?

Dominic Raab: My hon. Friend knows that it is the position of this Government and the previous Government that we stand by the JCPOA, not because it is the perfect deal but because it is the best credible alternative.

[*Dominic Raab*]

At the same time, it is absolutely right—this is accepted by President Macron as well as President Trump—that we should work for a better and more sustainable deal not only on the nuclear issue but on the wider destabilising activities that Iran is engaged in and that the Aramco attacks highlight the significance of.

John Woodcock (Barrow and Furness) (Ind): A number of my colleagues and I were able to visit Saudi Arabia this week and see the Abqaiq facility, and to be in absolutely no doubt that the very precise damage that was done to it was conducted by the Iranians. We will shortly update the Register of Members' Financial Interests on that visit. Can the Secretary of State now assure us from the Dispatch Box that there is no question that the bad behaviour of the Iranians will be rewarded and that we should be looking to be in step with the United States at this vital time?

Dominic Raab: I pay tribute to the hon. Gentleman's close interest in this. I think there is no doubt—or very little doubt; we are close to certainty—that Iran was responsible. It is implausible and lacking in credibility to suggest that the attacks came from the Houthi rebels. We certainly will co-ordinate with the United States as our closest military and security ally, but, as I have said, we need to send the broadest international response and signal to Iran if we are going to have the greatest impact on its behaviour in the future, because Iran is relying on splitting and splintering the west, and indeed the other countries that it will fall back on and try to engage in partnership and alliance with as its isolation increases. We want to de-escalate, and the best way of achieving that effectively is to have the broadest international support with that goal in mind.

Mary Robinson (Cheadle) (Con): My right hon. Friend recognises the importance of ensuring that Iran never gains access to nuclear weapons. However, over recent months Iran has deliberately breached the terms of the JCPOA nuclear deal, including enriching uranium, taking it closer to being able to produce those nuclear weapons. Does he agree and share my concerns that Iran will continue down this path unless it encounters a strong and united front from the west?

Dominic Raab: My hon. Friend is absolutely right. That is why we need to avoid the suggestion that it is one or other western country taking the initiative and join forces, co-ordinate and send the most effective message back to Iran that if it continues down this road of non-compliance with the JCPOA, there will be significant consequences for the regime.

Chuka Umunna (Streatham) (LD): Clearly there should be consequences short of military action for Iran for these violations; we cannot stand idly by while it disregards international law. But with a view to de-escalation and bringing to an end what is essentially a cold war between Saudi Arabia and Iran, it would be enormously helpful if the US returned to being a signatory to the JCPOA, particularly if we want a revised framework. What specific consequences does the Foreign Secretary envisage for Iran? What is he doing personally to persuade the US to return to being a signatory to the JCPOA,

and does he acknowledge that the Saudis themselves must also comply with international law, not least in Yemen?

Dominic Raab: The hon. Gentleman makes a number of good points. I agree with him in relation to Saudi Arabia. We monitor very carefully the situation in relation to international humanitarian law, and we raise those issues with the Saudi Government. We remain committed to the JCPOA, but I do not quite follow his logic, in the sense that we recognise the limits of the JCPOA at the same time. The approach is and should be, as set out by not only President Trump but President Macron, to go for a more ambitious deal which is more effective in relation to not only the nuclear concerns we have but all the other issues that, as I am sure the hon. Gentleman recognises, concern the international community, whether it is dual nationals, freedom of navigation or its recent behaviour in terms of the Aramco attacks.

Mr John Whittingdale (Maldon) (Con): I strongly welcome my right hon. Friend's continued championing of the cause of media freedom, on which Iran's record is one of the worst in the world. In particular, will he continue to press Iran to cease the persecution of families of members of the BBC Persian service, who have faced arbitrary arrest, asset freezes, passport confiscation and surveillance?

Dominic Raab: This week at the UN General Assembly, the UK will be hosting an event on media freedom and a separate event in relation to Iran's human rights record, so I can give reassurance that in both those key areas we are championing, not only on a bilateral basis but on a multilateral basis, all those issues that he is concerned about.

Sir George Howarth (Knowsley) (Lab): I agree with the right hon. Gentleman about the importance of ensuring that Iran never gains access to nuclear weapons. Can he give us his assessment of how long it is likely to take before Iran achieves that capability?

Dominic Raab: I totally agree with the right hon. Gentleman's sentiments and objectives. It is quite difficult to say; it depends on what decisions are made and what the response of the international community is. We are at a very precarious point. The JCPOA is hanging by a thread. We want to continue it, but we also want to ensure in the terms I have described that we work with all our international partners to try to raise our game and have a more ambitious deal on both the nuclear side of things and the wider destabilising activity that Iran is doing to threaten the region.

Dr Julian Lewis (New Forest East) (Con): Do the Government accept that when we are dealing with two adversarial powers, both influential and both in the grip of religious fanaticism, the best policy we can adopt is one of the traditional balance of power, making sure that neither becomes too strong, but not fooling ourselves that the enemy of my enemy is necessarily my friend?

Dominic Raab: I thank my right hon. Friend; I think Tito or Acheson put it rather less elegantly than he has. I agree with him about being clear-eyed about the countries in the region. Equally, we need to have some moral clarity about the aggressive nature of what Iran

is doing. The way I view it is that this is less about the balance of power and more about ensuring that all countries in the region live up to the basic international obligations and responsibilities of the international community and international law.

Dame Louise Ellman (Liverpool, Riverside) (Lab/Co-op): Iran's actions are making war more likely in the middle east, with bases in Syria, arms for Hezbollah in Lebanon and arms for Hamas in Gaza. What is the Secretary of State doing to address those issues, which threaten the peace of the whole region?

Dominic Raab: There are a whole range of sanctions on Iran under the UK implementing legislation for the EU regime. The hon. Lady is absolutely right to refer to all the proxies by which Iran tries to exert its influence in an aggressive and belligerent way. The most important thing, as well as looking at sanctions, is working with the widest range of international support, including all permanent members of the UN Security Council, to live up to their responsibilities to put an end to this aggressive behaviour.

Stephen Crabb (Preseli Pembrokeshire) (Con): Does the Foreign Secretary acknowledge that tens of thousands of British citizens working in Saudi Arabia are now living with greater fear and risk to their lives as a result of Iranian-backed attacks and thuggish behaviour against Saudi Arabia? What can he tell the House to show that he is determined that Iran's irresponsible behaviour must come to an end?

Dominic Raab: We have UK nationals working in countries all over the region, and they will be concerned about the attacks on the two Aramco facilities. The most important thing we can do is signal that we take this seriously and will provide the most robust and effective response, which requires as broad an international consensus as possible. At the same time, we will work to de-escalate tensions rather than ramp them up.

Mike Gapes (Ilford South) (IGC): The Foreign Secretary has made a balanced, measured statement. I welcome his reference to the JCPOA and the need to co-operate with our French and German European partners. He also referred to Yemen. Will he update the House on what is happening in Yemen regarding the efforts of Martin Griffiths? What is being done to stop the continued Houthi attacks on civilian areas in Saudi Arabia and the rocketing of cities and Riyadh airport?

Dominic Raab: I know the hon. Gentleman takes a close interest in these issues. The Iranian support for the Houthi rebels is one illustration of Iran's use of proxies in the region, which is unacceptable and must end. We fully support the peace process led by UN Special Envoy Martin Griffiths, and we want all parties to engage constructively with that process. Ultimately a political settlement rather than a military one is the only way to bring long-term stability to Yemen, and that needs to be made clear to Saudi Arabia, Iran and all the other players in the region. We will be hosting a political event at the UN General Assembly to co-ordinate the international effort in that regard and to endorse UN Special Envoy Martin Griffiths's plan to begin wider political discussions.

Jack Lopresti (Filton and Bradley Stoke) (Con): Will my right hon. Friend assure me that if, as a result of further Iranian acts of war, the US is forced into taking military action, the Government's position will be not just full support but assistance?

Dominic Raab: We are focused on two things. We are sending a clear message to Iran that its behaviour is unacceptable and that we hold it to account for the attacks on Aramco. As I have said to the House, we will entertain the request from the Saudi Government in relation to air defences as we would from any close ally. Equally, we want to de-escalate the tensions and avoid a military conflagration. Ultimately the best way of achieving that is having the widest international support for the widest measures short of military intervention. That is why yesterday's statement by the E3 was so significant.

Toby Perkins (Chesterfield) (Lab): I agree with much of what the Foreign Secretary has said about the appalling role of the Iranians, not just in their own country but across the middle east region. Do not the actions of President Trump and their failure to ensure that the west has influence show that his kind of Twitter diplomacy, far from getting things done, weakens those forces in Iran who want to work with the west and strengthens those forces who want to say the west is the enemy?

Dominic Raab: The hon. Gentleman makes some interesting points, and I accept some of his concerns. The international efforts post the G7 summit with President Trump and President Macron, at which my right hon. Friend the Prime Minister is at the forefront, to make sure that rather than an EU or US effort we have a broad, international effort, are the way to focus the minds of the hardliners in Tehran.

Mr Bob Seely (Isle of Wight) (Con): What can the Foreign Secretary share with the House about any changes in the laydown of Iranian forces or their proxies in countries such as Yemen, Lebanon and Iraq, which will give us a pointer as to whether Iran is preparing for a wider conflict?

Dominic Raab: It is difficult to assess. Ultimately we have to judge Iran by its behaviour, and its latest behaviour has been unacceptable and is deeply worrying. That is why the crucial thing, while creating the space for de-escalation and political dialogue, is to be clear that Iran cannot continue as it has, especially with the kind of attacks that we saw on the Aramco facilities.

Ian Murray (Edinburgh South) (Lab): The Foreign Secretary has already said that the JCPOA is hanging by a thread. The agreement itself lays out what sanctions are available to either party if they are not in full compliance with the JCPOA, so what is his next step in trying to bring Iran into alignment?

Dominic Raab: All the parties to the JCPOA need to be clear that Iran must come back to full compliance. At the same time, while availing ourselves of all the levers we have within that deal, we also need to raise our level of ambition. That is why the suggestion that we look at improving the deal, working with the French, the US and the widest international support, is the right way to go.

Sir Paul Beresford (Mole Valley) (Con): Iran's destabilising activity is fairly broad geographically. As my right hon. Friend knows, I have a distant, declared interest in Libya, where there is a battle going on between General Haftar and the Government of National Accord. There are some dubious forces behind General Haftar, including, I understand recently, 100 mercenaries from Russia. Is there any indication that Iran's fiddling in the affairs of other countries has got as far as Libya?

Dominic Raab: There is widespread concern that Iran will take every opportunity, through its proxies and through local militias and other groups, to exert its influence and have a destabilising effect in order to pursue its own narrow national interest in a way that is deeply damaging for the international order and for regional stability. In relation to Libya, I would want to look very carefully at that, but I think there is a much broader, general threat that Iran is systematically posing.

Sir Mark Hendrick (Preston) (Lab/Co-op): Donald Trump's decision to withdraw unilaterally from the JCPOA last year and the additional sanctions have placed huge pressure on Iran, and there is much hardship in that country. The attack on Saudi Arabia's Abqaiq oil refinery is totally unacceptable, but does the Foreign Secretary not accept that the cavalier approach of the US President is a contributing factor and that Donald Trump must work with the west to de-escalate this crisis?

Dominic Raab: The US President is working with the west. We saw that at the G7 in Biarritz, and we have seen it at the UN General Assembly. Both the French and American Presidents want a better deal than we have at the moment. We will continue to commit to the JCPOA, but we cannot kid ourselves that it is a perfect deal. It has its limitations and we should try to do better.

Gareth Johnson (Dartford) (Con): Does the Secretary of State share my frustration that despite categorical assurances and promises from the Iranian Government, the Grace 1 tanker that was seized in Gibraltar was heading to Syria? Does he agree that this is just another example of why the Iranian Government are losing respect right around the world?

Dominic Raab: My hon. Friend is absolutely right. I have explained this to the Iranian Government at every level. The reality is that if clear and unequivocal assurances are given and then broken, that only goes to decrease trust and to reduce and erode confidence in Iran and its ability to live up to its responsibilities. That can only taint its reputation and delay the point at which it can come in from the international cold.

Graham P. Jones (Hyndburn) (Lab): I landed in London this morning after a two-day trip to Abqaiq oil facilities that was paid for by the Government of Saudi Arabia. I have not yet had the opportunity to declare that in the Register of Members' Financial Interests, but I will do so in the coming days.

A shocking attack on the oil facility, which was subject to multiple Iranian unmanned aerial vehicle and cruise missile attacks, is a breach of all international laws. Earlier derivatives of those missiles are being

provided to the Islamist terror group in Yemen. As of yesterday, some 256 ballistic missiles and some 66,000 airborne missiles have been fired into the nation of Saudi Arabia. More than 100—

Mr Speaker: Order. I am immensely grateful to the hon. Gentleman. I know he speaks on the basis of a recent visit, but if he could advance towards a question with a question mark at the end of it, that would be enormously appreciated by the whole House.

Graham P. Jones: The Houthis have found 100 Iranian-manufactured sea mines in the Red sea. If they were to hit an oil tanker carrying 2 million barrels of oil, it would be the worst environmental crisis ever. When are this Government going to step up to the plate and deal with the Islamist terrorists in Yemen?

Dominic Raab: We are actively and energetically engaged in that. This week, we are hosting an event in the UN General Assembly with the UN special envoy and we are talking to all sides. It is an intractable, terrible conflict and the hon. Gentleman is right that the Iranian role is pernicious. It is one example of the destabilising activities that we must deal with in concert with our international partners.

Daniel Kawczynski (Shrewsbury and Atcham) (Con): The Foreign Secretary was correct to highlight in his statement the appalling attacks on Aramco and Iran's meddling in Yemen. Will he also acknowledge that in the past few years there have been growing allegations of Iranian interference in Bahrain, Iraq and Syria and of course, of funding Hezbollah in Lebanon? Will he focus equally on those allegations and the effects on regional partners?

Dominic Raab: My hon. Friend is absolutely right that we need to consider all the destabilising activities that Iran conducts through its proxies in the region, and that looking at one or other issue without examining the position in the round misses the big picture.

Janet Daby (Lewisham East) (Lab): My constituents, the wife and children of Mr Ashoori, who is being held in prison in Iran, recently met me. Can the Secretary of State confirm whether the Prime Minister raised the case of my constituent Mr Ashoori when he met President Rouhani this weekend? What progress has been made?

Dominic Raab: The hon. Lady raises a terrible case, as all those cases are, not just for the individuals involved but for their families and loved ones. We raise all the dual nationality cases that we have at every level. I am confident that the Prime Minister raised those cases with President Rouhani, and I can assure the hon. Lady that I raised them all directly with Foreign Minister Zarif.

Mr Philip Dunne (Ludlow) (Con): My right hon. Friend rightly referred to the vital work of the International Maritime Security Construct, in which the UK plays an important part. Indeed, the Royal Navy vessel on duty this summer experienced more than 100 confrontations from the Iranian revolutionary guards, according to newspaper reports. Will my right hon. Friend update the House on efforts that are being undertaken at the

UN General Assembly or through bilateral relationships with other nations to broaden the construct to ensure that as many nations as possible are involved in order to maintain freedom of navigation in the strait of Hormuz?

Dominic Raab: My right hon. Friend is absolutely right. We want the broadest possible support for policing freedom of navigation in the strait of Hormuz and the wider region. The IMSC has broadened its support, but we also want the European-led initiatives to come on board. Ideally, we would like to join them together. It should not be a question of whether it is a US or an EU flag on the initiatives or the operations; we want to broaden them and bring them together because that is the most effective way to police freedom of navigation.

Christian Matheson (City of Chester) (Lab): I have little time for either the Government of Iran or the Government of Saudi Arabia and I wonder whether it is always necessary to choose sides. I therefore welcome the Secretary of State's focus on de-escalation. I echo the concerns of my hon. Friends the Members for Chesterfield (Toby Perkins) and for Preston (Sir Mark Hendrick) that the American Government's antics seem to give Iran an excuse to walk away from agreements, which they would not have if the Trump regime were not behaving in such a way.

Dominic Raab: As I have already said, we remain committed to the JCPOA, but as others have concluded, it is not perfect. It has its limitations, which is why we want a more ambitious and all-encompassing deal that is more effective on the nuclear side of things and also tackles a whole range of destabilising initiatives that Iran engages in, which hon. Members of all parties have raised today.

Bill Wiggin (North Herefordshire) (Con): De-escalation is all very well, but it is not working and the regime shows all the symptoms of bullying. Does my right hon. Friend not agree that this is a case of *si vis pacem, para bellum*—if you want peace, prepare for war?

Dominic Raab: I understand my hon. Friend's concerns and his pugnacious, spirited response. I think that right now we need a very carefully calibrated message for Iran that we will support the defensive posture that the Saudis have taken. We want to avoid any further attacks like that we saw in the Aramco facilities, for them and for world oil supplies. We also want to create the space for de-escalation and for a route that means Iran can come in from the cold, but that must be driven by Iran living up to its international responsibilities.

Stewart Malcolm McDonald (Glasgow South) (SNP): Two years ago, the Government concluded that Iran was responsible for a cyber-attack on this very House. What assessment has the Foreign Office made of the current threat of cyber-attacks from the Government of Iran?

Dominic Raab: Iran is clearly trying to exploit all the potential avenues for exerting its influence and power in the region, not just militarily, as we saw with Aramco, but with cyber. We are making sure that we have the best set of technological equipment and resources to ensure we can defend ourselves. Again, we will need to work with our international partners on that.

Tim Loughton (East Worthing and Shoreham) (Con): If the Iranians are implicated in the Saudi Aramco attack, there are also serious implications not only for Saudi Arabia but for other UK allies in the Gulf. I gather that two of the cruise missiles fell short of their target and are in sufficiently intact condition to be analysed for their targeting systems to determine their launch targets. Can the Foreign Secretary update us on the progress made on getting evidence that Iran really was behind the attack?

Dominic Raab: As my hon. Friend will know, we are very careful about talking about sensitive intelligence. I can tell him that contrary to the Houthi claims that 10 drones were used, imagery of the damage caused clearly shows that there were not just 10 but between 16 and 19 strikes on the Abqaiq facility. Imagery from the site also shows the remnants of Iranian-made land attack cruise missiles and, frankly, attacks of this scale and sophistication could not have been done by the Houthis.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): Although I welcome the Government's commitment to the International Maritime Security Construct, the British capacity to contribute to it has been impaired by the Government cutting the Royal Navy surface fleet by a third. What are the Government going to do to enhance British capacity to contribute to the protection of freedom of navigation in the Persian gulf, including British merchant shipping?

Dominic Raab: We have assets in the region. We are contributing to the IMSC and we—[*Interruption.*] The hon. Gentleman says not enough, but what we actually need to do is get the broadest international support for that and a bit more support from our European partners. We need to bring the Europeans and the Americans together—Australia is already involved, as are other partners—and to have a burden-sharing arrangement that means we can police the strait of Hormuz and the other freedom of navigation areas in the region as effectively as possible.

Rehman Chishti (Gillingham and Rainham) (Con): As the Prime Minister's special envoy and ambassador for freedom of religion and belief, I recently met representatives of the Baha'i community and the Christian community, who raise real concerns about individuals being persecuted for their faith in Iran. Will the Foreign Secretary ensure that in every discussion we have with our Iranian counterparts religious freedom is made a key priority for us so that individuals can practise their faith freely?

Dominic Raab: I thank my hon. Friend, and welcome him to his role as the PM's special envoy in this area. I know he will do an amazing job, with all his dynamism and knowledge in the area. He is absolutely right that we should be raising the issue of human rights, not just for dual nationals, but for the persecuted minorities and people of faith in Iran itself.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): Given that the Stena Impero's headquarters are found in my constituency, it would be remiss of me not to say that I do not dispute the Secretary of State's assertion

[*Martin Docherty-Hughes*]

that Iran is culpable in terms of these attacks. I welcome the work that his Government have done to construct a bridge between the United States and Europe. Nevertheless, given that the United States is fixated on regime change in Iran, will the Secretary of State give an unequivocal commitment to détente with Iran and the re-establishment of the 2015 nuclear framework?

Dominic Raab: The hon. Gentleman puts it in his own way, but I would say that we need clear consequences for the violations of international law that Iran engages in. We need to bring the broadest international support to make those measures effective, but we also need to de-escalate and create the space, route and road map for Iran to come in out of the international cold.

Dr Matthew Offord (Hendon) (Con): It is four years since the JCPOA was implemented. Many of us were much against it at that time, but since then Iran has become more belligerent, not only engaging in attacks against our nationals, but harassing our police and transport and engaging in cyber-attacks, even against this Parliament itself. Does the Foreign Secretary really believe that this is a country that wants to engage with the international community?

Dominic Raab: My hon. Friend makes the point very powerfully. Iran is giving the international community—certainly the United Kingdom in relation to the Grace 1 episode—the clear message that it does not live up to its word. If Iran wants a path to international respectability and the prosperity that comes with it, it will have to reverse those actions and live up to its responsibilities. Then it might be possible.

Prime Minister's Update

Mr Speaker: I call the Prime Minister to make a statement.

6.30 pm

The Prime Minister (Boris Johnson): Thank you, Mr Speaker. [HON. MEMBERS: “Resign!”] If they want a change of Government, let them have an election. [*Interruption.*]

Mr Speaker: Order. There will be ample opportunity for everybody who wants to question the Prime Minister, in conformity with usual practice, to do so, but the statement must and will be heard.

The Prime Minister: Thank you, Mr Speaker. With your permission, I shall make a statement on yesterday's Supreme Court verdict and the way forward for this paralysed Parliament.

Three years ago, more people voted to leave the European Union than had ever voted for any party or proposition in our history. Politicians of all parties promised the public that they would honour the result. Sadly, many have since done all they can to abandon those promises and to overturn that democratic vote. After three years of dither and delay that have left this country at risk of being locked forever in the orbit of the EU, this Government that I lead have been trying truly to get us out. Most people, including most supporters of the Labour party, regardless of how they voted three years ago, think the referendum must be respected. They want Brexit done, I want Brexit done, and people want us out on 31 October, with a new deal if possible, but without one if necessary.

Some 64 days ago, I was told that Brussels would never reopen the withdrawal agreement; we are now discussing a reopened withdrawal agreement in the negotiations. I was told that Brussels would never consider alternatives to the backstop—the trap that keeps the UK effectively in the EU but with no say; we are now discussing those alternatives in the negotiations. I was told that Brussels would never consider arrangements that were not permanent; we are now discussing in the negotiations an arrangement that works on the principle of consent and is not permanent. I was told that there was no chance of a new deal, but we are discussing a new deal, in spite of the best efforts of the Labour party and this Parliament to wreck our negotiations by their attempts to take no deal off the table.

The truth is that a majority of Opposition Members are opposed not to the so-called no deal; this Parliament does not want Brexit to happen at all. Many of those who voted for the surrender Act a few weeks ago said then that their intention was to stop a no-deal Brexit. They have said every day since that Parliament must vote against any deal at all. The people of this country can see very clearly what is going on. People at home know—[*Interruption.*]

Mr Speaker: Order. People are gesticulating wildly. I can scarcely hear the Prime Minister myself, and I wish to hear the statement, as other colleagues should also wish to do.

The Prime Minister: The people of this country can see perfectly clearly what is going on. They know that Parliament does not want to honour its promises to respect the referendum. The people at home know that this Parliament will keep delaying, and it will keep sabotaging the negotiations, because Members do not want a deal.

The truth is that Opposition Members are living in a fantasy world. They really imagine that somehow they are going to cancel—*[Interruption.]* This is what they want to do. They are going to cancel the first referendum and legislate for a second referendum, and Parliament will promise—this is what the hon. Lady opposite said—that this time it really, really will respect that vote. They think that the public will therefore vote to remain, and everybody will forget the last few years.

I have to say, Mr Speaker, that that is an extraordinary delusion and a fantasy, a fantasy even greater than the communist fantasies peddled by the Leader of the Opposition. It will not happen. The public do not want another referendum. What they want, and what they demand, is that we honour the promise we made to the voters to respect the first referendum. They also want us to move on: to put Brexit behind us and to focus on the NHS, on violent crime, and on cutting the cost of living.

That is why I brought forward a Queen's Speech. This Government intend to present a programme for life after Brexit, but some Members could not stand that either. Instead of facing the voters, the Opposition turned tail and fled from an election. Instead of deciding to let the voters decide, they ran to the courts. And despite the fact that I followed the exact same process as my predecessors in calling a Queen's Speech, the Supreme Court was asked to intervene in that process for the first time ever. It is absolutely no disrespect to the judiciary to say that I think that the court was wrong to pronounce on what is essentially a political question, at a time—*[Interruption.]*

Mr Speaker: Order. Whatever the strength and intensity of feeling and the passions to which these matters give rise, we must hear what is being said in the Chamber, and I wish to hear the Prime Minister.

The Prime Minister: I think that the court was wrong to pronounce on what is essentially a political question, at a time of great national controversy.

So we have Opposition Members who block and delay everything, running to the courts to block and delay even more measures, including legislation to improve and invest in our NHS, and to keep violent criminals in jail. I think that the people outside this House understand what is happening. They know that nothing can disguise the truth.

It is not just that this Parliament is gridlocked, paralysed, and refusing to deliver on the priorities of the people. It is not just unable to move forward. It is worse than that, Mr Speaker. Out of sheer political selfishness and political cowardice, Opposition Members are unwilling to move aside and give the people a say. They see MPs demanding that the people be given a say one week, and then running away from the election that would provide the people with a say. Worst of all, they see ever more elaborate legal and political manoeuvres from the Labour party, which is determined, absolutely determined, to

say “We know best”, and to thumb their noses at the 17.4 million people who voted to leave the European Union.

The Leader of the Opposition and his party do not trust the people. The Leader of the Opposition and his party are determined to throw out the referendum result, whatever the cost. They do not care about the bill for hundreds of millions of pounds that will come with every week of delay. They do not care if another year or more is wasted in arguing about a referendum that happened three years ago. All that matters to them now is an obsessive desire to overrule the referendum result. While we want to take our country up a gear—to go forward with a fantastic programme, an accelerated programme of investment in infrastructure, health, education and technology, they are throwing on the hand brake.

We will not betray the people who sent us here; we will not. That is what the Opposition want to do. We will not abandon the priorities that matter to the public, and we will continue to challenge those Opposition parties to uphold democracy. If Opposition Members so disagreed with this Government's commitment to leaving on 31 October, they had a very simple remedy at their disposal, did they not? They could have voted for a general election. I confess that I was a little shocked to discover that the party whose members stood up in Brighton this week and repeatedly, and in the most strident terms, demanded an election—I heard them—is the very same party whose members already this month, not once but twice, refused to allow the people to decide on their next Government. For two years they have demanded an election, but twice they have voted against it.

The Leader of the Opposition changes his mind so often, I wonder whether he supports an election today, or whether the shadow Chancellor, or the shadow Attorney General, have overruled him again because they know that the voters will judge their manifesto for what it is—more pointless delay. Perhaps he is going to demand an election and then vote against it—just as he says that he wants to negotiate a new Brexit deal and then vote against that, too. Is he actually going to vote no confidence in this Government? Is he going to dodge a vote of no confidence in me as Prime Minister, in order to escape the verdict of the voters? I wonder, does he in his heart even want to be Prime Minister any more? He says that I should go to Brussels on 17 October and negotiate another pointless delay, but he does not want to go himself. And even if he did, his colleagues would not let him, because quite frankly they recoil at the idea of him negotiating on the people's behalf, representing this country with the likes of Vladimir Putin, let alone the EU or the mullahs of Tehran.

Or is it perhaps that he wants a Conservative Government? It would be a curious state of affairs indeed if Her Majesty's loyal Opposition had every faith in the Government of the day. So if in fact the party opposite does not have confidence in the Government, it will have a chance to prove it. It has until the House rises—*[Interruption.]* I think they should listen. It has until the House rises today to table a motion of no confidence in the Government—*[Interruption.]* Come on! Come on, then. And we can have that vote tomorrow. Or if any of the smaller parties fancy a go, they can table that motion and we will give them the time for a vote. Will they have the courage to act, or will they

[The Prime Minister]

refuse to take responsibility and do nothing but dither and delay? Why wouldn't they act? What are they scared of? If that is what you are scared of, then have the—

Mr Speaker: Order. I appeal to the House to have some regard to how our proceedings are viewed by people watching them in the country at large. [Interruption.] Order. Let the remainder of the statement be heard. I am grateful for the Prime Minister's exhortation but I do not require it; I am perfectly content. What I want to hear is the rest of the statement and then questioning on it.

The Prime Minister: Mr Speaker, thank you. As I commend this statement to the House, I say it is time to get Brexit done. Get Brexit done, so we respect the referendum. Get Brexit done, so we can move on to deal with the people's priorities—the NHS, the cost of living. Let's get Brexit done so we can start to reunite this country after the divisions of the referendum, rather than having another one. It is time for this Parliament finally to take responsibility for its decisions. We decided to call that referendum. We promised time and again to respect it. I think the people of this country have had enough of it. This Parliament must either stand aside and let this Government get Brexit done, or bring a vote of confidence and finally face the day of reckoning with the voters.

I commend this statement to the House.

6.44 pm

Jeremy Corbyn (Islington North) (Lab): I thank the Prime Minister for giving me an advance copy of his statement. Unfortunately, it was like his illegal shutting down of Parliament—"null" and

"of no effect and should be quashed",

in the words of the Supreme Court. This was 10 minutes of bluster from a dangerous Prime Minister who thinks he is above the law, but in truth he is not fit for the office he holds. I am glad to see so many colleagues back here doing what they were elected to do: holding the Government to account for their failings. Whether it is their attempt to shut down democracy, their sham Brexit negotiations, their chaotic and inadequate no-deal preparations, the allegations of corruption, their failure on climate change or their failure to step in to save Thomas Cook, this Government are failing the people of Britain, and the people of Britain know it—[Interruption.]

Mr Speaker: Order. I said that the Prime Minister should not be shouted down. The same goes for the Leader of the Opposition. Let me say to people bellowing from a sedentary position: stop it—you will exhaust your vocal cords, you will get nowhere, it will not work, and these proceedings will continue for as long as is necessary for the Chair to be satisfied that proper scrutiny has taken place. It is as simple and incontrovertible as that.

Jeremy Corbyn: Thank you, Mr Speaker.

Yesterday's Supreme Court verdict represents an extraordinary and, I believe, precarious moment in this country's history. The highest court in this land has found that the Prime Minister broke the law when he

tried to shut down our democratic accountability at a crucial moment in our public life. The judges concluded that there was no reason,

"let alone a good reason",

for the Prime Minister to have shut down Parliament. After yesterday's ruling, the Prime Minister should have done the honourable thing and resigned, yet here he is—forced back to this House to rightfully face the scrutiny he tried to avoid—with no shred of remorse or humility and, of course, no substance whatsoever.

Let us see if he will answer some questions. Does the Prime Minister agree with his Attorney General that the Government "got it wrong", or with the Leader of the House that the Supreme Court committed a "constitutional coup"? This is a vital question about whether the Government respect the judiciary or not.

The Attorney General was categorical that the Government would comply with the European Union (Withdrawal) (No. 2) Act 2019. Can the Prime Minister confirm that?

I pay tribute to those MPs from all parties across the House, to the Lords and to those in the Scottish Parliament and Welsh Assembly who have not only fought so hard to stop a disastrous no deal, but continued to take the case against Prorogation through the courts. The Government have failed to silence our democracy.

During the period of unlawful Prorogation, the Government were forced to release their Yellowhammer no-deal analysis and plans. No wonder the Prime Minister has been so eager to avoid scrutiny and hide the dangers of his Brexit plan. The release of those documents leads to many questions that the Government must answer now that our Parliament is back in operation.

I would like to start by asking the Prime Minister why the Government in August described leaked Yellowhammer documents as out of date. When the documents were produced in September, they were word for word the same. It is clear that they have tried to hide from the people the truth—the real truth—of a no-deal Brexit and the fact that their policy would heap misery on the people of this country.

Let us take a look at the analysis: chaos at Britain's ports, with months of disruption; people going short of fuel and fresh foods—[Interruption.] It is your paper, you wrote it and you tried to hide it. [Interruption.] I beg your pardon, Mr Speaker—I do not hold you responsible for writing the document. There would be disruption of people's vital medical supplies, rises in energy prices for every household in the country, and a hard border for the people of Northern Ireland and the Republic of Ireland.

Most damning of all is the passage that simply says:

"Low income groups will be disproportionately affected".

There we have it, Mr Speaker: a simple warning, a simple truth, that a Tory Government are continuing to follow a policy they know will hit the poorest people in our country the hardest. They simply do not care.

The damning document we have seen is only six pages long. It is only right that this House should expect more transparency from the Government.

The Government say that they are doing all they can to get a deal before 31 October, but the truth is that the Prime Minister has put hardly any effort into negotiations. Any progress looks, at the most generous, to be minimal. Only yesterday, the European Union's chief negotiator, Michel Barnier, said that there was "no reason today for optimism".

Why does the Prime Minister believe Mr Barnier has that view? This House is still yet to hear any detail of any deal the Government seek to negotiate. We are told the Government have distributed papers to Brussels outlining proposals for a change to the backstop. Will the Prime Minister publish these papers and allow them to be debated in this House of Parliament? For this Government to have any credibility with our people, they need to show they have an actual plan.

The Prime Minister also has questions to answer about his conduct in public office and, in particular, about allegations that he failed to declare an interest in the allocation of public money to a close friend while he was Mayor of London. It was announced today that, in the light of the *Sunday Times* report, the Department for Digital, Culture, Media and Sport is reviewing the funds allocated. Did the Prime Minister initiate that review? Will he fully co-operate with the DCMS review and that of the London Assembly? Will he refer himself to the Cabinet Secretary for investigation? No Prime Minister is above the law.

No one can trust the Prime Minister, not on Iran, not on Thomas Cook, not on climate change and not on Brexit. For the good of this country—[*Interruption.*]

Mr Speaker: Order. The Leader of the Opposition is entitled to be heard in this Parliament, and he will be heard. [*Interruption.*] Order. I do not mind how long it takes, these exchanges will take place in an orderly manner. Be in no doubt about that.

Jeremy Corbyn: Thank you, Mr Speaker.

Quite simply, for the good of this country, the Prime Minister should go. He says he wants a general election. I want a general election. It is very simple: if he wants an election, get an extension and let us have an election.

The Prime Minister: The right hon. Gentleman asked several questions, and I will try to deal with them in order.

On the first point, my right hon. and learned Friend the Attorney General made it absolutely clear that this is a judgment with which he disagrees, although of course he respects the judgment of the Supreme Court.

On the second point, about the Benn-Burt Act, I will say what I am sure the Leader of the Opposition understands. We will, of course, obey the law and we will come out of the EU on 31 October.

On the point about preparations for a no-deal Brexit, I congratulate my right hon. Friend the Chancellor of the Duchy of Lancaster, who just spoke for two hours on this matter. Our preparations are very far advanced, and I think this country can be entirely confident that we will be ready, deal or no deal.

On the point about whether or not we are on the verge of getting a deal, it is absolutely true that negotiations are difficult, but we are making progress. All I will say to the Leader of the Opposition and his friends is that the negotiations have not been made easier by the surrender Act he passed.

On the next point, I am very proud about everything I did as Mayor of London. I may say to the current Mayor that he would be better off spending less on press officers and more on police officers in London,

because we were funding 20,000 more on our streets. As for being trusted on Iran, the Leader of the Opposition took the shilling of the mullahs from Press TV.

I was rather sad that the Labour conference was interrupted by the ruling, because I was awestruck by some of the things I heard, which doubtless were designed to obscure the inanity of the right hon. Gentleman's policy on Brexit. He wants to abolish fee-paying schools, at a cost to the taxpayer of £7 billion. He wants a four-day working week, cutting the incomes of the lowest paid in this country. He wants to abolish Ofsted, and now we hear he wants to abolish all controls on immigration from the EU.

But it turns out a crucial passage was missing from the right hon. Gentleman's speech. There is something slightly pitiful about him, because it seems that he actually did want to call an election now. There was a passage in his speech calling for an election now, but it was censored by the Stasi in the form of the shadow Chancellor—or perhaps the shadow Lord Chancellor. The right hon. Gentleman is being gagged, muzzled, held captive by his colleagues. They will not let him say what he wants to say. I say, "Free the Islington One!"

Why will the right hon. Gentleman's colleagues not allow him to have an election? Why will they not allow him to unleash his charms on the electorate? It is because they are not only terrified that he would lose, but even more terrified by the remote possibility that he would win. He cannot control his own party. He cannot decide whether he is for leave or for remain. He is being held captive by his colleagues, the electorate are being held captive by this zombie Parliament and this zombie Opposition, and the right hon. Gentleman wants the entire country to be held captive in the EU after 31 October, at a cost of more than £1 billion a month. We say, "No!" I say, "No!" Let us get Brexit done and let us take this country forward. [*Applause.*]

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): May I congratulate my right hon. Friend the Prime Minister—[*Interruption.*]

Mr Speaker: Order. I appeal to Members of the House to calm themselves. I just called the right hon. Member for Chingford and Woodford Green. He is entitled to put his question, and the rest of us are entitled to hear him. Mr Iain Duncan Smith.

Mr Duncan Smith: May I congratulate my right hon. Friend the Prime Minister on his very good put-down of the shallow Leader of the Opposition? I understand that his Government have changed the root origin of the term "yellowhammer" to describe the botched attempt by the Leader of the Opposition to dispatch his own deputy. I received and saw in my constituency, as others did recently, leaflets from the Labour party calling for a general election now. Can my right hon. Friend give me any reason why we are not having an election at this point? Does he think for a moment that it could be because the Leader of the Opposition fears his own party just as much as he fears us?

The Prime Minister: I thank my right hon. Friend for his acute question. I am afraid the answer is simple: the Opposition do not want an election because they are not sure that the public would trust them with the Government—and I think that they are right. I think they put the yellow into yellowhammer.

Ian Blackford (Ross, Skye and Lochaber) (SNP): I thank the Prime Minister for an advance copy of his statement. When I read the first paragraph, it talked about the Supreme Court verdict. It was not the Supreme Court verdict; it was the judgment of the Supreme Court. Perhaps the Prime Minister might start to show some respect for the judiciary. We are here today because the Prime Minister was utterly humiliated by the Supreme Court, by a count of 11 to zero. Members might have thought, in that diatribe that we had, that we would have some humility and that we might have been able to acknowledge that what we have had is the unlawful shutting-down of Parliament. Mr Speaker, sorry is indeed the hardest word for the Prime Minister.

It was said by a former Prime Minister that where law ends, tyranny begins. It pains me to say it, but the fact that the Prime Minister is still standing here today shows that he does in fact believe he is above the law. Well, he is not. Thank heavens for the action that was brought in the courts in Scotland and England, and I pay tribute to my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry). Thank goodness the courts have done their job and made sure that parliamentarians are back where they should be, in this House, holding the Government to account.

The ruling of the Supreme Court has made it absolutely crystal clear: the actions of this Government and this Prime Minister led to the unlawful Prorogation of Parliament. Delivering the verdict, Lady Hale stated that Prorogation was null and void. Have you no shame, Prime Minister? The court concluded that the decision was unlawful because it had

“the effect of frustrating or preventing, without reasonable justification, the ability of Parliament to carry out its constitutional functions”.

The Prime Minister talks about us running off to the courts. Well, we got the courts to do what he failed to do, which was to respect parliamentary sovereignty. The court talked of

“frustrating or preventing, without reasonable justification, the ability of Parliament to carry out its constitutional functions”

How devastating for a Prime Minister to have such a judgment. Where law ends, tyranny begins. Yet, the Prime Minister said he did not agree with the courts. He only agrees with his cronies in No. 10—his Brexit-obsessed fan club. He cannot pick and choose when it comes to the law; he must obey the law. That is not leadership; he quite simply is not fit for office.

I hear the Prime Minister talking about a surrender Act. How despicable that, when he refers to Members of this House who are doing their duty to protect our constituents, he uses language such as “surrender”. That language is not suitable for the Prime Minister of any country.

The Prime Minister's position is no longer tenable. His failure to resign is an embarrassment. People have had enough of this shambles. We have reached a difficult and dangerous point—[*Interruption.*]

Mr Speaker: Order. The right hon. Gentleman leads the third party in this House. He has a right to be heard. He will continue his contribution and he will be heard, however long it takes. If the message has to be repeated again and again and again ad infinitum, so be it. He will be heard—end of subject.

Ian Blackford: I am much obliged, Mr Speaker.

We have reached a difficult and dangerous point, not just in relation to the Brexit crisis, but for the constitutional future of these islands and, indeed, the future of our democracy. We have a Prime Minister standing here in a Parliament that he sought to silence. People across these countries will be reading today about how the Prime Minister fought the law, but the law won. The Prime Minister, the Head of Government, is responsible for the law and responsible for governance. What an example he is to the public! Let me be clear to the Prime Minister that he should resign, but if he fails to do so, yes, the Opposition must unite to trigger a vote of no confidence to bring this chaotic Government down. By triggering a vote of no confidence, we will ensure that the Benn Act is honoured to take no deal off the table by allowing the Opposition to install an interim leader to take back control and to protect our economy from the cliff edge. The Scottish National party fully supports stopping no deal—it is our priority.

Let me be clear to Members on these Benches: we are not powerless. Doing nothing is not an option. This is the time for leadership. Once we have removed the Prime Minister and removed the threat of no deal, the people must have their say, through a general election, as quickly as possible. We must unstick this mess and we must trust the people to make their choice. We cannot trust this Prime Minister; his time must be up. His days of lying, cheating and undermining the rule of law must be numbered—[*Interruption.*]

Mr Speaker: Order, order! Just for the avoidance of doubt, I am sure that the right hon. Gentleman will not state in this House that the Prime Minister has lied in the House. He must not do so—[*Interruption.*] Order, order! That is the procedural position. He did not say that, but he did refer to lying. I know that he cannot be referring to it in the context of the exchanges in this House. A nod of the head to confirm that my interpretation is correct will suffice and he can then proceed with the rest of his questioning.

Ian Blackford indicated assent.

Mr Speaker: I am sure that I am correct in my surmise.

Ian Blackford: Thank you, Mr Speaker.

I have one question for the Prime Minister for now. Do the right thing, and do it now. Prime Minister, end this dictatorship. Will you now resign?

The Prime Minister: I thank the right hon. Gentleman. On his substantive point, we do respect the Supreme Court. The reason that I want a Queen's Speech, and wanted a Queen's Speech, is quite frankly, of course, because we have to do what we can as a United Kingdom to remedy the waste and incompetence of the high-taxing, fish-abandoning Government of the SNP in Scotland. That is why we are investing in 20,000 more police officers, 20 new hospital upgrades, levelling up education spending, and funding gigabit broadband across the country. I hope—and I bet the people of Scotland hope—that in spite of all the uselessness of the Government of Scotland those benefits will be passed on to the people, because that is the only obstacle in our way.

Sir William Cash (Stone) (Con): The Supreme Court mentioned that the Prorogation had—[*Interruption.*]

Mr Speaker: Order. I apologise for interrupting the hon. Gentleman, but he, too, must be heard. I want to hear his question and the answer to it.

Sir William Cash: The Supreme Court mentioned that the Prorogation had an extreme effect on the fundamentals of our democracy. Does my right hon. Friend accept that it is more than an extreme and undemocratic effect for Parliament itself to tear up its own Standing Order No. 14, because the priority that that Standing Order gives to Government business, as compared with private Members' business such as the surrender Act, derives exclusively from the fundamental democracy of the voters of this country in general elections, and to remedy this, they must be given an early general election to decide who governs this country?

The Prime Minister: I thank my hon. Friend. He is, of course, quite right in the sense that the people of this country can see all kinds of forces in this country going to quite extraordinary lengths—whether judicial or parliamentary—to prevent Brexit from being delivered on 31 October, but I have to tell him—and I am sure that he will agree with me—that we are not going to be deterred by such ruses, and that we are going to get this done.

Jo Swinson (East Dunbartonshire) (LD): The Prime Minister is not serious; he needs to understand that actions have consequences. Even my five-year-old knows that if you do something wrong, you have to say sorry. If my son can apologise for kicking a football indoors, surely the Prime Minister can have the humility to say sorry—for misleading the Queen, misleading the country and illegally shutting down our democracy.

The Prime Minister: Quite frankly, one of the actions for which the hon. Lady might wish to take responsibility is writing to the President of the European Commission to actively encourage him not to do a deal with this country.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): As somebody who voted remain in the referendum, I am mindful of the fact that this House of Commons voted six to one in favour of having a referendum. On two occasions, the Prime Minister has attempted to call a general election that would have taken place on 15 October. If the British people—who we get our mandate from—had decided that there should have been another Prime Minister on that occasion, they would have had the opportunity. Why was that prevented?

The Prime Minister: My right hon. Friend speaks with great wisdom and experience of this place, but I cannot believe that in all his time here he has ever seen a Leader of the Opposition actively forgo and turn down, in full view of the British public, the opportunity to have a general election. But that is what has happened twice. There can only be one possible explanation—that he does not think he can win.

Nigel Dodds (Belfast North) (DUP): There will be many people, not least the families of senior judges who were murdered in Northern Ireland—many of them, including a Lord Justice of Appeal—who will wish that the Leader of the Opposition had really put his words

today into action much, much earlier in his career, when he supported a terrorist organisation that murdered judges. We talk about respect for the rule of law; it should have been respect for the rule of law through the decades of the troubles in Northern Ireland as well.

On Brexit, the reality is that, despite everything, the fundamentals remain unchanged. We need to deliver on the Brexit referendum, but we must do so—ideally and if possible—with a deal, and we want to get that deal through this House. Does the Prime Minister agree that the way to do that is to deal with the anti-democratic backstop—the trap and the issue of consent that he talks about, which we will work with him on—but that all the shenanigans in this House undermining the leverage of the Prime Minister are actually in danger of bringing about the very result feared by those who do not want a no deal?

The Prime Minister: I thank the right hon. Gentleman for what he has just said. Of course, I agree profoundly with his condemnation of terrorism. I make no comment on the support of the Leader of the Opposition for those organisations because I have made that point many times before.

The right hon. Gentleman speaks with great maturity on the negotiations. There is a chance to make progress. It will not be easy, but it clearly is not helped by the surrender Act. [*Interruption.*] That is what it is, because it would require us to take no deal off the table. But neither the right hon. Gentleman nor I are going to be daunted by that Act and I think our confidence is growing. We will work flat out to get a deal by 17 October. The House will then indeed have a chance to pronounce on it, as it was always intended that it should.

Mr Jeremy Hunt (South West Surrey) (Con): Can I congratulate my right hon. Friend on becoming Prime Minister? I hope he is enjoying doing the job as much as I am enjoying not doing the job. Does he agree that those who claim to defend parliamentary democracy are in fact putting it at grave risk by alienating a large proportion of the population who fear that this House is trying to block a democratic referendum result that we promised to honour?

The Prime Minister: It is a great pleasure to respond to my right hon. Friend because I am reminded of the many times that he and I shared a platform, and frankly we spoke absolutely as one on that issue. He was right then and he is right now.

Hilary Benn (Leeds Central) (Lab): Can I say to the Prime Minister that those of us who voted for the European Union (Withdrawal) (No. 2) Act make no apology whatsoever for having legislated to prevent the Prime Minister from taking this country out of the European Union on 31 October without an agreement? The Prime Minister can shout as much as he likes from the Dispatch Box but he cannot hide the fact that he has no mandate, no majority and no credibility.

On 3 September, the Prime Minister told the House that he would bring forward proposals for an alternative to the backstop well before the end of the 30-day deadline set by Chancellor Merkel. That deadline has now passed. The EU says that no such formal proposals have been tabled. Why not, and when will he do so?

The Prime Minister: The right hon. Gentleman will, I think, agree that the surrender Act had a material—*[Interruption.]* The Benn-Burt—the Hilary Benn—surrender Act did indeed have a profound psychological impact on our friends and partners over the channel; and it has had an impact on the negotiations and it has made things more difficult. I think that, in all honesty, he would concede that.

On the detail of the negotiations at present, all I can say is that we have tabled proposals. As the right hon. Member for Belfast North (Nigel Dodds) confirmed, progress is being made. It is not assisted by publishing our proposals today.

Antoinette Sandbach (Eddisbury) (Ind): The Prime Minister is very keen to point out how to deliver commitments made during an election. He wrote to the One Nation group during his election to be party leader that he was not much attracted to Prorogation—something that he may reflect on now—and that he would seek to build consensus across the House. What undermines his negotiating position is that those watching from Europe cannot see how the Prime Minister is going to deliver a majority in this House for concessions that he will get. Can he update the House on the moves that he is taking to build consensus?

The Prime Minister: I thank the hon. Lady. Actually, she asks an extremely important question, because I do think, in all intellectual honesty, that Opposition Members who voted for the Benn-Burt Act—who wanted to take no deal off the table and who voted for the surrender Act—should vote for the deal that we produce, and I would like to hear from them that they will. We will, I am very confident, make progress towards getting a deal, and I hope it will command their support.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): Earlier today, the Attorney General did not just say that he would respect the Supreme Court's judgment; he also said, "We got it wrong." The Prime Minister has today just said the opposite, and effectively said that he thinks it is okay for a Prime Minister to cancel Parliament for as long as he so chooses in order not to answer questions. Many of us had disagreements with his predecessors—the right hon. Member for Maidenhead (Mrs May), David Cameron, John Major, Margaret Thatcher—but none of them would have done this. None of them would have been so chaotic. None of them would have shown such disregard for the rule of law or tried to concentrate power in their own hands by cancelling Parliament in this way. Why is he so entitled that he thinks it is one rule for one person—one rule for him—and a different one for everyone else?

The Prime Minister: I think the historical record will reflect that several Prime Ministers—I think all Prime Ministers—have had Prorogations. John Major, for instance, prorogued for several weeks in advance of an election. On the substantive question about the view of my right hon. and learned Friend the Attorney General about the judgment yesterday, let us be clear that we are as one in respecting the Supreme Court, and we are as one in thinking that that judgment was wrong.

Mr Owen Paterson (North Shropshire) (Con): The people were told in the general election in 2015, during the passage of the European Union Referendum Bill

through this House and during the referendum itself that we, the MPs, would give them the decision, that it would be a final decision and that whatever the result was, we, the MPs, would honour it. The crisis we have is that for the first time ever, the people have not obediently and politely gone along with what the establishment wanted. We have seen the political establishment in this House, the commercial establishment and now the judicial establishment go against the will of the people. They are angry. They feel thwarted by the establishment. *[Interruption.]* Does the Prime Minister agree that the only answer is to leave on—

Mr Speaker: Order. *[Interruption.]* The right hon. Gentleman persisted, but he was entitled to be fully heard. I hope he is content.

Mr Paterson *rose*—

Mr Speaker: I did my best to help the right hon. Gentleman—go on, blurt out the last sentence, man!

Mr Paterson: Does the Prime Minister agree that the only way to resolve this crisis is to leave the European Union on 31 October by taking back control, leaving the customs union, leaving the single market and leaving the remit of the European Court of Justice, as we promised in our election manifesto?

The Prime Minister: Mr Speaker, I am grateful to you for making sure that that last sentence was heard, because I agree with every word of it; that is exactly what we are going to do.

Stella Creasy (Walthamstow) (Lab/Co-op): Earlier today, parents in Walthamstow contacted me because they are extremely concerned about the content of a presentation about the Prime Minister's proposals and Brexit that had been broadcast on 3,000 digital noticeboards in primary schools around the country, without the prior consent of the schools. Given the amount of money that this Government are spending on Brexit adverts, can he at least reassure Walthamstow residents that in this instance, it was not his doing, and give his personal pledge that our primary schools will remain Brexit propaganda-free zones?

The Prime Minister: The hon. Lady brings me news about schools in her constituency. What I can tell her and what I think colleagues would like to hear is that we are investing more in every primary school in this country by levelling up across the UK.

Penny Mordaunt (Portsmouth North) (Con): One of the greatest acts of patriotism shown over the last few years was not by people like myself, who voted leave, but by those who voted remain and accepted the democratic result. The general public never doubted that we in this place would act on their wishes—that is the trust that they had and, I think, still have in all of us here and this Parliament. Does my right hon. Friend agree that when people trust you in this way, you do not let them down?

The Prime Minister: My right hon. Friend speaks movingly and entirely correctly about our duty to the people of this country. They are watching these proceedings. They want us to deliver Brexit on 31 October, and I urge colleagues around the House to think of their responsibilities.

Anna Soubry (Broxtowe) (IGC): Having read yesterday's judgment by the learned judges in a unanimous verdict of the highest court in the land—and I congratulate all those who brought the action to defend this sovereign Parliament—I see that, on two important matters, the Government clearly did not defend or supply evidence. That is why the learned judges came to the conclusions they did. The evidence of Sir John Major was that, normally, a Government would prorogue for some five days. That evidence was not challenged by this Prime Minister and Government. They offered no evidence on why they sought a Prorogation of five weeks. That led the learned judges, at paragraph 56—I am pleased to see that the Prime Minister is making a note; I hope he will go and read the judgment and will not be honing his pole dancing skills instead—to write:

“This was not a normal prorogation in the run-up to a Queen's Speech. It prevented Parliament from carrying out its constitutional role for five out of...eight weeks”.

At paragraph 61—[*Interruption.*] They do not want to hear it, but they will hear it, because the learned judges unanimously concluded that there was not

“any reason—let alone a good reason—to advise Her Majesty to prorogue Parliament for five weeks”.

I came here today not just to represent my constituents but hoping that the Prime Minister would show humility in the face of the condemnation in this judgment. Will he apologise, if not to this place then to the country, and has he apologised to Her Majesty the Queen?

The Prime Minister: As the right hon. Lady can imagine, I will not comment on my conversations with Her Majesty. I am afraid she is sadly in error in her history. To my memory, John Major prorogued Parliament for 18 days before he even had an election, and all we were going to lose was four or five sitting days over the party conference period. She will have ample opportunity, after the European Union summit on 17 and 18 October, to debate Brexit again, as is her privilege, her prerogative and indeed her pleasure, and it was always intended that she should.

Mr Dominic Grieve (Beaconsfield) (Ind): Whatever policy differences the Prime Minister may have with others, he may agree that he has an absolute duty to observe and uphold the rule of law. Whatever self-justifications he may have advanced today, he may also have to accept that in the matter of proroguing this House, he failed to do that. In those circumstances, would he now like to take the opportunity, rather than condemning the European Union (Withdrawal) (No. 2) Bill as a surrender Bill, to assure the House—[*Interruption.*]

Mr Speaker: Order. Let it be said with crystal clarity including to occupants of the Treasury Bench—[*Interruption.*] Yes, here we go. The right hon. and learned Gentleman will be heard. He will not be shouted down by people from his own Benches. That sort of behaviour is intolerable and it is obviously so to most remotely reasonable people.

Mr Grieve: Will the Prime Minister therefore take this opportunity to give an assurance to the House that should the terms of the Bill apply to him, rather than trying to die in ditches, he will observe those terms as he is duty bound to do?

The Prime Minister: I repeat the confirmation I have made many times that this Government observe, and will observe, the law. If I may say so to my right hon. and learned Friend, our view of the matter that was before the Supreme Court had the support of the Master of the Rolls and the Lord Chief Justice, who, at the risk of embarrassing my right hon. and learned Friend, are perhaps even more distinguished in the law than he is.

Ms Angela Eagle (Wallasey) (Lab): I have been a Member of this House for 27 years and I never thought I would be present to watch Government Members erupt in applause when a Prime Minister has had his political strategy torn to shreds by losing 11-0 in the Supreme Court of the land. The judgment found:

“It is impossible for us to conclude, on the evidence which has been put before us, that there was any reason—let alone a good reason—to advise Her Majesty to prorogue Parliament for five weeks...It follows that the decision was unlawful.”

Why do we now find this Prime Minister leading a Conservative party that feels it is appropriate to applaud that?

The Prime Minister: If I may say so, I think that the involuntary commentary on the Benches of this House was directed more at the Leader of the Opposition than at anything I had to say. My strong view is that the opinion of the Supreme Court has, of course, to be respected and fulfilled. That is why I am pleased to say that we are all here today to listen to the hon. Lady.

Sir John Hayes (South Holland and The Deepings) (Con): In 1801 Horatio Nelson, perhaps our nation's greatest hero, chose not to see advice to retreat. In that spirit, will the Prime Minister turn a blind eye to the antics of the liberal establishment, and turn a deaf ear to the shrill bleats of those who seek to foil Brexit and frustrate the will of the people? For he must know that the loud and clear cry of the working people of this country is as straightforward as this: “Back Brexit and back Boris.”

The Prime Minister: I thank my right hon. Friend. I will not only try to imitate Horatio Nelson; I will lash myself to the mast, figuratively speaking, like Odysseus and stop my ears to the siren cries of those opposite who would try to frustrate the will of the people and block Brexit. That is what they want to do, but we are not going to let them do it.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): May I congratulate Opposition leaders on their resilience and resoluteness of intent in the face of the Prime Minister's incontinent goading? This Government will abide by legislation to extend article 50 unless this House decides otherwise.

The Supreme Court decided that the Prime Minister did not prorogue this place in order to deliver a Queen's Speech but to stymie parliamentary debate. I would not presume to impugn the honour of the Prime Minister, but the Supreme Court clearly does not believe his motives to be—how can I put this?—legitimate.

In 2004 the Prime Minister, who was then the Member of Parliament for Henley—

Mr Bob Seely (Isle of Wight) (Con): On a point of order, Mr Speaker. [*Interruption.*]

Mr Speaker: I am going to try to be helpful to the hon. Gentleman, who is a most dedicated and assiduous Member of two years' standing. We do not have points of order in the middle of exchanges. I will try to provide a tutorial to the hon. Gentleman on another occasion, but the right hon. Lady will not be prevented from asking her question. She is asking her question and it will be heard, and the hon. Gentleman will sit quietly and listen.

Liz Saville Roberts: I think the House will find this relevant. In 2004 the Prime Minister, who was the MP for Henley at the time, wrote a column in *The Daily Telegraph* in which he argued that Tony Blair should be impeached, as he

“treated Parliament and the public with contempt”

over the matter of disclosure of motives and legal advice relating to the Iraq war. The right hon. Gentleman even edited a copy of *The Spectator* that called for Blair to be impeached for lying. He also signed an impeachment motion—

Mr Speaker: Order. I have rightly protected the right hon. Lady from inappropriate attempts to cut her off, but she must ask a question. I very much hope that she is approaching the end of her question. She really needs to do so.

Liz Saville Roberts: The Prime Minister signed a motion for the impeachment of Tony Blair, which was tabled by Adam Price, who is now leader of Plaid Cymru. The Prime Minister is surely not a man who likes to appear inconsistent. Does he still believe it to be right and proper to seek to impeach a Prime Minister who has been judged to mislead the public?

Mr Seely: On a point of order, Mr Speaker.

Mr Speaker: I have already explained once. Let me explain to the hon. Gentleman again, in terms that brook no misunderstanding, that now is not the time for points of order. That time will come, and if the hon. Gentleman is still interested, he will be heard, but he needs to learn the procedures for those matters.

The Prime Minister: I thank the right hon. Lady very much for her question. I am glad that she is such an assiduous reader of my column, but I must make clear two important points. First, the Supreme Court did not impugn the Government's motives. Secondly, the right hon. Lady should bear in mind that Wales voted leave.

Mrs Anne Main (St Albans) (Con): When it suits politicians, they promise elections and referendums. Indeed, in 2008, the Liberal Democrats promised a referendum on in or out of the European Union. Does my right hon. Friend agree that those who shouted loudest for a referendum are now promising revoke, and that that is undemocratic, just as it is undemocratic to be bench-blocking and refusing the public the chance to decide to have a Government who can be in power, not just in office?

The Prime Minister: My hon. Friend is entirely right. The absurdity of the Liberal Democrat position is equalled only—if not surpassed—by the Labour position. The Labour party is after all committed to negotiating a new deal with the European Union and then campaigning against it.

Jess Phillips (Birmingham, Yardley) (Lab): I know that the Prime Minister wants to appear as a strong man, but the strongest thing he could do that would look the best to this country at the moment is to act with some humility and contrition. The difference between the Prime Minister and me—there are many differences—is that if the Labour party had done this, I would be ashamed. I would be sorry that the Labour party had been found to do this. I say to the Prime Minister that this looks horrendous to the public. He thinks he speaks for the people, but it will look much better if he rises to his feet now and says, “I am sorry. I got this wrong.” Let's try honesty.

The Prime Minister: I am grateful to the hon. Lady. As I have said many times this afternoon, I accept the judgment of the Supreme Court. However, I also say to the hon. Lady in all candour that the humblest and most responsible thing we could all do as parliamentarians is show that we respect the judgment of the people and take this country out on 31 October.

Steve Brine (Winchester) (Ind): On 3 September, I asked the Prime Minister, given his view then that the chance of a deal had increased and that things were moving—as he said to me at the time—what evidence of that progress he could put before the House. I think that the Prime Minister is unfairly maligned, because I have sat face to face with him, as have many others, and I know he wants a deal. In the light of encouraging noises from him and his Ministers in recent days and, as he said in his statement, from the EU, I ask him again this evening: he says we are making progress, but what does it look like? He needs to bring together a majority across the House to get a deal through and show that to EU leaders. As I said, he is unfairly maligned, so what can he put before the House to give us that encouragement?

The Prime Minister: I am grateful to my hon. Friend, and, as I said to the House in my opening statement, we have moved a long way off the idea that the withdrawal agreement was the law of the Medes and the Persians—fixed, immutable, graven in tablets of stone. That has absolutely gone. We have moved a long way from the idea that the backstop had to be retained in all circumstances. My hon. Friend will have heard Jean-Claude Juncker himself say that he no longer had any—I think he said erotic—fixation with the backstop.

In concrete terms—this might be helpful to the House—there are three areas in which progress is being made. The first concerns the concept of the alternative arrangements, which I know has been discussed many times in this House—I know that many right hon. and hon Members have gone over it many times, but it is a fruitful area of discussion. The second idea, which is also extremely fruitful, is the concept of doing everything we can to maintain the unity of the island of Ireland for sanitary and phytosanitary purposes. As I am sure my hon. Friend, who has studied these matters closely, will acknowledge, that is a big concession by the UK Government and a big advance. It needs to be handled with care and we need to get the balance right, but we think that progress can be made in that area. The third concept, which I already mentioned in my opening remarks, is the idea of consent. Consent holds the key. There is a problem with the backstop, as hon. Members who sit on the Opposition Benches will recall—I heard

some very good speeches against it from the Opposition Benches. The problem with the backstop is that it does not repose the locus of authority here in the UK, and we need to remedy that. I am sure that my hon. Friend understands that point, too.

Gloria De Piero (Ashfield) (Lab): I campaigned to remain, the Prime Minister campaigned to leave, but I have always respected the result of the referendum. To be honest, I do not want to work with him any more than he would want to work with me, but we both know that there are areas where both parties reached agreement in those cross-party talks. Will he publish the areas of agreement from those cross-party talks and use them as the basis for a new Bill so we can stop a no-deal Brexit and leave by 31 October with a deal?

The Prime Minister: I certainly admire the way that the hon. Lady is trying to work in a cross-party way to try to bring this to a resolution. I will take up her proposal and do what I can to bring it forward over the next few days. I appreciate that time is marching and very tight.

Victoria Prentis (Banbury) (Con): Significant numbers of MPs from across the House are coming together to indicate that they are “MPs for a deal”. Will the Prime Minister confirm first that he is one of those, secondly that he is working hard for a deal, and thirdly that we will have the opportunity to vote on another deal?

The Prime Minister: I thank my hon. Friend for what she is doing, as well as my hon. Friend the Member for Cheltenham (Alex Chalk), who is, I think, involved in the cross-party work for Members for a deal. I can absolutely agree that if and when we are able to bring back an agreement, one that I think will work for this House and for this country, following 17 and 18 October, we will of course put it to Parliament, and I do hope that it will then get assent.

Joanna Cherry (Edinburgh South West) (SNP): In my naivety, Mr Speaker, I thought we were coming to hear a statement on the Supreme Court judgment, but instead we have been treated to the sort of populist rant one expects to hear from the leader of a tin-pot dictatorship or perhaps the current President of the States. Does the Prime Minister appreciate that his display is anathema to the democratic constitutional tradition of Scotland, which was upheld in the UK Supreme Court yesterday? I pray to God that he will not take his own country on to the rocks, but if he is intent on doing that, will he first of all recognise the democratic mandate of the Scottish Parliament? He spoke a moment ago about consent to be governed holding the key. If he must take England on to the rocks—and I hope he does not—will he recognise the democratic mandate of the Scottish Parliament and agree the means for a second independence referendum to be held in Scotland?

The Prime Minister: I do congratulate the hon. and learned Lady on bringing that action, because she did produce an astonishing result. Let us be in no doubt: it was a groundbreaking judgment, it was a novel judgment, and it had the effect that we can all see before us today. Here we are back in this House of Commons. On her second point, however, I must say that the people of

Scotland voted decisively in 2014 to remain in the United Kingdom, the most successful union of nations in history, and they were told that it was a once-in-a-generation vote. It is absolutely wrong of her now to try to break that promise.

Dr Julian Lewis (New Forest East) (Con): When the Prime Minister eventually wins an overall majority at the next general election, will he make it a priority of his first majority Government to repeal forthwith the ghastly Fixed-term Parliaments Act 2011?

The Prime Minister: I think we will concentrate on winning that overall majority first, but I share my right hon. Friend's sentiments entirely.

Rachel Reeves (Leeds West) (Lab): This afternoon has been a horrendous spectacle. We have a Prime Minister who has broken the law and uses dangerous language of betrayal and surrender, which sows division and worse in the communities we all serve, and then we have his MPs clapping him for doing so. This afternoon has taught us how important it is that Parliament is sitting in these crucial weeks, because it is only with Parliament sitting that we can hold this Government to account. That is why it is so important that Parliament is not dissolved for a general election or prorogued again—so that we can continue to hold this Government to account. If the Prime Minister has broken the law once, why should we trust him not to do the same again?

The Prime Minister: I must respectfully disagree with the hon. Lady's characterisation of the surrender Act—*[Interruption.]* It has done damage and was intended to damage this country's negotiating position. It is also right in this context to work hard together to get a deal done and to deliver on the mandate of the people, because that is what her constituents would want.

Richard Drax (South Dorset) (Con): I commend my right hon. Friend for his firm stance. If he comes back with a deal, can I ask that it not mirror in any way, shape or form, the deal that has already been thrown out of this House? I for one—and, I believe, the people of this country—do not want to remain with vassalage status for years to come. Let us get this done and leave the EU.

The Prime Minister: My hon. Friend is valiant for truth in this matter and he is right. The problem with the previously existing withdrawal agreement is that it would have kept the UK locked in the EU in a state tantamount to vassalage. We will make sure that the deal we do bears no resemblance to that predicament, and it will be a deal that I believe he can fully support.

Alison McGovern (Wirral South) (Lab): The irony is not lost on any of us that the Prime Minister told us that Prorogation was nothing to do with Brexit and yet here we are talking constantly about Brexit.

I want to raise with the Prime Minister a more serious point about our political culture. Those of us who constantly remember our friend Jo Cox need our political culture to change now. It is getting toxic. The Prime Minister's language is violent and his Government are dysfunctional. Will he promise to change? Just for

[Alison McGovern]

this Session, will he take responsibility for his action? Can he accept that he acted unlawfully, and bearing in mind that this is about advice to our monarch, will he tell us which of his Ministers will resign?

The Prime Minister: I agree with the hon. Lady that tempers have become very ragged across the country and people feel that the fever of Brexit has gone on for too long, but the best way to sort this out is to get Brexit done, and that is what we want. I hope that she will join us in getting a good deal for this country, and getting it through the House of Commons.

Justine Greening (Putney) (Ind): The Prime Minister has talked about bringing a deal back to the House. He has also talked about his respect for the law, and about agreeing to make sure that he complies with the law. So may I ask him to be absolutely explicit that if he does bring a deal back to the House and the House does what its right is, perhaps, and rejects it, he will respect that, but he will also respect the so-called Benn Bill that the House has passed, and then ask for an extension?

May I just say to the Prime Minister that continuing to call a Bill that the House has passed a “surrender Bill” is deeply disrespectful to this place? He has said that he must respect the Supreme Court’s ruling; I simply ask him to respect the decisions of this House too.

The Prime Minister: I must say to my right hon. Friend—my friend with whom I have worked happily over many years—that, actually, I do think that the surrender Act has done grave damage. What it would try to do—[*Interruption.*] I speak as somebody who has to sit in with—[*Interruption.*]

Mr Speaker: Order. I appeal to colleagues in all parts of the House to calm down. Let us have the exchanges. Everybody must speak in terms that he or she thinks fit, but I know we are all conscious of the premium that is placed by “Erskine May” on moderation and good humour in the use of parliamentary language.

The Prime Minister: I repeat that the experience of negotiating with our European friends and partners over the last few weeks has, I am afraid, confirmed me in my view that the surrender Act—[*Interruption.*]—has made it more difficult for us to get a deal. That is the sad truth. What they hear is a Parliament that is not just determined to stop a no-deal Brexit. That is not its intention. Its intention is to stop any kind of deal at all. That is what it wants to do.

I can tell my right hon. Friend the Member for Putney (Justine Greening) that we will come out of the European Union on 31 October, and we will not be extending.

Paula Sherriff (Dewsbury) (Lab): I genuinely do not seek to stifle robust debate, but this evening the Prime Minister has continually used pejorative language to describe an Act of Parliament that was passed by this House. I am sure you would agree, Mr Speaker, that we should not resort to the use of offensive, dangerous or inflammatory language about legislation that we do not like.

We stand here, Mr Speaker, under the shield of our departed friend. Many of us in this place are subject to death threats and abuse every single day. Let me tell the Prime Minister that they often quote his words—surrender Act, betrayal, traitor—and I, for one, am sick of it. We must moderate our language, and that has to come from the Prime Minister first, so I should be interested in hearing his opinion. He should be absolutely ashamed of himself. [*Applause.*]

The Prime Minister: I have to say that I have never heard such humbug in all my life. [HON. MEMBERS: “Shame!”] The reality is that this is a Bill—[*Interruption.*] This is a Bill—[*Interruption.*]

Mr Speaker: Order. [*Interruption.*] Order. [*Interruption.*] Order. I appeal to the House as a whole to debate these issues calmly. I can see the gesticulation from colleagues, and I am not—[*Interruption.*] Order. Mr Linden, please; allow me to respond. I am not unmindful of the purport of that gesticulation. I have reminded colleagues across the House of the very long-established precepts of “Erskine May” in relation to the conduct of debate. I must simply say that nothing disorderly—[*Interruption.*] No, nothing disorderly has been said. Everybody must make his own or her own judgment as to how to behave in this place, and all Members will operate at the level that they think appropriate. If I see that there is disorderly behaviour I will rule accordingly, and if I hear disorderly words I will rule them out of order. I wanted to hear—[*Interruption.*] Order. I wanted to hear the hon. Member for Dewsbury (Paula Sherriff), and did so in full, as she absolutely had to be heard. I have listened to the reply. Let’s try to respect—[*Interruption.*] Order. No assistance is required. Let’s try to respect each other.

The Prime Minister: Mr Speaker, let me just explain why I call it the surrender Act. That is because it would oblige us to stay in the EU for month after month, at a cost of a billion pounds per month. It would take away from this country the ability to decide how long that extension would be, and it would give that power to the EU. It would absolutely undermine our ability to continue to negotiate properly in Brussels; it takes away the fundamental ability of a country to walk away from the negotiations, and I am afraid that is exactly what it does. If I may say so respectfully to Opposition Members who are getting very agitated about this, the best way to get rid of the surrender Act is not to have voted for it in the first place, to repeal it, and to vote for the deal that we are going to do. That is the way forward.

Vicky Ford (Chelmsford) (Con): Many of my constituents watch Parliament TV, and whilst we were away they watched catch-up, including an interesting episode where, most eloquently, the hon. Member for East Dunbartonshire (Jo Swinson) said that she wanted a referendum, that it should be an in/out referendum, and that people should decide. Does my right hon. Friend the Prime Minister agree with me that if the Liberals were democrats, they should be working for ways to help deliver that referendum and heal the divisions, not create more?

The Prime Minister: My hon. Friend is entirely right, and the way forward for this House and for this country is to get Brexit done. I think there are people around

this country, who are watching these proceedings, who will agree very profoundly with what I am saying: get Brexit done, and let's take this country forward.

Mr Speaker: In these proceedings Members must say what they think—and they do, and that is right—on both sides of the House and on different sides of this argument, but I would emphasise that I am keenly conscious of the fact that there are Members on both sides of the House, and indeed on both sides of the Brexit argument, who have been personally threatened, and whose families have been threatened, and it is incredibly—*[Interruption.]* No, but Members on both sides of the House and on both sides of the argument have been threatened, and I have stated very publicly my revulsion at such behaviour, whether it has affected Members on one side or the other, people who are anti-Brexit or Members who are pro-Brexit, whose families have been wrongly threatened, or whose parents have been abused in their presence.

I would simply appeal to responsible colleagues in all parts of the House to weigh their words. That is all I am saying. I think that is a reasonable request of Members in all parts of the House. It is in our wider interest as a Parliament, and it is in the public interest, that we respect each other. That is a point which I think should not be difficult to understand.

Steve Double (St Austell and Newquay) (Con): Following the events of yesterday, I have had many constituents contact me. Some are confused and bewildered; some are frustrated and angry. The vast majority of my constituents do not have the funding, the influence or the contacts to pursue matters in the Supreme Court, but what they do have is a vote. In June 2016, they gave their vote, and 64% in my constituency voted to leave, believing that their vote would count and the result would be honoured. Will the Prime Minister reassure my constituents that the events of yesterday will in no way detract from his determination to honour the referendum and ensure that we leave the EU?

The Prime Minister: I can certainly give my hon. Friend that absolute assurance. We are working for a deal on 17 October, but we will come out, if we must, without a deal on 31 October.

Anna McMorrin (Cardiff North) (Lab): I have never felt so embarrassed to be a Member of Parliament as I do here this evening. We know the impact that the Prime Minister's language and behaviour are having on people out there in the country and on us as Members of Parliament. Just today, I have seen a huge escalation in the abuse on social media and in the language and the incitement that he is causing. This has got to stop. Why does he not listen to what the court said yesterday and say sorry? Then let us do the democratic thing and, yes, let us put this back to the people for a final say.

The Prime Minister: Mr Speaker, I am mindful of what you have said about the surrender Act—*[Interruption.]* I do appreciate that tensions on this matter are high, but I want to be very clear with the hon. Lady. There is only one way to end those tensions in this country, and that is to get Brexit done. If she really thinks that staying on in the EU month after month after 31 October will

make those tensions, that acrimony and that storm on Twitter abate, she has got another think coming. Let us get this thing done.

Greg Hands (Chelsea and Fulham) (Con): I am glad to hear of the Prime Minister's continuing commitment to getting a deal, and it seems to me that that deal will inevitably be based around alternative arrangements. He mentioned the discussions in Brussels but, crucially, there will also be discussions in Belfast and Dublin. Could he give us an update on his meeting with Leo Varadkar on Monday in New York? Did they discuss alternative arrangements, and what is his view?

The Prime Minister: I really thank my right hon. Friend, because he has played a huge role in developing the whole concept of alternative arrangements, and yes, that played a large part in our conversation on Monday with the Taoiseach. I think it would be over-optimistic to say that that alone can solve the problem. There remain difficult issues about customs, as I am sure he understands, and we really must make progress on that issue.

Caroline Lucas (Brighton, Pavilion) (Green): The tone of the Prime Minister's speech was truly shocking, and if he recognises that tensions are inflamed, it is up to him not to stoke them further by whipping up hatred, treating Parliament with contempt and dividing our country still further. This populist rhetoric is not only unfitting for a Prime Minister; it is genuinely and seriously dangerous, as our Friends across the Aisle have just said. So I ask him again a simple question: if he trusts the people as much as he says he does, why will he not allow them to have a final say on his deal? He says he wants this to be over quickly; that is the quickest way to get a resolution to this crisis.

The Prime Minister: Obviously, I would like Parliament to have a say on the deal that we do, but I think the best way to get the people to have a say is to have a general election, and I hope that the hon. Lady will support that.

Kevin Hollinrake (Thirsk and Malton) (Con): One of the precedents quoted by the Supreme Court yesterday was a 1965 ruling that a Government cannot deprive individuals or companies of their assets without fair compensation. What implications does my right hon. Friend think that might have for a future Labour party manifesto?

The Prime Minister: I am delighted that my hon. Friend has mentioned that, with his characteristic acuity and his support of property and the rights of people across this country. Those would be despoiled if the right hon. Member for Islington North (Jeremy Corbyn) ever got anywhere near power. He has a Maduro-esque plan to take away private property from great, great schools across the country of the kind he attended himself once, in an ecstasy of hypocrisy, and thereby to incur the taxpayer with £7 billion of pointless extra cost to pay for the education of the children concerned.

Chris Bryant (Rhondda) (Lab): Since we will definitely be sitting for at least a few more days, would it not make more sense for the Government to bring forward something

[Chris Bryant]

that the whole House can agree on? Two women are killed, on average, by their domestic partners every week of the year in this country. The Government have a Domestic Abuse Bill that is ready to go. Why do we not do Second Reading on Monday or Tuesday? The whole House would agree, we would be able to send it off to Committee and if we were eventually to have another Queen's Speech, we would be able to have carry-over for it. It is time we defended the women of this country.

The Prime Minister: I quite agree with the hon. Gentleman; he is absolutely right. One of the reasons I wanted to have a Queen's Speech was so that we could bring back the domestic violence Bill.

Martin Vickers (Cleethorpes) (Con): May I draw the Prime Minister's attention to an email I received from Port Equipment Engineering Ltd, which is based at Immingham in my constituency? It said:

"The people voted to leave and this has to be respected. Pushing it back further would certainly cause damage to the local area. Please represent us in Parliament and speak of the massive impact this is having and how it will escalate quickly with further problems."

I urge the Prime Minister to stick to his guns and deliver on 31 October. The port of Immingham is ready and waiting, and will hopefully get free port status after we leave.

The Prime Minister: I thought that was coming, Mr Speaker. I am certainly grateful for my hon. Friend's support for my ambition to get Brexit done by 31 October. Apart from anything else, it will not only help to take the sting out of the current conversation and calm everybody down, but deliver the business certainty and confidence that people have been crying out for around the whole United Kingdom.

Lady Hermon (North Down) (Ind): I have to tell the right hon. Gentleman that I was shocked that he, as the Prime Minister, should take it upon himself, with his arrogance, to declare the judgment of the Supreme Court wrong. It was the Supreme Court—the highest court of the land—and the 11 judges were unanimous, but the Prime Minister has declared this evening that their decision was wrong. He has not explained the grounds, but he has declared them to be wrong. If the Prime Minister believes that, does he also believe that it is lawful for him to call another lengthy Prorogation of this Parliament? If he has that in his mind, when is he going to enlighten us as to when that Prorogation will begin?

The Prime Minister: I am grateful to the hon. Lady, but I do think we need a Queen's Speech and I do think we have a dynamic domestic agenda that we need to push forward. I will inform her, as well as the rest of the House, as soon as we have assessed the meaning of the judgment in its entirety and when it is appropriate to do so.

Rory Stewart (Penrith and The Border) (Ind): Like my right hon. Friend, I support a Brexit deal; indeed, I voted for it considerably more frequently than him.

If this great party stands for anything, it stands for respect for parliamentary sovereignty and the rule of law. I respectfully say that he is tiptoeing on to a dangerous path. He is pitting Brexit against remain, young against old, Scotland against England, and people against the Parliament. Will he please reflect on the fact that this Brexit deal is not a deal just for the next five years; it is the foundation of our relationship with Europe for the next 40? That requires us to speak with respect, with moderation and with compassion for our opponents in order to provide a foundation that appeals not just to a single narrow faction, but to every citizen and party in this great country.

The Prime Minister: I think the juxtaposition is actually between democracy and the will of the people, which we are sticking up for, and dither and delay, which the party opposite is standing for. That seems to me a very clear dividing line, and I know which side I am on.

Stephen Gethins (North East Fife) (SNP): Earlier on the Prime Minister referenced the Stasi, so he must rejoice with me in the fact that countries across eastern Europe believe that their independence and sovereignty are enhanced by their membership of the European Union, just as the rule of law is enhanced by that membership.

If all the criteria of the parliamentary sovereignty and rule of law Act, let us call it, are fulfilled and if he is still Prime Minister on 19 October, will he reassure me and prove me wrong—I do not think he respects the rule of law any more—by telling me that he will sign that extension?

The Prime Minister: If the hon. Gentleman does not want to call it the surrender Act, what about the humiliation Act? Will that do any better? That is what the Act is intended to do.

On the hon. Gentleman's substantive point about respecting the rule of law, I have made it clear to this House several times that we will of course respect the law.

Richard Graham (Gloucester) (Con): The problem with the Act that the Prime Minister calls the surrender Act is that many of those who supported it are not so much against no deal as against leaving the European Union altogether, but there are many of us on both sides of the House who support the Prime Minister's stated goal of coming back from the October Council with a deal and leaving the EU at the end of October. I therefore urge my right hon. Friend, first, to maximise the two-week negotiating opportunity and, secondly, to reach out across the House to all those on both sides who genuinely want to leave the EU but in the best possible way.

The Prime Minister: Of course my hon. Friend is completely right. We will reach out to Members on both sides of the House, and I hope that our overtures will be received in a kindly spirit.

Helen Goodman (Bishop Auckland) (Lab): I must say that I feel the Prime Minister's goading of my colleagues from Yorkshire reveals that he has changed little since he was a student burning £50 notes in front of homeless people.

I do have a real question, and the problem is that this statement was billed as the Prime Minister's update. Rather than just talking about vague concepts, could he tell the House what proposals he has tabled to the European Union?

The Prime Minister: The hon. Lady has made an allegation about my conduct as a student that I am afraid, if it were allowed to stand, would enter the record. She has no evidence for it whatever because it is completely untrue, Mr Speaker, and I would like you to ask her to withdraw it.

Mr Speaker: I am most grateful to the Prime Minister. The hon. Lady has said what she said, but the Prime Minister—[*Interruption.*] Order. The Prime Minister, from the Dispatch Box and with the full authority of his office, and knowing his own background and recognising the duty of every Member to speak the truth in this Chamber, has exercised his freedom, and quite rightly so. I think the Prime Minister would readily acknowledge that, in light of all that, he does not require any additional protection from me. He has put the record straight and it is there. It is on the record.

Caroline Nokes (Romsey and Southampton North) (Ind): What matters in this place is not just language, but tone. Earlier my right hon. Friend the Prime Minister spoke of political cowardice; I wish to speak to him of political bravery. Politics is the art of the possible. I genuinely believe it is possible for him to get a new deal; further, I believe it is possible for it to pass this House. But it would be politically brave not simply to reach across the House, but to put his arms around the House.

The Prime Minister: I thank my right hon. Friend, and I will do my best—[*Interruption.*] Clearly, the invitation is not universally welcomed. I share her idealism. I think there is a chance for us now to do our duty to our constituents and to put this matter to rest in a way that will greatly alleviate the tensions now current in our country. It will be a great thing for our country if we do that, so I will follow my right hon. Friend's urgings and do my best to show the spirit she asks for.

Several hon. Members *rose*—

Mr Speaker: I think the moment has arrived for the hon. Member for Kingston upon Hull East, whose noisy activities I was remarking upon in a number of cities around the world last week. We so often hear him yelling from a sedentary position; let us now hear him from a standing position.

Karl Turner (Kingston upon Hull East) (Lab): Thank you very much indeed, Mr. Speaker. It really is an absolute disgrace that, even though the Prime Minister has been dragged here by the most senior judges in the highest court in the land because the advice that the Leader of the House gave Her Majesty the Queen was held to be unlawful, he comes here laughing and joking, and using aggressive language when Opposition Members make salient and serious points. Why does he think he can treat the Queen and the country with utter contempt?

The Prime Minister: I have the utmost respect not just for the court but, of course, for the hon. Gentleman. I think the way we could all show respect for our

constituents—in particular his own, who voted heavily to leave the EU—would be to vote for the deal when we bring it back. I hope he will support us in the Lobby.

Stephen Metcalfe (South Basildon and East Thurrock) (Con): It is good to see my right hon. Friend back in his rightful place, perhaps a little sooner than he expected, and I hope he remains there for a long time. Can he give me some advice that I can share with my constituents when I try to explain why this Parliament refuses to approve a general election, refuses to vote to leave the EU, refuses to respect the wishes of 17.4 million people and refuses to honour the views of the 73% of my constituents who voted to leave? Can he give me some advice to help me on the doorstep?

The Prime Minister: My hon. Friend is completely right. The way to address the feelings of his constituents, my constituents and the constituents of us all, and frankly the way to puncture the great poisonous puffball of Brexit is just to get on and make sure that the very word “Brexit”—I know there is a lot of anxiety about language—is never heard in 2020. Would not that be a fantastic thing?

Caroline Flint (Don Valley) (Lab): I am bitterly disappointed that Parliament did not have the chance to agree to forgo the nearly four weeks of the conference recess, so we could spend more time together. I have to tell the Prime Minister that in seeking to prorogue Parliament, he showed a serious lack of judgment. I only hope that his judgment and his tone improve from today.

Should the Prime Minister secure a deal with the EU27 at the EU summit in October, will he invite Parliament to hold a meaningful vote to ratify that deal on Saturday 19 November, and by doing so meet the terms of the European Union (Withdrawal) (No. 2) Act 2019?

The Prime Minister: I think the right hon. Lady meant to say October rather than November.

Caroline Flint: Yes.

The Prime Minister: I thank her very much for the sincerity with which she approaches this issue. Clearly, I do want to work together with all Members of the House of Commons to try to get this thing done. If we can get a deal at the summit, we will, of course, be putting it to Parliament.

Charlie Elphicke (Dover) (Ind): I backed remain in the referendum, but my constituency and my country decided otherwise, so I thought it was my duty, as a Member of this House, to accept those instructions and that mandate and to execute them faithfully. After three years, my constituents say that this Parliament has achieved nothing—it is a rump Parliament. What representations has the Prime Minister had from the minor parties, as well as the Labour party, about a confidence vote or an election vote to bring forward a general election so that people can have their say and settle this question for good?

The Prime Minister: I am afraid my hon. Friend is absolutely right. I have yet to hear either from the main Opposition party or indeed any of the Opposition

[*The Prime Minister*]

parties that they are willing to take up our democratic challenge. However, I want to thank him and congratulate him for what he has done for Dover, where I have been, and I have been very impressed with the level of preparations. Opposition Members who are anxious might educate themselves by going to see what has been done at Dover, and I congratulate my hon. Friend for the leadership that he has shown.

Ms Karen Buck (Westminster North) (Lab): Tonight the Prime Minister has made calculatedly inflammatory comments against parliamentarians, and he will be accountable for the consequences of that language, but I want to ask him about the judiciary. In the last 36 hours, we have seen an unprecedented onslaught on the impartiality and integrity of our judges. Parliamentarians and particularly Ministers have a duty to uphold the independence and integrity of judges, so will the Prime Minister take the opportunity that he did not take earlier, when asked by the Leader of the Opposition, and distance himself specifically from the comment by the Leader of the House that yesterday's judgment was a constitutional coup?

The Prime Minister: I am not going to comment on anything that was said by any member of the Cabinet during Cabinet; that would be totally wrong because, of course, there is a risk of serious distortion in the reporting. What I can say is that the Government have the utmost respect for the judiciary and, indeed, for the judgment, and that is why we are all here today. I think it has actually been to the advantage of the House to hear a little about the negotiations, but I think the House will also understand that some of the measures that have been passed by the House—or at least one of the measures that has been passed by the House—have not made negotiation any easier. I just say that in all candour and sincerity, and I think hon. Members know that.

David Tredinnick (Bosworth) (Con): Mr Speaker—[*Interruption.*] My voice is restored. My right hon. Friend has talked about a surrender Act, which is quite accurate. Does he recall, as I do, because I was in the House at the time, the 1989 Act introducing the community charge, which was persistently described as a poll tax by the Opposition deliberately to stoke up anger and opposition in the country?

Mr Speaker: I appreciate the good humour of the hon. Gentleman. I am sorry that he was struggling with his throat, but it was suggested to me that he could usefully take a herbal remedy.

The Prime Minister: I thought that was coming, Mr Speaker. I thank my hon. Friend. He makes a very good point. All that I will say, at the risk of further inflaming my friends opposite, is that the legislation in question—the capitulation Act—has done material damage to this country's ability to negotiate, and I think that they should reflect on that. In an international negotiation, it is very important that the UK is able to deploy every possible arsenal—every possible negotiating tool. I am afraid that an attempt has been made to weaken our hand—there is no question of it.

Tracy Brabin (Batley and Spen) (Lab/Co-op): We are hearing from the Prime Minister words such as the “humiliation” Act, the “surrender” Act, and the “capitulation” Act. All of these words suggest that we, because we disagree with him, are traitors, that we are not patriots, but nothing could be further from the truth. Now this may be a strategy to set the people against the establishment, but I would like to gently suggest that he is the establishment and we are still people. As the woman who has taken over the seat that was left by our dear friend, Jo Cox, may I ask him, in all honesty, as a human being that, going forward, will he please, please moderate his language so that we will all feel secure when we are going about our jobs? [*Applause.*]

The Prime Minister: The surest fire way—[*Interruption.*] Well, no. Of course there will be an attempt to try to obfuscate the effect of this Act—the capitulation Act, the surrender Act or whatever you want to call it. It does—[*Interruption.*] I am sorry, but it greatly enfeebles this Government's ability to negotiate. What I will say is that the best way to honour the memory of Jo Cox, and indeed to bring this country together, would be, I think, to get Brexit done. I absolutely do. It is the continuing inability of this Parliament to get Brexit done that is causing the anxiety and the ill-feeling that is now rampant in our country. If we get it done, we will solve the problem.

James Cartlidge (South Suffolk) (Con): Whatever one calls the European Union (Withdrawal) (No. 2) Act 2019, is it not a fact that it does not take no deal permanently off the table? It would delay it to the end of January. Does the Prime Minister agree that there are only two ways for those of us who are concerned about no deal to stop that outcome permanently, and that is either to revoke article 50, with all that that implies for democracy, or it is to do the right thing and to come together to pass a deal, which I have every confidence that the Prime Minister will obtain in the European Council?

The Prime Minister: I congratulate my hon. Friend, because that is exactly the right answer. I genuinely think that the best way forward for our country is to come together and to do a deal, and that is what I hope that colleagues will do.

Marsha De Cordova (Battersea) (Lab): Yesterday, the Supreme Court ruled unanimously that the Prime Minister and his Government tried unlawfully to prorogue this place. The Prime Minister has come here today without a shred of humility. He has been using divisive language and has failed to offer an apology. I will ask him once again, as many Members have tried to do: will he now apologise to the people in my constituency and the wider country for trying to shut down democracy, and will he also commit to ensuring that he will not attempt to try to prorogue this House again?

The Prime Minister: The best way to shut down democracy in this country and to erode trust in our political institutions is to fail to deliver on the will of the 17.4 million people who voted to leave, and that is what we are going to do.

Mr Speaker: I call Mr Bob Seely.

Mr Bob Seely (Isle of Wight) (Con): Thank you very much indeed, Mr Speaker. There have been some challenges for the Prime Minister—[*Interruption.*]

Mr Speaker: Order. I have known the hon. Member for Isle of Wight (Mr Seely) for a long time. I am not surprised, but very pleased to see, that, notwithstanding some sedentary heckling, he still has a smile on his face and that is a good thing.

Mr Seely: I am blocked in that ear, so I cannot hear it anyway.

There have been some challenges for the Prime Minister in recent weeks, but is he aware that the more that my folks on the Isle of Wight see the obstacles being put in his way—whether they are political from people in this House, or from European leaders or from others, including judges—the more that they are willing him on and the more that they want him to stick the course to deliver Brexit on 31 October and restore trust in our politics.

The Prime Minister: I thank my hon. Friend, who is a doughty and mighty campaigner for the Isle of Wight, as I have seen for myself. I thought that he was going to ask me about the island deal that we are going to do—I can assure him that we are, do not worry. He is totally right. There are obstacles being thrown in our path. The conversations are difficult, but I think that, with good will from the Opposition Benches, we can still do it.

Peter Kyle (Hove) (Lab): The Prime Minister has proven that when you live behind a wall of armed police officers, you can be as irresponsible as you like with your language; he will never have to live with the consequences mentioned by the people who have been speaking up to him today, in all sincerity. When it comes to the Supreme Court case, which this statement is supposed to be about, will he explain something to me? Every other participant in the case provided witness statements that were sworn. Why didn't he and why didn't the Government?

The Prime Minister: The Government provided all the evidence that we were asked to provide. Let me tell the hon. Gentleman that I was Mayor of London for eight years, during which I went around everywhere on a bicycle with no protection whatever and I was very proud of it. Believe me: the best way to ensure that every parliamentarian is properly safe and to dial down the current anxiety in this country is to get Brexit done. I hope that he will support us.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): Whether the Bill is referred to as the Burt-Benn Bill, the humiliation Act, the capitulation Act or the surrender Bill, does my right hon. Friend agree that it still has the same effect of ceding, giving up or yielding control of when we leave the EU to the Europeans, weakening his hand in being able to get a deal in the first place?

The Prime Minister: I am afraid that my hon. Friend is absolutely right. The best thing that all those who deprecate that description of the Bill could do is repeal it, get rid of its effect or—even better—support us in going for a better deal.

Tom Brake (Carshalton and Wallington) (LD): No contrition, no shame and no apology for breaking the law—does the Prime Minister understand why many people in this country think he is unfit to be our Prime Minister?

The Prime Minister: The right hon. Gentleman could easily test that proposition if he had the gumption to go for a general election or a vote of no confidence, which he is failing to do.

Alex Chalk (Cheltenham) (Con): If the Prime Minister secures a deal, I will vote for it. Does he agree that the British people are fed up with hearing—for three years—what this House is against, and that it is high time that they heard what this House is for?

The Prime Minister: My hon. Friend has spoken for Cheltenham and he is completely right. The people of this country want to see us coming together, agreeing on a way forward, getting Brexit done and then getting on with a dynamic one nation Conservative agenda, and that is what we are going to do.

Thangam Debbonaire (Bristol West) (Lab): In the last two hours and seven minutes, the Prime Minister has mocked us, belittled us, told us that it is his way or nothing, and used language that he knows incites fear. He has patronised us, shown disregard for the law and has tried to make us feel that our views have no value when we are trying to represent our constituents. He has done all of this over the most important matter of our times, at a time of national crisis. I am not asking him to apologise to us, although I think he should. I am asking him to apologise to my constituents, who did not want us to be prorogued in the first place and who the Supreme Court yesterday said it agreed with. Will the Prime Minister apologise to the people of Bristol West and start taking this House seriously?

The Prime Minister: I certainly do take this House exceptionally seriously. Our constituents—all of them, across the whole country—actually feel that their opinions are being undervalued because they expressed an opinion three years ago and this House, in spite of countless promises, has failed to implement that opinion. I suggest that the best thing is to get on and do it.

David Duguid (Banff and Buchan) (Con): The SNP, as vocal as they are, want to ignore the 2016 result and have another Brexit referendum.

Ian Blackford: We won in Scotland.

David Duguid: As if by magic—I could almost have scripted that response. SNP Members are shouting out that they won in Scotland, but it was not a Scotland-wide vote; it was a vote by individuals, as is any referendum. It just shows that they have also ignored the 2014 referendum, in which the people of Scotland voted to remain in the United Kingdom, which is the member state of the EU that is leaving the EU. Will the Prime Minister confirm that only the Conservative party, in Scotland and across the United Kingdom, is committed to delivering on both those people's votes?

The Prime Minister: I thank my hon. Friend because he is perfectly right. I have seen at first hand what a fantastic campaigner he is for his own constituents. There is a sharp distinction between him and the Scottish National party because he has a plan, once we take back control of Scotland's extraordinary fisheries, to boost that industry whereas the SNP, of course, would hand it back to Brussels. I congratulate him on what he is doing.

Sarah Jones (Croydon Central) (Lab): *The Times* said today:

"The whole point of Conservative government is to provide an executive aware of its limitations and sensitive to the dangers of over-reaching them...A Tory believes that...the rule of law is always to be preferred to arbitrary power. Without these things, what is the point of Conservatives?"

The Prime Minister has just told my hon. Friend the Member for Batley and Spen (Tracy Brabin) that the best way to honour the memory of Jo Cox is to get Brexit done. He has broken the law and he has not apologised for it. Constituents of mine—good Conservative voters—are asking themselves what on earth the Prime Minister has done to his party, let alone our country. Will he now resign?

The Prime Minister: I have the utmost respect for the law and, indeed, for the judgment of the Supreme Court, but I think what the people of this country want us to do in this Parliament, as I have said several times already this evening, is to deliver on the mandate of the people, and that is what we are going to do.

Huw Merriman (Bexhill and Battle) (Con): A few weeks ago I asked the Prime Minister a question to which he responded that

"sauce for the goose is sauce for the gander."—[*Official Report*, 3 September 2019; Vol. 664, c. 43.]

I understand what that phrase means, but I have yet to meet a single constituent who does, so can I try again on their behalf? In the event that the Prime Minister gets a deal, which I will fully support him with, will he ensure that any Member on the Conservative Benches who does not vote for that deal will lose the Whip and lose the right to stand as a Conservative candidate in the general election?

The Prime Minister: I have said what I have said to my hon. Friend in the past. I see no reason to go over the point again because I think what we all want to do is get on and get the best deal possible that can be supported across this House, and that is the best way forward. Opposition Members say they are not going to vote for it under any circumstances, and that is because they want to stop Brexit—it is perfectly clear from what they are saying.

Stewart Malcolm McDonald (Glasgow South) (SNP): The Prime Minister and the Government maintain that they did not seek the Prorogation in order to frustrate Parliament talking about Brexit. The Supreme Court ruled 11 to zero that that was not true, but the Prime Minister still maintains that the Court was wrong. So will he agree to take a public lie detector test?

The Prime Minister: I do not know, Mr Speaker, whether you think the hon. Gentleman's question is in order, but I will answer him none the less by pointing

out what he should know—if he had read the judgment or listened to the judgment—that the court did not impugn the motives of the Government at all.

Mike Wood (Dudley South) (Con): The main constitutional functions of this House are to choose and sustain the Government and to legislate. Since this Parliament seems incapable of doing either, is not the correct constitutional way forward a general election so that voters can decide between a Conservative Government to deliver on the Brexit referendum or one of the Opposition parties to overturn it?

The Prime Minister: My hon. Friend is completely right. It is quite extraordinary that the so-called party of the people absolutely refuses to trust the people. I urge them once again, as I think there is still time: if they want to go for a no confidence vote, now is the moment.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): The Prime Minister believes himself, by all reports, to be a great statesman, but this House, in passing the European Union (Withdrawal) (No. 2) Act 2019, simply changed the parameters of the discussions he needed to have with Europe. It did not prevent him having those discussions. If he is this great statesman, why can he not be sure that he can come back with a deal? All this House has ruled out is no deal. He has not answered the question from my hon. Friend the Member for Bishop Auckland (Helen Goodman): what negotiations is he having? What has he put on the table for Europe? We have a month or so to go before he needs to come back to the House with that agreement.

The Prime Minister: I wonder whether the hon. Lady has ever conducted a negotiation in which she has agreed at the outset that it must in any event conclude in favour of the other side. I think she will understand what her side of the argument tried to do with the surrender, capitulation and humiliation Bill, or whatever we want to call it. We will not be bowed or daunted by this. We will get on and try to get the best deal possible none the less, as I think she is advocating.

Rachel Maclean (Redditch) (Con): More than 70 Opposition Members have brought us back to this House today, supposedly to talk about and scrutinise Brexit, when we have had three years to talk about Brexit in this House, and I have not heard a single original point made by any Opposition Member today. Has the Prime Minister heard any new arguments? Does he think that the people in this country are interested in what is being said by Opposition Members, or are they interested in the priorities he would want to put forward in a Queen's Speech?

The Prime Minister: I thank my hon. Friend. What the people of this country want to hear is not just that we are going to get Brexit done on 31 October, which we will, but that we are going to come forward with a one-nation Conservative agenda to take this whole United Kingdom forward, and that is what we are going to do. I have been listening to Opposition Members and watching the expressions on their faces very carefully, and I think there is more support on the Opposition Benches for a deal than they might currently level. I hope they will nurture that feeling, because that is the right way forward for our country.

Angela Crawley (Lanark and Hamilton East) (SNP): The majority of my constituents did not vote for Brexit. Scotland did not vote for Brexit. This Government have no mandate in Scotland. This Prime Minister has no mandate in Scotland. The fact is that he has no respect for the constitution or rule of law, so why should Scotland not vote to leave this Union?

The Prime Minister: I remind the hon. Lady that more people in Scotland voted for Brexit than for the SNP.

Owen Smith (Pontypridd) (Lab): The Prime Minister has smirked and smeared his way through his statement this evening, dismissing the ruling by the Supreme Court as novel, when we all know, and the country knows, that it was a damning indictment of this Prime Minister and of the abuse of his power to try to gag Parliament. If he had a shred of decency or integrity he would apologise to this House and to the country and he would resign. I have no doubt that he will do none of those things. He has also steadfastly refused to say that he will not do it again and prorogue this House once more, so I ask him again: will he guarantee that he will not try to pull this stunt again and seek Prorogation?

The Prime Minister: I think that the House and the country need a Queen's Speech, and we will be examining the judgment to see exactly how that should be brought forward in this new context. All I can say is that if the hon. Gentleman wants to remove me from office, which is what he said he wants to do, he should encourage his right hon. Friend the Leader of the Opposition to screw his courage to the sticking place and have a general election.

Jeremy Lefroy (Stafford) (Con): I wish the Prime Minister and his team well in the negotiations as they continue, because I am convinced that there is a majority in this House—contrary to what some say—for leaving with a good deal, and I believe that he will bring that to this House. However, he will remember a discussion I had with him earlier this year about freedom of speech. With freedom of speech, on which we fully agree, comes responsibility, and sometimes that responsibility means not saying what one might like to say—words like “surrender”, “betrayal” and “treason”.

Both of us being classicists, I wonder whether my right hon. Friend remembers the fable of Aesop about the sun and the wind and who won. It was not the wind that won by blowing the person, because he wrapped his coat further around himself. It was the sun that, by coming out and banishing the clouds, made the man take his coat off. Perhaps he should be the sun king and not the king of wind.

The Prime Minister: I thank my hon. Friend. I am reminded of the other fable of Aesop about the man who had black hair and white hair, and who allowed two women, I think, to pluck out one hair after the other until he was totally bald. That is a tale that might be of use to the right hon. Leader of the Opposition, who cannot decide whether he is in favour of leave or remain. The way to take this country forward is to deliver on the wishes of the people and come out of the EU. That is the way to dial down all emotion and anxiety in this country. On the language he ascribes to me, I do not think I have used those words. I would be happy if he clarified that point.

Wes Streeting (Ilford North) (Lab): The Prime Minister's political hero, Sir Winston Churchill, when threatened with deselection by Chamberlainites in his Epping constituency in the 1930s, said:

“What is the use of Parliament if it is not the place where true statements can be brought before the people?”

He understood the role of parliamentarians as not simply delegates to this place but representatives; as servants of the people but also guardians of the national interest. There are certain pillars on which our democracy rests: Parliament, the judiciary, the free press, and the pillars of civil society. Does the Prime Minister not understand that given the way he has conducted himself, whether it is the unlawful Prorogation of Parliament, the language he has used the Chamber, or withdrawing the Whip from Members sitting behind him who seemingly have more regard for Conservative values than he does, he may be the problem and not the solution? If he really believes in consent, there are two ways to go back to the people. The first is to honour the law passed by the House to seek an extension to article 50, and we will gladly troop through the Lobby behind him. The other is to put a deal, or no deal, to the people in a confirmatory vote. Both those ways will unlock the parliamentary deadlock. The only question is whether he has the courage to do it.

The Prime Minister: But to what end? I do not understand why on earth the hon. Gentleman, who I normally admire as he normally speaks sense, would want to stay in the EU beyond 31 October. What is his purpose? The people have spoken. It would cost another £1 billion a month. I simply fail to understand his logic.

Several hon. Members *rose*—

Mr Speaker: Order. May I ask the hon. Member for Walsall North (Eddie Hughes), before calling him, whether he can confirm—if he can, that is fine—that he has been here since 6.30 without interruption and without going out of the Chamber at any stage?

Eddie Hughes: Without interruption.

Mr Speaker: Very good. I call Mr Eddie Hughes.

Eddie Hughes: Thank you, Mr Speaker. I was inspired to get to my feet by the excitement in the Chamber. I want to draw attention to the fact that on 27 April the Prime Minister, then a humble Back Bencher, visited my constituency. Four or five days later the Conservatives won two more council seats. However, the Leader of the Opposition visited my constituency about 10 days ago, and since then I have had five new party members. Does the Prime Minister believe that this net effect might explain the hesitance on the part of the Leader of the Opposition to try to call a general election?

The Prime Minister: I remember well that happy afternoon we spent in J.D. Wetherspoon's. I noted the popularity of my hon. Friend with his constituents, and I also noted their determination to get Brexit done on 31 October. That is what we are going to do, and I hope for the support of Members on the Opposition Benches.

Lilian Greenwood (Nottingham South) (Lab): The Supreme Court judgment yesterday began:

“It is important to emphasise that the issue in these appeals is not when and on what terms the United Kingdom is to leave the European Union.”

[Lilian Greenwood]

Without reference to Brexit, will the Prime Minister now apologise to this House and to the people of this country for giving unlawful advice to the Queen when he tried to silence this Parliament?

The Prime Minister: I refer the hon. Lady to what I have already said. We respect the judiciary and we respect the Supreme Court, but I humbly disagree with what the justices have said.

Gillian Keegan (Chichester) (Con): The answer to Brexit should lie in this Chamber, but after more than three years of discussion people are beginning to despair of their politicians. Those, like me, who voted to remain have had to compromise. I have now voted three times to leave and I hope I get a fourth opportunity. Does the Prime Minister agree that it is not more time that this Chamber needs, but more compromise? There is no point in any extension without compromise, and if it cannot compromise, it must call a general election.

The Prime Minister: I really think that my hon. Friend puts her finger on the issue. This has been an opportunity, in this crucible of the nation, this intellectual forcing house, for hon. Members to suggest any solutions or ideas, if they had any, for how to take forward a deal between us and our much-valued European Union friends and partners. If they had a single notion about how to do it, or if they thought I was missing a trick or they had some idea, this would have been their moment, but we have not heard anything—nothing remotely positive, not a single idea, zilch—from Opposition Members, and I think that will have been noted by people watching.

Mhairi Black (Paisley and Renfrewshire South) (SNP): In 2014, as has been pointed out, Scotland voted to remain in the UK, and it did so on the promise that the only way to ensure our EU membership was through voting no to independence. When 2016 came, we had another referendum and Scotland—including my constituency and every other constituency in Scotland—voted to remain in the EU. Since the Prime Minister has brought us towards this no-deal chaos, I was going to ask him if he had stocked up on enough Brasso for his neck, but it seems that he does not need it. So, what I will say is: just where does he even begin to justify the absolute hell he is about to put on my constituents; and, more so, just how gullible does he think they are?

The Prime Minister: Obviously, if the hon. Lady really disagrees with the course we are embarked on, she is at liberty to table a no confidence motion or to go for an election. Curiously, she is desisting from that and refusing to do so. I remind her that what we are trying to achieve is a deal—she is smiling—and I hope that she supports that outcome and that we will be able to count on her presence in the Lobby if we are lucky enough to get one.

Jack Dromey (Birmingham, Erdington) (Lab): As the Prime Minister sought to close down Parliament, some in his Government sought to silence the voice of employers speaking out about their concerns on Brexit. That was revealed last week by the *Financial Times* report on four different employer organisations. Will the Prime Minister condemn such behaviour and say in unequivocal terms

that there can be no question ever of that voice of dissent being muzzled, preventing truth from being told to power?

The Prime Minister: I can certainly give the hon. Gentleman that assurance. I am not aware of any such muzzling, except, of course, the muzzling of the Leader of the Opposition, who has been tragically forbidden by his colleagues from going for a general election.

David Linden (Glasgow East) (SNP): We know that when the Prime Minister was a student in the Bullingdon club, he used to go round smashing up restaurants and vandalising places, but he now seems intent on doing that to our institutions, whether it be the judiciary, the constitution or Parliament. When will he realise that he is no longer in the Bullingdon club, but that he is the Prime Minister of our country and start behaving like it?

The Prime Minister: The best thing we can all do for the institutions of our country and the respect in which they are held is to deliver on the mandate of the people and get Brexit done. [Interruption.] If the right hon. Member for Islington North does not like the policy that I am embarked on, he is at liberty, even at this late hour, even at 9 o'clock, to go for a general election.

Rosie Duffield (Canterbury) (Lab): Can the Prime Minister please explain fully and clearly to the House and the nation exactly how getting on with Brexit honours the memory of our beloved colleague and sister, Jo Cox, given that she was violently killed while campaigning with her young family to remain in the EU?

The Prime Minister: I thank the hon. Lady so much. I think I can explain exactly what I mean, because I believe that the continuing failure to deliver on the mandate of the people has greatly exacerbated feelings, and the best way to reduce that tension is to get it done and then the whole country can move on. That is where my constituents are and I bet that is where the majority of our constituents are.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): In the light of the damning indictment of Scotland's highest court, the Court of Session, and then the judgment of the Supreme Court, this Prime Minister has refused to resign and will not apologise. If even the Queen cannot trust him, why should anybody else?

The Prime Minister: As I have said several times, the court did not impugn in any way the Government's motives. It is open to test what the hon. Gentleman says in a general election, if he wants.

Angela Smith (Penistone and Stocksbridge) (LD): In the event that the provisions of the European Union (Withdrawal) (No. 2) Act 2019 are triggered because of a failure to bring a deal back to the House, will the Prime Minister commit to obeying not only the letter of that law, but its spirit as well?

The Prime Minister: We need to get on and deliver a deal. In any event, we will obey the law and we will not extend.

Sandy Martin (Ipswich) (Lab): I must confess that I am somewhat confused, so I am asking the Prime Minister for a bit of guidance here. Quite a large amount of legislation was lost—or would have been lost if Parliament had been prorogued. That included measures that I think could quite easily have got through, the most obvious example being the Domestic Abuse Bill. At the same time, we have a Prime Minister who does not have an overall majority and an Attorney General who says that this is a dead Parliament and we need a general election. I agree with the leader of my party that we need a general election and to get rid of the current Government, when it is safe to do so, but if we are to have a general election, a new Parliament and a new Government, what on earth is the point of a Queen's Speech? Why would the Prime Minister prorogue Parliament and have a Queen's Speech just before going to the country, except as a ploy to use the Queen to promote his manifesto?

The Prime Minister: As I have said many times to the House, I do not want an election. It is open to the hon. Gentleman to try to persuade his colleagues to vote for a Queen's Speech and the progressive measures we will introduce, including on domestic abuse and domestic violence, but if he will not do that, the logical thing to do is to go to the country in a general election. But there are hesitations about doing that on the Opposition Front Bench, for reasons that I obviously understand.

Wera Hobhouse (Bath) (LD): We have had a long, heated discussion in this Chamber, but I think we have all come to the conclusion that the best way to move forward is to find some form of consensus. It is difficult, because this House is divided and the country is divided. May I offer the Prime Minister a true compromise? I will vote for his deal—and that is difficult, because I truly believe that we should stay in the European Union and so do the people in Bath who voted for me—if he will vote to put it back to the people. I will guarantee him that he will get a majority in this House for this compromise and in the country, and after that Brexit will be done.

The Prime Minister: What that shows, Mr Speaker, is that you cannot trust the Lib Dems. The hon. Lady wants a second referendum, but her party leader, as I understand it, wants us to revoke the whole thing.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): I am overcome by an immense sense of sadness from today. This afternoon's debate has been absolutely appalling. Anybody watching this will wonder what on earth is going on, and the calibre of the leadership that has been offered, the language and the tone are not what should be representative of the leadership of this country. It is absolutely shocking. May I ask the Prime Minister why he thinks that getting Brexit done will actually solve anything, given that that is an absolute illusion unless we are absolutely intent that there will never be any relationship with our nearest neighbours? Why does he think that 31 October will get everything done?

The Prime Minister: I thank the hon. Lady and appreciate the sincerity with which she makes her point, but I must say that it is my strong belief that if we fail to get Brexit done the disappointment, the sense of rejection,

and the sense that the public have been cheated of what they were promised will be very grave indeed. I am afraid that the only way to alleviate the current tensions in the country is to deliver on the mandate of the people in a positive, confident and optimistic spirit. That is what we need to bring to this, and I hope that she agrees.

Richard Burden (Birmingham, Northfield) (Lab): May I say to the Prime Minister that something that really disturbs me about how he is conducting himself tonight and about how some of his colleagues have conducted themselves in recent days has been the sense of privileged entitlement that they have exuded throughout? That privileged entitlement led him, during this statement, to describe it as “humbug” when an hon. Member talked about the threats that she was receiving. That sense of privileged entitlement led the Leader of the House to describe the situation when 11 justices of the Supreme Court of this land decided on the basis of evidence that the Prime Minister had broken the law as a “constitutional coup”. Does the Prime Minister agree that it is a constitutional coup—yes or no?

The Prime Minister: I must say that I do not think there could be any clearer example of a sense of privileged entitlement than for a parliamentarian to decide that he is in a position to substitute his own discretion for the will of the people when he clearly promised the people that that will would be respected and upheld.

Carol Monaghan (Glasgow North West) (SNP): Since coming to office, the Prime Minister has lost six out of six votes in Parliament, lost a by-election, sacked his own majority, lost a case in the Supreme Court and advised Her Majesty the Queen to act unlawfully, so he has some brass neck to stand there at the Dispatch Box without a shred of humility and without apologising. Let me ask the Prime Minister: what would it take for him to apologise for his actions?

The Prime Minister: I have tried to show every possible humility today, to the House, to hon. Members and to the court and its judgment, but the best way we can all collectively show humility as parliamentarians is to deliver on the will of the people, and that is what we will do. We could also show some humility by stopping talking exclusively about ourselves and Brexit, and getting on with delivering on the priorities of the British people. That is why we wanted a Queen's Speech. I think they want to hear what we are going to do to support their healthcare services, bring down crime on their streets and improve their schools. Those are the priorities of this Government.

Andy Slaughter (Hammersmith) (Lab): The judgment of the Supreme Court found that the Prime Minister had acted unlawfully and outside his powers in the advice he gave the monarch. He has just said again that he believes the court was wrong. Will he confirm that he has read the judgment? If he has, could he point us to the errors of law or fact that he says the 11 justices made?

The Prime Minister: If the hon. Gentleman would study my statement, he will see exactly what I meant. My views are shared, by the way, by the Lord Chief Justice and the Master of the Rolls, who I think even he would accept are quite eminent legal authorities.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): This Brexit debacle is certainly an agent for change. Following on from the point made by my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry), the SNP Scottish Government have a mandate to hold an independent referendum, which I hope the Prime Minister respects. The First Minister of Scotland has said that she intends before Christmas to ask for a section 30 order to facilitate the referendum in the next year. Can the Prime Minister give Scotland an update: will he agree to a section 30 order, when the Scottish Government ask for it, so that they can hold the mandated referendum—yes or no?

The Prime Minister: The people of Scotland were promised it was a once-in-a-generation referendum, and we must respect that promise.

Vernon Coaker (Gedling) (Lab): I want to make the following comparison because I think it is what the British public will see. The highest court in the land has said that the Prime Minister acted unlawfully, and the Prime Minister has refused to apologise. Across the country, many people, in courts both civil and criminal, are found guilty of various offences, and the first thing that the magistrates and judges in many of those cases expect is to see those people apologise and show some contrition, and yet people have seen their Prime Minister, this evening and through this Session, show no contrition and make no apology, but simply say, in a blustering, boisterous way, that he is just going to carry on. Can he not understand how that appears to people? I say again that it appears there is one law for him and one law for everybody else.

The Prime Minister: The real contrast is between the Conservative party, the democratic party, which wants to honour the will of the people, and the Labour party, which is trying to obstruct Brexit and will not have a general election.

Mr Chris Leslie (Nottingham East) (IGC): This is not a party political matter. It undermines the Prime Minister's attempts to call out extremism or ideology when he himself mines that seam of extremism and populism by using the language of surrender and betrayal when discussing an Act of Parliament signed by the Queen and passed by Members of Parliament who were elected in 2017—after the referendum—and who in all sincerity are doing it because they care about their constituents, their jobs and their livelihoods. Hon. Members of all parties want the rule of law and care about our parliamentary democracy and do not want to have their patriotism impugned in that way.

The Prime Minister: With your leave, Mr Speaker, I will keep my answers pretty staccato from now on, because I have answered these points quite a lot. If people care about their constituents—it is quite proper, of course, that they should in every possible way—they should honour the will of their constituents and respect our democratic proceedings.

Mr Speaker: Of course I completely understand that the Prime Minister will offer his own answers, short or long, as he thinks fit. I just innocently make the observation, en passant, that repetition is not a novel phenomenon in the House of Commons and never has been.

The hour is still quite early. I have been in the Chair since 11.30 am, but I feel that I am just getting started. We have a lot more energy left. I am not remotely perturbed, and I am sure that the Prime Minister is not running out of energy. I should be very worried if he were, but I am sure that he is not.

The Prime Minister: How about you, Mr Speaker?

Mr Speaker: Oh, don't worry about me. I can more than hack it. We are a bit longer here than the Prime Minister and I were on the tennis court, but never mind.

Mr Jim Cunningham (Coventry South) (Lab): I am not going to trade insults with the Prime Minister tonight, because this is far too serious. Let me just advise him to read a book by Senator Fulbright called "The Arrogance of Power".

More important, millions of jobs in the west midlands could become extinct if the Prime Minister cannot get a deal. The Prime Minister may say that we had a chance to vote for the previous deal. The only reason we could not vote for it was that there was no guarantee that funding for research and development, for the universities, and for companies such as Jaguar Land Rover would continue. Let me say to the Prime Minister, very seriously and in all sincerity, that he should go back and make every effort to secure a deal that we can all support.

The Prime Minister: I completely agree with what the hon. Gentleman has just said. He is right to say that we must protect supply chains in the west midlands, and we have of course done a huge amount of work to ensure that that is the case. However, the best thing we can do is get a deal that gives business certainty and continuity and then get behind it, and that is what I hope to do.

Hannah Bardell (Livingston) (SNP): Given the mess that this Prime Minister has made, it seems blindingly obvious that it is time for him to resign. He can get on to the fast train to the history books as the biggest loser. However, this is what I am really interested to know. When the Prime Minister looks back on his short but catastrophic time in leadership, what will he be most proud of? Will it be dismantling democracy, will it be breaking the law, will it be lying to the Queen, or will it be being roundly beaten in court by a swathe of "girly swots"?

The Prime Minister: I think that when I look back on the 64 days that we have had in government so far, I will be proud of 20,000 police officers on the streets of this country, of 20 new hospital upgrades, of levelling up education funding throughout the country, and of providing gigabit broadband, even in Scotland. Let us hope that the incompetent, dissolute, reckless, high-taxing Government of Scotland actually implement that initiative and deliver it to the people—or make way for Conservatives in Scotland, who will do it themselves.

Janet Daby (Lewisham East) (Lab): I was originally going to ask a question about Operation Yellowhammer, but I cannot ignore what was said by my hon. Friend the Member for Dewsbury (Paula Sherriff), and the experience that she had in the Chamber. She spoke about the threats that she was experiencing as a woman, but also about the experiences of other female Members.

The Prime Minister will know about violence against women and girls. He will also know that the way in which he spoke, and the language that he used, are words that will linger, and words that will do more harm than good. I ask him to withdraw what he said, and I ask him to reflect on that. Will he do so?

The Prime Minister: I think that everyone has to reflect on their use of language. On the other hand, we must get Brexit done. I say in all candour that we must make sure that we end this national Brexchosis and national anxiety by delivering on the will of the people. *[Interruption.]* No amount of yammering from the hon. Member for Wansbeck (Ian Lavery) will put us off doing that, and no amount of synthetic outrage or confected indignation will deter us either.

Sir Hugo Swire (East Devon) (Con): Opposition Members are very quick to talk about the economic vulnerability of their constituents. The truth is that this country is vulnerable economically, because of the uncertainty created by Brexit and the lack of the resolution of the Brexit issue. There is a mountain of money waiting to come to this country, and I believe that once Brexit is resolved, it will come and create better jobs—better paid jobs—for all our constituents. With that in mind, if Opposition Members really do care about the economic welfare of their constituents, they should get behind the Prime Minister in getting a deal.

The Prime Minister: My right hon. Friend speaks of what he knows, because he has done so much to attract investment to this country, and there is a huge amount to come if, as he rightly says, this House can come together and get a deal over the line. I hope very much that we can.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): Prime Minister, you cannot tell us what proposals you have tabled to the EU, after several attempts by us tonight. Therefore, if your proposals fail, will you include an extension so that you can bring it on?

The Prime Minister: With the greatest respect to the hon. Gentleman, I think I did set out in some detail the areas in which we are now making progress. But I must say, to repeat the point that I made earlier, that we have now had almost three hours of conversation in this Chamber about an issue that really affects our constituents, and I do not think I have heard a single original or helpful idea from the Labour party—not a single suggestion about how they think this country could leave the European Union and deliver on the mandate of the people. Absolutely nothing—zilch, nada.

Nic Dakin (Scunthorpe) (Lab): That is not true, is it, because we have heard, and the Prime Minister has welcomed, the comments by my hon. Friend the Member for Ashfield (Gloria De Piero) and my right hon. Friend the Member for Don Valley (Caroline Flint)? So it would be really good if he could remain consistent with what he said a little bit earlier in what he says later; that would be a really positive thing. However, I was going to say that I agree with my hon. Friend the Member for Gedling (Vernon Coaker) that this Prime Minister believes that the normal rules do not apply to him. That must be the reason why we see no humility this evening in

relation to his being judged by the Supreme Court of this land to have given unlawful advice to Her Majesty the Queen. A bit of humility would be very nice.

The Prime Minister: I think actually the Government as a whole have shown maximum humility in the face of the judgment and we respect the court. Alas, it is not possible for us to agree with it without great intellectual inconsistency, but we respect what it has had to say. On the hon. Gentleman's point about ideas, perhaps I should make a distinction. Some Members have certainly been very positive about the possibilities of doing a deal, and I much welcome that. What I was trying to say—forgive me—was that, in the face of the difficulties that this country has in bringing us together, I have not heard much by way of original thinking on some of the problems.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): The tone of the Prime Minister this evening has been utterly shameful. I cannae help but feel that the architect of this approach, Dominic Cummings, is irresponsible and dangerous, and I think the Prime Minister should find some new advice as quickly as possible.

I do not think the Prime Minister was clear in his response to my hon. Friend the Member for North East Fife (Stephen Gethins), so I ask him again: will he deliver a request, without caveat, for an article 50 extension on 19 October—yes or no?

The Prime Minister: We are going to go for a deal, and we are going to come out on 31 October.

Martin Whitfield (East Lothian) (Lab): To apply the mantra of this Government with universal credit to “test and learn”, if we look at the Supreme Court judgment, now with 20/20 hindsight, what would the Prime Minister do differently?

The Prime Minister: I think it would be fair to say that the Supreme Court is a relatively novel institution and this is a novel and groundbreaking judgment, even by the admission of the plaintiffs. We will study its implications with great care, and I think the House might like to reflect deeply on it, because I do think the judgment is of great constitutional interest and importance.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I opposed the Prime Minister's unlawful Prorogation of Parliament because it shut down debate on Brexit and on other issues as well. In September I asked the Prime Minister to personally step in and prevent the release of Vanessa George, the child abuser that abused babies and toddlers in Plymouth. While Parliament was illegally shut down, she was released early. There have been lots and lots of things that are not good about today's debate. Could the Prime Minister give one good thing, and agree to meet the families of the victims of Vanessa George, so that we can prevent that ever happening again and keep people like Vanessa George behind bars?

The Prime Minister: I am aware of the campaigns that have been run not just by the hon. Gentleman but by other Plymouth Members in respect of Vanessa George, and I will certainly undertake to meet the families.

Patricia Gibson (North Ayrshire and Arran) (SNP): The Prime Minister has broken the law in closing down Parliament, according to the Supreme Court judgment. Indeed, the Scottish Supreme Court went further and concluded that the Prime Minister had not been honest about his reasons for Prorogation. The Conservative party fancies itself as the party of law and order, so I would like to ask the Prime Minister: does he believe that all those who break the law should be punished, or does he believe that he is special and that that does not apply to him?

The Prime Minister: No, and that is why we are all here today.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): The Prime Minister congratulated those who sought to challenge the decision to prorogue Parliament in the court—bizarrely, given that he did not co-operate with that court case, particularly the one in the Court of Session. Further to the point made by my hon. Friend the Member for Hove (Peter Kyle), surely the Prime Minister did not co-operate because if he had done so and signed that written affidavit, he would be facing potential charges of perjury.

The Prime Minister: I must respectfully disagree with the point that the hon. Gentleman makes. As far as I am concerned, the Government have treated the court with great respect and we intend to respect the judgment.

Geraint Davies (Swansea West) (Lab/Co-op): On the issue of ideas, if Parliament continues to resist the Prime Minister's desperate pleas for an election in order to enable him to secure a deal, and if Parliament says it will agree that deal but only if it is subject to a public vote, would he prefer that or to inflict a no deal on Britain, with all the medicine shortages and other problems that would entail? Which would he prefer: his deal with a vote, or no deal?

The Prime Minister: Obviously I would prefer a deal, and I hope I could count on the hon. Gentleman's support if we were to get one. As for my desperate pleas for an election, actually I am not desperate for an election at all. I rather thought it was the function of the Opposition to be desperate for an election. If he is desperate for an election, perhaps he could communicate with his right hon. Friend the Leader of the Opposition.

Daniel Zeichner (Cambridge) (Lab): In his speech to the United Nations yesterday, the Prime Minister used his in-depth research into the tech sector to talk about artificial intelligence and the possibility of a dystopian future, yet last week it was reported that his chief of staff, Dominic Cummings, had instructed that all Government data held on UK systems should be brought together—an extremely dangerous suggestion. Can he tonight assure the House either that no such instruction was given or that it will be withdrawn?

The Prime Minister: All I can say is that what I think every Member of the House would like to see, and what our constituents would certainly like to see, is the maximum efficiency in government. The hon. Gentleman has mentioned something about which I am afraid I was hitherto unaware, and I cannot tell him whether he is

accurate in what he says, but I certainly know what we should be doing as a country. As I said in the UN last night—at four o'clock in the morning—this is the country that leads in the tech sector in all sorts of ways, and we intend, as part of our Government programme, to turbocharge that. That was one of the reasons why we needed a Queen's Speech, and still do.

Ann Clwyd (Cynon Valley) (Lab): I have been in this House for 35 years and I spent five years in the European Parliament, from 1979 to 1984, with the Prime Minister's father, who I have to say was a very valuable member of a committee that I chaired. He was a keen environmentalist. All I can say after listening to this debate tonight is that your father talked a lot more sense than you do, Prime Minister.

The Prime Minister: I must humbly accept the criticism of the right hon. Lady, whom I have come to admire over many years, particularly for her campaigns on the Kurds, the environment and many other issues. She has done a huge amount of good. She is perfectly right to say that my father is a great environmentalist, and I hope that this Government will be allowed to fulfil some of his dreams, whether on animal welfare or conservation or the many other issues that he cares about. That is one of the reasons why I hope to have a Queen's Speech in which we can deliver on some of those ideals.

Chris Stephens (Glasgow South West) (SNP): First, can the Prime Minister stop stretching out his arms like the dirty centre-half who keeps committing fouls when he is cautioned, as he has been about his behaviour and his rhetoric this evening? I ask him: who in Government is responsible for Parliament being unlawfully prorogued? Who will be sacrificed to save his skin? When it comes to accountability and shouts of cowardice, does that not apply to him most of all?

The Prime Minister: We are all accountable to the people who send us here. If we want to verify whether we still have their confidence, of course the best way to do that is to have a general election.

Clive Efford (Eltham) (Lab): I did not expect any humility from the Prime Minister today because he has a track record, but given that he was found to be acting unlawfully in the advice he gave to the Queen and to this House, I am stunned that the Conservative party opposite applauded him like a returning hero. It is absolutely shocking and the public will make their own minds up about it. *[Interruption.]* Yes, let us get to the general election, because what the Prime Minister has been doing consistently, and the reason he was found to be acting unlawfully, is to use every single device to try to take this country out with no deal. He can use words like “surrender Bill” and all the rest of it, but the fact is that taking this country out with no deal is the least patriotic thing he can do. I did not come here to do damage to my constituents and knowingly vote for it with no deal.

The Prime Minister has waved his finger, pointed over here and said, “If I get a deal, will you vote for it?” My question to him is, will the European Reform Group vote for it?

The Prime Minister: I think we will get a deal that commands the support of the whole House. I hope that it will command the support of the hon. Gentleman. Perhaps he might indicate by nodding whether he will vote for it.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): Let me be clear: I will not surrender the votes of my constituents who voted to remain, and I will be damned if I will surrender their vote for their country, Scotland, to be an independent sovereign nation. Given that the Prime Minister of the United Kingdom of Great Britain and Northern Ireland has surrendered his duty to sign the Benn Bill, will he advise the House whether the Cabinet Secretary will sign it on his behalf and take it to Brussels?

The Prime Minister: We will, of course, respect the law and we will leave on 31 October. I think everybody would agree that the best circumstances in which we could do that would be if all the Labour Members, all the Scottish nationalists and all my Conservative friends came together to do a deal. I think the will is there in this House—let's get it done.

Rachael Maskell (York Central) (Lab/Co-op): Brexit may be a power game for the Prime Minister, but it will have a devastating impact on my constituents. Whether he tries to strongarm this Parliament into a no-deal situation or a bad deal, the reality is that our country is so divided. It is therefore his responsibility to bring the country together. His demonstration tonight shows that he does not have those skills, whereas my right hon. Friend the Member for Islington North (Jeremy Corbyn) is reaching out to try to find that way. *[Interruption.]* This is no laughing matter. Our country is in a very precarious state, and it is about time the Government took it seriously. I therefore ask the Prime Minister that no matter which deal he comes back to, he does not disregard the country but puts that deal back to the people to have a final say.

The Prime Minister: The hon. Lady was going so well. I thought she was going to say that she would vote for a compromise deal, and I hope she will think of that, because that is what her constituents would want.

Matt Western (Warwick and Leamington) (Lab): Three weeks ago, thousands of people up and down the country protested against the suspension of Parliament, including 600 good people in Warwick and Leamington incensed by that decision. Now we know, as a result of yesterday's Supreme Court judgment, that we were deceived, the people were deceived and even the Queen was deceived.

One of my constituents has described the Prime Minister as the "Wizard of Uxbridge" such is his great illusion and deception. He wishes for a general election. Come the day, may I invite him to Warwick and Leamington to help me in my campaign to get re-elected?

The Prime Minister: I cannot prophesy exactly what my itinerary will be in the course of the general election campaign, but I cannot exclude the possibility that I may indeed pay a visit to the hon. Gentleman's constituency, where I think his opponent has every possibility of success.

Alison Thewliss (Glasgow Central) (SNP): I made use of the "no-rognation" to go and chap doors in my constituency, which has been quite interesting because I spoke to lots of people who voted no in 2014 and who, over the past five years, have seen the shambles of Brexit and this Prime Minister unlawfully shutting down Parliaments. Can he tell me what this tawdry, pathetic, shambolic and chaotic farce of a Parliament has to offer my constituents?

The Prime Minister: I congratulate the hon. Lady on the eloquence with which she has just made the point I tried to make earlier. She might direct her wrath at the Leader of the Opposition, because I think it is time we had an election.

Matt Rodda (Reading East) (Lab): I have been saddened by the tone of debate in this House tonight. With power should come great responsibility yet, sadly, that is not always the case. We have seen the Prime Minister treat this House and, indeed, the rule of law with a disturbing lack of respect. Does he have any shred of remorse for his behaviour?

The Prime Minister: I am afraid the straight answer is no. I must repeat the humility with which we approach the judgment of the Supreme Court and, indeed, the Supreme Court itself but, on the substance of the issue, we are only sharing an opinion that is also held by the Lord Chief Justice and the Master of the Rolls—those are very high legal authorities.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): Since Parliament was unlawfully prorogued, British businesses such as Nissan in my constituency have been putting their products—in this case cars—on ships to be exported across the world without any clarity about what the customs arrangement will be when they arrive at their destination up to six weeks later.

The right hon. Gentleman has been Prime Minister for 64 days, as he proudly tells us. As other colleagues have asked numerous times tonight, what has he been doing? Is he able to give any clarity tonight on what will be in the deal he seeks with Europe so that businesses such as Nissan, which have cars on ships now, know what will happen to them when they arrive in port?

The Prime Minister: Obviously I congratulate Nissan on what it is doing and on its stunning manufacturing performance, and we are working very hard to protect supply chains, not just for Nissan but for all our motor manufacturing companies. The best thing for those companies—

Jeremy Corbyn: Is to stop a no deal.

The Prime Minister: The best thing for those companies, as the Leader of the Opposition shouts from a sedentary position, is to get a deal and not to enfeeble the Government's negotiating position by trying to take no deal off the table, which is what he has tried to do.

Ian Murray (Edinburgh South) (Lab): The Supreme Court judgment yesterday and the Prime Minister's performance in the House this evening show that he is not only not fit to be Prime Minister but is embarrassing the entirety of that fine office. His response to my hon.

[*Ian Murray*]

Friend the Member for Cardiff North (Anna McMorrin), after she appealed to him to tone down his language, that she has “another think coming” is, quite frankly, disgraceful. [*Interruption.*] He may screw up his face, but *Hansard* will show that that is what he said.

The problem that the Prime Minister has is that nobody in this House trusts him. He has been asked five times this evening if he would abide by all the provisions of the European Union (Withdrawal) (No. 2) Act, and he refuses to answer the question. So for the sixth and final time: if he does not get a deal or a no deal through this House by 19 October, will he seek an extension to 31 January from the European Union?

The Prime Minister: No.

Alan Brown (Kilmarnock and Loudoun) (SNP): The Prime Minister was a figurehead for the leave campaign—a campaign that told lies about £350 million a week; a campaign that broke the law on data protection; a campaign that broke the law on spending and funnelled the money to the Democratic Unionist party. Earlier this year, the Select Committee on Standards said that he demonstrated

“an over-casual attitude towards obeying the rules of the House”.

At roughly the same time, the Independent Press Standards Organisation ruled that he wrote an inaccurate article about a no-deal Brexit. Previously, he was sacked as a newspaper columnist for making up facts. He has been a serial breaker of the rules and a serial breaker of the law, as the Supreme Court ruling yesterday shows. Is it not the case that he has never been fit to be in office, and it is high time he did the right thing and quit?

The Prime Minister: I am grateful to the hon. Gentleman for giving me occasion to remind him that this Government are massively increasing investment in the NHS—another £34 billion. The policy to which he and the Leader of the Opposition are committed would keep this country in the EU at the cost of another £1 billion a month, when we could spend £250 million a week building a new hospital. Is that really what they think is in the interest of this country or of their constituents? It is absolutely absurd.

Mr Speaker: Order. I thank the Prime Minister, and the Front-Bench spokespersons and 111 right hon. and hon. Members who have questioned him over the past three and a bit hours.

John McDonnell (Hayes and Harlington) (Lab): On a point of order, Mr Speaker.

Anna Soubry (Broxtowe) (IGC): On a point of order, Mr Speaker.

Mr Speaker: If the points of order, consistent with the earlier approach, arise specifically from and relate to the matters with which we have just been dealing, I will take them. [*Interruption.*] Prime Minister, I think it would be a courtesy to stay for the point of order—a point of order that relates to the matter with which we have just been dealing. [*Interruption.*] Go and sit down. [*Interruption.*] Well, I asked the Prime Minister if he

would be willing to stay, but he does not wish to do so. So be it. The point of order from Mr John McDonnell will be heard.

John McDonnell: Mr Speaker. I regret that the Prime Minister has left the Chamber. The penultimate question put to him, by my hon. Friend the Member for Edinburgh South (Ian Murray), was whether, in the fulfilment of all the conditions of legislation passed by this House, he would abide by that legislation. Now I might have heard wrong, but I believe the answer was a single word: no. We have passed legislation. If all the conditions of that legislation were fulfilled, would he then ensure that the action arising from an enacted piece of legislation would be taken? We are moving into new territory, where a Prime Minister who has already been found guilty of an unlawful act is now refusing to abide by the law as passed by this House. We are moving into an extremely dangerous position with regard to a Prime Minister's accountability to this House and our democracy itself.

Mr Speaker, the Prime Minister has left the Chamber, even though you indicated quite clearly to him that the point of order related to his behaviour. I ask you to express the view that we expect the Prime Minister to be back in this House, so we can ask that question again.

Mr Speaker: I am grateful to the right hon. Gentleman for his point of order. I did not say to the Prime Minister that the point of order related to his conduct or behaviour; I did not know what the point of order was going to be. I said to the Prime Minister that the point of order related to the matters with which we had just been dealing; in other words, in keeping with the approach that I adopted in respect of points of order following earlier statements—points of order that came from hon. or right hon. Members on both sides of the House—I was happy to take them after the statements to which they related. I suggested that the Prime Minister might wish to stay. He indicated initially that he was minded to do so, but he then decided that he wished to leave the Chamber. He has been here since 6.30; he was here for three hours and 11 minutes, and he has chosen to leave.

What I would like to say to the shadow Chancellor and to other colleagues is that I have been in the Chair since 11.30 and will remain for the remainder of the proceedings. Therefore, I have inevitably heard everything that has been said on this and other matters, and I think the fairest thing I can say is that I have heard the Prime Minister say explicitly that we will always obey the law, we will abide by the law and we will adhere to the law. He has said that. Equally, I did hear the answer that he gave earlier. I think his words related to the submission of a request for an extension, and he indicated that he would not be minded to do so. I heard the full question and I heard the full answer, and I think the right and proper thing to say, at this point, is that colleagues—hon. and right hon. Members—should study the record and form their own assessment of it. I have, of course, myself said, as anybody would expect any citizen to say, any parliamentarian to say or any Speaker to say, that adherence to the law must, of course, be non-negotiable.

I do not think that I need to add to that tonight. Let us reflect on these matters, let us remain calm and let us assess the record. Just as I said, good-naturedly, I think, to the Prime Minister some minutes ago in a slightly

different context that repetition was not a novel phenomenon in the House of Commons—never has been, is not and will not be—there will be further opportunities for Members to raise these matters, including this very particular point, in subsequent days. This Chair will always facilitate the fullest and most unsparing scrutiny of the Executive branch, because that is the responsibility of the Speaker—not to be a craven lickspittle of the Executive branch, but to facilitate the fullest and most unsparing scrutiny of it. That is my job, and come hell or high water I will continue to discharge it. Non-negotiable—end of subject.

Anna Soubry (Broxtowe) (IGC): On a point of order, Mr Speaker. I, too, am very sad that the Prime Minister has left, because I had hoped to raise this point of order to give him the opportunity to perhaps correct the record and reflect on his language and conduct in this House tonight. It gives me no pleasure to say that I am 62, I have been around and I have seen quite a lot of stuff in my life. It takes a lot to reduce this hon. Member to tears. I am not alone tonight; there are others who I believe have left the estate, such has been their distress.

I merely say to everybody in this place, but most notably to those who hold the highest of offices in this the most peculiar and extraordinary of political times, that the language that is used is incredibly important. Whatever side of the debate people are on, we have evidence that when they use words such as “surrender” or “capitulation”, or others use the words “traitor” and “treason”, there is a direct consequence. It means my mother receives a threat to her safety. It means my partner receives a death threat. It means that people go to prison or receive suspended sentences—unreported by a media that have lost the plot—because of the death threats made to hon. Members whose only crime and offence is to say what they believe in, to be true to their principles and to try to serve this country and their constituents. The consequences are that many will not want to return to this place, and a younger generation will not want to serve this country in the future.

Mr Speaker: I have heard what the right hon. Lady has said, and I treat it with the greatest possible respect. I am well aware of, and personally familiar with, the fact of the abuse and threats to which she has been subject over a long period. I deprecate in the strongest and most uncompromising terms those threats to her and to other Members. I have received many myself as a matter of fact—I am not complaining about that; I am simply saying that I empathise with her because I have been on the receiving end of many such communications myself. Each and every one of us has a responsibility to weigh his or her words and to try to make the arguments in which we believe with care and, if possible, with eloquence, and even, from time to time, with humour, but in terms that demonstrate respect for those who hold a point of view that differs from our own. I have a feeling that this is a point to which Members will return in days to come.

I cannot overstate the frequency with which I have been informed over the past year or so by Members on both sides of the House, and on both sides of the Brexit argument, of the fact and persistence of threats that they have received. I have previously said very publicly that, in relation to media outlets which have prominently

depicted Members as though they were public enemies for differing from the vantage point of those media outlets, that cannot be right. That cannot be right. I have no desire to escalate the tensions and every desire to try to use words that are pacifying rather than inflammatory.

In relation to the Leader of the House, let me say that I am well aware that offensive abuse has been directed at members of his family, and that has been intimidating, and that is wrong. It is not possibly wrong or conceivably wrong or in a certain situation wrong. That is wrong—end of subject—and so is the abuse and threats that other Members have received. The reality of the matter—and I say this with all the force and insistence at my command without fear of contradiction—is that female Members and Members of our ethnic minority communities have been disproportionately subject to that abuse and those threats. It requires nobody to seek to contradict it, because that is the fact. I know it, and the right hon. Lady knows it. We have to rise up against it and to resist it, and everybody has a part to play, including the holders of very high offices.

Jo Swinson (East Dunbartonshire) (LD): On a point of order, Mr Speaker. I fear that the public watching today will perhaps take the view that this House does not take sufficiently seriously threats of violence. Earlier today, we had the Attorney General joke about wife beating. When asked whether they would bring forward the Domestic Abuse Bill now that Parliament has resumed, we had the Government dismiss those requests, and we have had the comments that were made by the hon. Member for Dewsbury (Paula Sherriff) recalling Jo Cox MP and the threats that MPs face on a daily basis—I may add that, today, I have reported to the police a threat against my child—and that was dismissed as humbug. This is a disgraceful state of affairs, and we must be able to find a way to conduct ourselves better.

Mr Speaker: I have known the hon. Lady since she entered the House in 2005, and we have worked together on a number of matters in the past. Rather than issue a lengthy reply now, I would like to reflect on what she said. I am also happy to meet Members—either individually or in groups if they wish—to consider further these matters. We certainly need to take very great care in the days and weeks ahead, and I am as sensitive to that matter as I think I can be. Let me reflect further on what the hon. Lady has said, and I will be happy to see her either for a Privy Counsellor-type conversation or in another form if she so wishes.

Jeremy Corbyn (Islington North) (Lab): On a point of order, Mr Speaker. Thank you for what you have just said—and the sincerity with which you said it—about the threats made to Members of Parliament; the abuse, racism and violence happening in our communities; and the unfortunate messages that come from the language used, which is then repeated on the streets when people threaten public representatives and others with violence. May I ask you to use your excellent and very good offices to call together the leaders of all parties in this House to issue a joint declaration opposing any form of abusive language or threats? We should put the message out to our entire community that we have to treat each other with respect. If we do not, those on our streets who would do violence feel emboldened to do it and the

[Jeremy Corbyn]

most vulnerable people in our society suffer as a result. It happens in my constituency and in the constituencies of every other Member of this House. We are an elected Parliament, and we have a duty and responsibility to protect all our citizens from the kind of inflammatory language that has been used that is then meted out on the streets in a form of violence against individuals.

Mr Speaker: I will reflect carefully on the point of order just raised by the Leader of the Opposition. I am very open to convening a meeting of senior colleagues for the purpose of a House-wide public statement. I do not wish now to prolong these exchanges, but I take extremely seriously what has been said to me.

Vicky Ford (Chelmsford) (Con): On a point of order, Mr Speaker. It has clearly been a very intense day. As the chair of the all-party group on women in Parliament, I take very seriously the comments that have been made about respect and toning down everybody's language. Can we please ensure that that happens on both sides of the House?

Mr Speaker: In all parts of the House, that seems to be an entirely uncontroversial observation with which I readily agree.

Ian Blackford (Ross, Skye and Lochaber) (SNP): On a point of order, Mr Speaker. May I thank those right hon. and hon. Friends who have raised points of order? We are at a very dangerous juncture and are facing a constitutional crisis. One can imagine that the heat is only going to rise over the course of the next few weeks. I commend the Leader of the Opposition for his point of order, because the leaders of the parties here in Westminster have a responsibility; we need to ensure that we can navigate through the next few weeks. All of us collectively have a responsibility to make sure that all our colleagues—all parliamentarians and their friends, families and staff—can go about their business in safety. We need to send a clear message from this House that we will not tolerate bad behaviour: sexism, racism or threats to anyone. It really is important at a time like this that we show leadership and make it crystal clear that bad behaviour will not be tolerated from anyone.

Mr Speaker: I agree with that.

Lucy Powell (Manchester Central) (Lab/Co-op): On a point of order, Mr Speaker. I know that some of these points have been made already, but I just wanted to remind the House that Jo's murder did not happen in a vacuum. It happened in a context—a context that is not dissimilar to the context we find ourselves in today. I have heard from Jo's family this evening, and they have been very distressed by watching this place today. I know others have said it, but it has come from one side of the House: the language of "surrender", of "betrayal" and of "capitulation". This is the kind of language and the context that led to the murder of an MP leaving her surgery of an evening in a small market town by somebody from the far right, and we cannot forget that context when we conduct ourselves. I just wanted to put that on the record.

Mr Speaker: That point is duly noted. It is a very serious point. I do not want to add to it, but suffice it to say that although I do not know the Cox family anything

like as well as the hon. Lady or many other Members here present, I do know members of the family. I have a strong empathy with the objectives of the Jo Cox Foundation, and indeed I am in touch with the family from time to time, including currently in relation to upcoming events, so I am not unsighted on the issues. I do not think any of us in this Chamber will ever forget or entirely overcome our horror, revulsion and distress at what happened to a wonderful human being and the most dedicated of public servants. She was murdered for what she believed, for the values she held, and for her effectiveness in campaigning for them. We do not in any circumstances ever want to witness a repeat of that.

Matt Western (Warwick and Leamington) (Lab): On a point of order, Mr Speaker. Could I ask your advice on how this could be extended to the responsibilities of our media and the Independent Press Standards Organisation? They do have a really important role to play in how this gets reported and the language they use. We think back months ago to the headlines, "Traitors", "Enemies of the people" and so on towards our judiciary and towards people in this place. Is there a mechanism by which we can engage with IPSO to ensure that that language is not repeated?

Mr Speaker: I would rather not deal with that now on the Floor of the House. I am well aware of IPSO and well aware of complaints that have been made to it from time to time, and colleagues will have their own view about that. There are hugely important issues here. On the one hand, there is an enormous premium, and rightly so, on a free media—a vigorous, outspoken, sometimes extremely irreverent and, from individuals' or parties' vantage points, hostile media. It is much better to have that than to have a media that is state controlled. On the other hand, words do have consequences, and it is very important that people in positions of authority or capacity to influence opinion, frankly, operate at a level that reflects their influence and their responsibility. I think this is something that it is better to discuss further outside the Chamber and that Members can raise with the relevant Minister if they so wish. But I am not insensitive to what the hon. Gentleman has said.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): On a point of order, Mr Speaker. In the Chamber we have ways in which we conduct ourselves. We have rules, some written, some unwritten, about decency and the way in which we speak to each other—and, indeed, conduct ourselves in conversation with you, Mr Speaker. Could you advise me as to whether there is any capacity for a formal review about the limits of language that we may use about colleagues, because if we are to change this, experience has shown us that raising it again and again in the Chamber is not enough? Given that we have other rules about how we conduct ourselves, could you advise the House as to whether there is any capacity to review the language used so that we can create other ways in which calling a colleague a traitor could be ruled out of order?

Mr Speaker: I must say to the hon. Lady, and I hope she will forgive me, that having heard the last remark she made, I did not hear any such statement made in the Chamber today. If such a statement was made, I did not hear it, I must say to her. I am not aware of such a

statement having been made. Would I regard it as unparliamentary for one Member to call another Member a traitor? I absolutely would regard that as unparliamentary. Just off the top of my head, that would be my instinctive view. It would be totally unacceptable and I would ask the Member to withdraw.

More widely, perhaps I can say two things. First, the Procedure Committee can look at any issue that is referred to it. Secondly, I am not trying to abdicate responsibility, but I am conscious that 16 days ago I announced to the House my own intentions. What the hon. Lady has raised is very important. I think it will fall to a successor of mine to come to a view about some of these matters. With that successor Members should work, and I wish them every success and progress in doing so, but as I approach the end of my tenure, I am reluctant to say more than the circumstances warrant. That is unusual for me, I know, but there you go. I thank the hon. Lady for what she said.

We come now to the business statement by the Leader of the House and Lord President of the Council, Mr Jacob Rees-Mogg.

Business of the House

10.5 pm

The Leader of the House of Commons (Mr Jacob Rees-Mogg): Thank you, Mr Speaker. With permission, I wonder if I may add to the comments that were just made, because what you said was of fundamental importance. A lot of Members of this House, but particularly women and ethnic minorities, get treated in a quite disgraceful way. I have never tried to make a great fuss about what has happened on my own account, because it is very mild compared with what others have had to put up with, and I am well aware of that. I am grateful for the support that I have had from Members on both sides of the House—I catch the eye of the hon. Member for Rhondda (Chris Bryant), who has always been very good about this, and of course you, Mr Speaker.

What has happened to me has been very, very minor. What has happened to other Members, particularly on social media, has been deeply unpleasant and troubling. We all have a responsibility to be mild in our language when we are speaking in this House or outside. I am afraid to say that it is something where all sides err from time to time, and it would be invidious to pick on individual examples, but we have a responsibility of leadership. At this particular time, emotions are unquestionably running very high, and therefore calmness is to be encouraged, though we are discussing matters of the greatest importance.

I thank you, Mr Speaker, for what you said, which I think has the support of the House. May I also congratulate you on sitting there for 10 hours, 37 minutes and six seconds without a break, which I think is more than any of the rest of us have managed? I also want to reiterate the thanks you gave to the staff at the beginning of today's proceedings. As Members will know, the Doorkeepers expect to be on holiday at this time in a recess that was long planned, and many of them have had to rearrange their affairs to be here to look after us and ensure that our proceedings run. They are not alone—this applies to Clerks as well and to the staff who work in the catering department—and we ought to thank them for breaking potentially long-standing commitments to be with us.

The business for tomorrow is as follows:

THURSDAY 26 SEPTEMBER—The House will be asked to approve a conference adjournment motion for next week, followed by a general debate on the principles of democracy and the rights of the electorate.

Mr Speaker: I thank the Leader of the House very warmly for the opening remarks that he made. By the way, my experience, likewise, has been extremely minor by comparison with the experience of colleagues. I merely mentioned it to demonstrate empathy, but he and I are in the same boat in that regard, and I very much appreciate his words.

10.8 pm

Valerie Vaz (Walsall South) (Lab): Mr Speaker, may I associate myself with the remarks you made about the Members who have faced such difficulties and thank you for making them? I also thank the Leader of the House, and I want to respectfully ask him to ask the

[Valerie Vaz]

Prime Minister not to call the European Union (Withdrawal) (No. 2) Act 2019 the surrender Bill—he could start with that, please.

I thank the Leader of the House for his business statement, following the Adjournment of the House on 9 September. While it is vital that the House sits to scrutinise the Government at this important time for the country, we stand ready to work with the Government to ensure that the Tory party conference takes place in the fantastic Labour-led city of Manchester.

It is surely possible for the Leader of the House to schedule important legislation that commands widespread support across the House. The Government need the three statutory instruments on Northern Ireland, scheduled previously in September. Surely the Leader of the House could bring forward the Second Reading of the Domestic Abuse Bill, which would be supported on both sides of the House. The Animal Welfare (Sentencing) Bill would similarly be supported widely by Members. Those important Bills are not contentious, and they would allow the House to sit while the Conservative party conference went ahead. Given the Government's desultory approach to motions proposed by Opposition parties, may I also ask for an Opposition day?

I know the Leader of the House was part of the whole process, and I notice that the Prime Minister did not want to talk about the judgment of the Supreme Court, but I want to place on record Her Majesty's Opposition's thanks to the justices of the Supreme Court for the speed at which they heard the cases and gave judgment, and to all those who took part in the legal process. The judgment was a clear restatement of the principles on which our democracy, the sovereignty of Parliament and the rule of law are based. I am pleased, Mr Speaker, that you have read into the record the citation of the judgment. I would ask that the whole judgement be included in *Hansard*. Anyone who reads that judgment will think that it should be a model for citizenship and be taught everywhere, as a vital part of our democracy.

The first sentence of the judgment makes it clear that the issue decided by the Court

“is not when and on what terms the United Kingdom is to leave the European Union. The issue is whether the advice given by the Prime Minister to Her Majesty the Queen...that Parliament should be prorogued was lawful.”

The justices were concerned that

“the longer that Parliament stands prorogued, the greater the risk that responsible government may be replaced by unaccountable government: the antithesis of the democratic model.”

Does the Leader of the House agree with that? At paragraph 50, they also said that

“a decision to prorogue Parliament (or to advise the monarch to prorogue Parliament) will be unlawful if the prorogation has the effect of frustrating or preventing, without reasonable justification, the ability of Parliament to carry out its constitutional functions as a legislature and as the body responsible for the supervision of the executive.”

Does the Leader of the House accept that that will also affect any future Prorogations? The justices confirmed the foundations of our constitution at paragraph 55:

“We live in a representative democracy. The House of Commons exists because the people have elected its members. The Government is not directly elected by the people (unlike the position in some other democracies).”

The Government therefore exist because of, and are accountable to, the House of Commons. Will the Leader of the House clarify the comments on a constitutional coup? Did he mean the Government were embarking on a constitutional coup, or was it the Supreme Court? Who exactly is undertaking this constitutional coup?

The question asked by the justices was whether the action of the Prime Minister had the effect of frustrating or preventing the constitutional role of Parliament in holding the Government to account. The answer they gave, at paragraph 56, was, “of course it did”. This was not a normal Prorogation, as you said, Mr Speaker; they mostly last five days.

Why are the Government spinning that they do not agree with the judgment? These are eminent justices well versed in the law, undertaking their role as checks and balances, who have heard the submissions and come to their own conclusion. Does the Leader of the House agree that every Member of the House who impugns that judgment effectively does not accept the rule of law or the sovereignty of Parliament? The Government cannot say they disagree with the judgment when they offered no evidence other than a witness statement from the Treasury Solicitor and a memo from Nikki da Costa, which was copied to various other people. As the justices said, they are concerned not with the Prime Minister's motive but with whether there was a reason, and none was given for closing Parliament for five weeks. As the memo says, everything was focused on the Queen's Speech. Why did that require a Prorogation taking five weeks? The evidence of a previous Prime Minister, Sir John Major, was unchallenged by the Government. He said that it typically lasts four to six days, not weeks, and that he has never known a Government to need five weeks to put together the legislative agenda. How long does the Leader of the House think that preparations for the Queen's Speech should take, and will Parliament be prorogued before the Queen's Speech on 14 October?

A fundamental change was going to take place on 31 October. With the European Union (Withdrawal) (No. 2) Act 2019, this House, by our motions and enactments, does not support the Government on the issue of leaving without an agreement. At this time, we needed scrutiny Committees and the release of documents updating both Houses, but none of that could take place while Parliament was not sitting. Sadly, the Government did not believe us, but they had to be checked by the Supreme Court.

Given that the Supreme Court has decided that everything that flows from the unlawful Order in Council is unlawful, could we have a debate on the costs to the taxpayer of that unlawful act, including of flights and the return of Parliament, and could the Leader of the House publish those costs? Why should the taxpayer foot the bill for the Government's unlawfulness?

This Government have cast aside parliamentary sovereignty and the rule of law, and they are now casting aside the checks and balances of our democracy by disagreeing with the judgment. The Leader of the House did not raise an objection. As one of his predecessors has said, he is the voice of Parliament in the Cabinet. Why did the Leader of the House not protect parliamentary sovereignty? He will know that in 1733 Dr Thomas Fuller said:

“Be you never so high, the law is above you.”

How very rude. If this Government cannot obey the law and do not believe in accountability to Parliament or in the sovereignty of Parliament, they should step aside now.

Mr Speaker: Order. Before I ask the Leader of the House to respond, I should like to emphasise, because it has been a long day, although we are, arguably, just getting going, that this is a narrow business statement. I do not use the term “narrow” in any pejorative sense; it is narrow in the sense that it is tightly focused on the proposed business for tomorrow. I certainly would not have dreamed of interrupting the shadow Leader of the House, who has put a series of points on the record—I make absolutely no complaint about that—but there will be a further business statement tomorrow, and that will be the occasion for wider inquiries about subsequent days and the preferences of colleagues for debates on those days. This statement treats of tomorrow, and therefore it would be helpful if colleagues would observe that in terms of the questions that they ask. I am not trying to prevent anybody from speaking, but this is about tomorrow’s business. It is not a general debate and it is not about a subsequent week’s business. I hope that that is helpful.

Mr Rees-Mogg: Thank you, Mr Speaker. May I begin by congratulating the hon. Member for Walsall South (Valerie Vaz) on becoming a Privy Counsellor? I am looking forward, wearing my other hat as Lord President of the Council, to being present when she is sworn in as a member. I think that the whole House is pleased that this has happened.

I am very grateful for, though, I am sorry to say, slightly suspicious of, the hon. Lady’s offer that we could all go off to Manchester and business could carry on here if the business were desperately uncontentious. There has been a recent habit for Standing Order motions to lead to legislation, and it would be a pity if the Conservative Benches were empty because we were all in the wonderful city of Manchester. Tomorrow’s motion to have a recess for three days seems only fair, as the Liberal Democrats and the Labour party have had their conferences and we should have ours. [*Interruption.*] I understand that this is difficult for the SNP, but had we carried on with the Prorogation it would have been able to have its conference—[*Interruption.*] Would it not? Well, that is a great loss for so many people.

I share the hon. Lady’s concentration on the Domestic Abuse Bill and the Animal Welfare (Sentencing) Bill. They are both important measures and we will bear them in mind when we make the statement tomorrow, depending on how events go.

The hon. Lady asked about the “constitutional coup”. That phrase has been attributed to me, and I use the word “attributed” with great care.

Helen Goodman (Bishop Auckland) (Lab): It is general knowledge.

Mr Rees-Mogg: The hon. Lady says from a sedentary position that it is general knowledge. Just because something has been in the newspapers, it does not make it general knowledge. It was attributed to me in a Cabinet meeting. Cabinet meetings are confidential. The files will be released under the 30-year rule in the normal way. I reiterate the Government’s position, as expressed by the Prime Minister:

“I have the highest respect, of course, for the judiciary and the independence of our courts, but I must say I strongly disagree with the judgment, and we in the UK will not be deterred from getting on and delivering on the will of the people to come out of the EU on 31 October, because that is what we were mandated to do.”

That is the Government’s position and that is my position.

The hon. Member for Walsall South said that we had been “spinning” our disagreement with the judgment. No, we had not. It was not spin; it was a straightforward statement by the Prime Minister, but with the highest respect for the judiciary. It is reasonable to disagree with somebody whom you respect. Dare I say it, Mr Speaker, sometimes I have disagreed with you, but that has never reduced my respect.

The hon. Lady raised the cost of Prorogation. If we remain in the European Union after 31 October, which the Opposition want, it would cost us £250 million a week. Any cost of Prorogation pales into insignificance compared with the extravagance wished upon the hard-pressed taxpayer by those on the Opposition Benches in their proposals.

Then we have the extraordinary view from the Opposition that our actions are not in support of parliamentary democracy. Government Members want a general election. What is more democratic than that? What sort of tyrants are we that we are willing to go to the British people and say, “Ladies and gentlemen, you choose: do you want my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson) or the right hon. Member for Islington North (Jeremy Corbyn)?” We know why the Opposition are running away from a general election and are so scared of it. They do not back their leader, let alone think that the country will. We know that people think our leader is a great, inspirational, charismatic figure. We trust the people and the Opposition do not.

Mr Mark Harper (Forest of Dean) (Con): I have a question about tomorrow’s business, but if you will allow me a small indulgence, Mr Speaker, I would like to refer to a matter that the shadow Leader of the House mentioned. She said that she would be grateful if you allowed the full judgment of the Supreme Court to be read into the record. I second that because the summary judgment contains an inadvertent error. I was listening to the esteemed President of the Supreme Court yesterday while I was eating my toast and marmalade, and I almost dropped said toast and marmalade when I discovered that, according to Lady Hale:

“Mr Jacob Rees-Mogg, Leader of the House of Commons and Lord President of the Privy Council, Mr Mark Harper, chief whip... attended a meeting of the Privy Council held by the Queen at Balmoral Castle.”

I must say, I could not recollect having done so. I would be grateful if the Lord President of the Privy Council confirmed that it was indeed my right hon. Friend the Member for Sherwood (Mark Spencer), who is the most excellent current Government Chief Whip, who attended the meeting. It would save me a lot of grief from those constituents who have written to me, wondering why I was attending upon Her Majesty at Balmoral castle.

The serious point about the business of the House tomorrow is on the motion to approve the conference Adjournment. If the Opposition are churlish enough not to be generous and support that motion, and the

[Mr Mark Harper]

House sits next week, perhaps my right hon. Friend the Leader of the House could find time for a debate on the Labour conference's extraordinary decision today to have a policy of no immigration controls, which would allow literally anyone from anywhere in the world to come to Britain, use our national health service, have unlimited benefits and vote in our elections. That policy deserves wide promulgation. I feel sure it will see us well in any forthcoming general election.

Mr Rees-Mogg: I am grateful to my right hon. Friend, and it seems that there was some confusion over forests. He is of course the Member for the Forest of Dean, and my right hon. Friend the Chief Whip is the Member for Sherwood forest, where, I seem to remember, Robin Hood spent his formative years. My right hon. Friend's point about the Labour party policy is why we want a general election; it would be wonderful to put that fantasy world to the British people and I am confident about what they would choose.

Pete Wishart (Perth and North Perthshire) (SNP): I, too, congratulate you, Mr Speaker, on the stellar shift you have put in once again today. I think you must now have the most famous bladder in political history, given the time you have spent in that Chair. May I also share your congratulations and thanks to the staff who have been assembled at such short notice and have served us so diligently once again today?

I thank the Leader of the House for his very brief statement on the business for tomorrow. Of course, we all know that this is the last place he wanted to be and that this is the last thing he wanted to do. What does he bring to this House, after all this hard work to get the House to sit again? A motion to simply abandon the place all over again. After we got the courts to reopen this place, he wants us to agree voluntarily to close it all down again so that they can all swan off to their conference. As a member of a party that is never, ever covered by the so-called conference recess—I remind the Leader of the House that the Queen's Speech that he had scheduled would have been on the first full day of our conference—can I tell him, with all due respect, that he can go and stuff that notion where his top hat don't shine?

Perhaps while we are at this, and while we are still thinking about the business for tomorrow, we could ask about the Opposition days that the Scottish National party is due—the day and a half that we have still to get on the Floor of the House. Perhaps that could be done tomorrow, because what we have tomorrow as the main item of business is a Brexiteer whinge fest debate. Can we not instead have a debate about obeying the courts and respecting the rule of law?

I share what has been said by so many right hon. and hon. Members tonight about the tone of the debate. I have to say that today we heard the most undignified diatribe from the Prime Minister, which was simply unworthy of the House. I have been in this place for 18 years and I have never heard such a poor statement from any sitting Prime Minister—no apology, no contrition, just petulance and defiance.

The Prime Minister said that the Supreme Court was wrong. Notionally, the Leader of the House said that it was a “constitutional coup”. I did not quite hear him

deny that he said it; perhaps he will get the chance again to tell the House—did he say that, or did he not? If it is a constitutional coup, what does it say about the sovereignty that he claims and his claim that this place is little more than some sort of tin-pot dictatorship?

It was, of course, the Leader of the House who led the “Prorogue Three”—the three Privy Councillors who travelled to Balmoral to ask the Queen to act unlawfully in an attempt to draw the monarch into their half-baked scheme. If he will not apologise for the Prorogation of Parliament, will he now apologise to Her Majesty the Queen for attempting to draw her into this sorry state of affairs? I am trying to use measured language, Mr Speaker, but he has simply probably been the least successful Leader of the House since the post was created. He has lost every vote in the House. He has lost the Government their majority. He cannot even get the election the Prime Minister craves. His Prorogation was unlawful. He is supposed to be the smartest cookie in the no-deal Brexit cult coup. If that is the best they have got, Mr Speaker, God help the rest of them.

Mr Rees-Mogg: Mr Speaker, I am afraid that your successor will have an uphill task. Moderate language lasted precisely 21 minutes before the hon. Gentleman got up and managed to reduce the tone. He said that being here would be the last thing that I would want to be, but actually, Mr Speaker, I share one thing with you: there is nothing I like more than being in the House of Commons, other than speaking in the House of Commons. I think I compete with you for how much I enjoy speaking, but I think that we get a similar pleasure. I am therefore delighted to be here. I would point out in response to the hon. Gentleman, in relation to the recess motion, that the court itself pointed out that there was a huge difference between a recess and a Prorogation, so it is therefore completely in accord with and in the spirit of the judgment the court came to.

Several hon. Members rose—

Mr Speaker: “Measured” is a relative term, and I say in the friendliest possible spirit to the hon. Member for Perth and North Perthshire (Pete Wishart), whose elegant constructions favour the House each week, that I think that he thinks that he was being measured. I think that each of us probably needs to reflect on this.

Greg Hands (Chelsea and Fulham) (Con): Could we have an early debate, perhaps even tomorrow, on getting a deal and what it might look like? The Prime Minister stressed earlier that he was seeking a deal, which was extremely welcome. We have seen various initiatives in recent weeks, such as the alternative arrangements commission and the new MPs for a deal group, which includes the right hon. Member for Don Valley (Caroline Flint), the hon. Member for Aberavon (Stephen Kinnock), the right hon. Member for North Norfolk (Norman Lamb) and others. There does seem to be a renewed momentum, including from other parties in the House, towards getting a deal. Would it not be sensible to have a debate early on to see what the parameters of that deal might look like? Ultimately we will have to have that debate in this House. Would it not be sensible to have at least a reconnaissance sooner rather than later of what might be acceptable?

Mr Rees-Mogg: I am very grateful to my right hon. Friend for all the work he has done to try to bring people together and to seek compromise. It is worth saying that it will not be possible to arrange that particular debate for tomorrow. If any of the Opposition parties wish to have a vote of no confidence tomorrow, they have a few minutes, while I am still speaking, to put that motion down, and it will be accepted by the Government. In terms of a future debate on a deal—assuming the Prime Minister can agree a deal—obviously that will come with a meaningful vote, even if we are in the same Session of Parliament, as it would be a completely separate deal from the one before and therefore would be an entirely different motion from the ones before. In terms of debating it beforehand, I have a feeling that the hon. Member for Gateshead (Ian Mearns), the Chair of the Backbench Business Committee, is going to comment in a moment, and he will have heard the request.

Ian Mearns (Gateshead) (Lab): I ask this more in advance of the business statement we are anticipating tomorrow. As I understand Standing Orders, I ceased to be Chair of the Backbench Business Committee at the close of business in the early hours of 10 September, but yesterday I was reinstated retrospectively by the Supreme Court by a majority of 11-0. If the Leader of the House would like the Backbench Business Committee, now reinstated, to fill any parliamentary time in the coming weeks, could we have as much notice as possible of what time he wants us to fill so that we can fill that time as best as we can with the appropriate debates?

Mr Rees-Mogg: I am grateful to the distinguished Chair of the Backbench Business Committee for his very polite request. It is obviously sensible and we will work with him through the normal channels to ensure that he is notified of the time as soon as possible. I know he had a backlog of debates prior to Prorogation. Some of those have come to me in correspondence and I know are important. And I am glad he has been reinstated. Every cloud has a silver lining.

Harriett Baldwin (West Worcestershire) (Con): I have not quite your stamina, Mr Speaker, but I have been on these Benches for many hours listening to the barrage of invective that my Front Bench have been on the receiving end of. I think I heard the Prime Minister offer something unprecedented—that any Opposition party could table a vote of no confidence tomorrow. Is the Leader of the House aware of anyone having tabled such a motion yet?

Mr Rees-Mogg: I am grateful to my hon. Friend for that very important point. It is an unprecedented offer. It is available for a limited time only. It is like one of those offers in supermarkets. I cannot promise it will be there forever, but it is currently available, but what has happened so far? What have we heard from these people who say they want an election? Absolutely nothing. By their fruits ye shall judge them.

Stella Creasy (Walthamstow) (Lab/Co-op): It may have taken 21 minutes for moderate language to be lost, but it has taken even less time for the brief moment of—perhaps—pride that everyone in the Chamber will have felt about the sense of certainty about why we are all here, and the need to engage in decent debate and make progress, to be lost.

This piece of paper sends a strong message to every victim of domestic violence in the country: the message that yet again, when it was possible to use time in this place to do something decent and right on which there was cross-party consensus, the Government have said no. Indeed, last week, because the House was unlawfully prorogued when the Government missed an important reporting deadline for the United Nations on progress in addressing the elimination of all forms of discrimination against women, it was not sitting to hold them to account.

May I ask the Leader of the House to do something decent tonight? May I ask him to tell domestic abuse victims that we will have this legislation—that we will not be messing around with jolly japes about taking time off and asking for votes of no confidence, but will put their rights on our agenda? I tell him now that if he does not do that, we will.

Mr Rees-Mogg: I think that the hon. Lady has overstated her position. That Bill was going to be a major part of the Queen's Speech. It is a Bill to which the Government are deeply committed, and to which the Prime Minister is personally committed. It is of great importance.

When we talk about good will across the House and about moderate language, it is worth assuming that, actually, we all have good intentions. We may not always do things in the same way, and we may not have the same philosophy, but this Government have every possible intention of doing everything that they can to stop domestic violence. That is a priority for the Government. The hon. Lady shakes her head; if there is no reassurance that I can give her, why does she ask the question?

Mr Peter Bone (Wellingborough) (Con): May I ask the Leader of the House about tomorrow's debate on the principles of democracy and the rights of the electorate? Would it be in order for the motion to be amended to read, "That, notwithstanding the Fixed-term Parliaments Act 2011, there is a general election forthwith"? I know that this is a general debate, but general debates and amendments seem to have changed recently.

Mr Rees-Mogg: I am always careful about stepping into your territory, Mr Speaker, when it comes to what is orderly and what is not orderly, but an amendment to a motion cannot change the law. Therefore, even if you, Mr Speaker, were to allow an amendment, it could not override the Fixed-term Parliaments Act, nor could it meet the requirements of the Act, because they are set out very clearly in terms of the wording that must be used.

Lucy Powell (Manchester Central) (Lab/Co-op): Further to our earlier exchanges, Mr Speaker, may I also put on record that I know that the Leader of the House has himself been subjected to abuse online, which then led to physical abuse offline? That is why he supported my Online Forums Bill, and I am grateful for his support. However, I now want to ask him about the conference recess.

As the Member of Parliament for Manchester Central, I want the Conservative conference to go ahead—not because I want to welcome the Conservatives to our city, but because livelihoods depend on it, and I think that it is an important part of our democracy. However,

[Lucy Powell]

given the current lack of trust across the House because of the unlawful Prorogation, it is difficult to see the motion, as laid, being passed tomorrow. May I ask the Leader of the House, at this eleventh hour, to continue the cross-party conversations that have been happening today? I think that, through the usual channels, generous offers have been made about next week. May I ask the right hon. Gentleman to continue those discussions, so that we do not cancel or curtail next week's conference and cost many people throughout Manchester their livelihoods?

Mr Rees-Mogg: I am grateful for the spirit in which the hon. Lady has put her question. It is important to the Manchester economy that the conference goes ahead, and it is a concern for the Conservative party, as well as for the Government, that it should not be cancelled for that reason. Usual channels conversations are always extremely welcome, but the hon. Lady has pointed out that there is not a great deal of trust at the moment. Let us hope for the best, but I would not hold my breath.

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): May I, on behalf of my party, echo the sentiments that have been expressed this evening? We know more than most what it is like to live with the constant threat of attack, and still to live with a very high level of security for politicians in Northern Ireland. May I welcome the general debate that is to take place tomorrow, and say to the Leader of the House that we on these Benches hope that the Government will intervene in Northern Ireland very soon, because the principles of democracy have been turned on their head and the rights of the electorate are being denied? The Northern Ireland electorate voted for parties to form a Government in a devolved institution in Northern Ireland. One of those parties—only one—refuses to form a Government, and for almost three years now it has held the people of Northern Ireland, and all the other political parties, to ransom. In our view, that breaches the principles of democracy and denies the rights of the electorate, who in good faith voted in the Assembly elections to send their people to do a job.

We will also make the point tomorrow that amongst those who lose out when democracy is put on hold are the victims of historical institutional abuse in Northern Ireland, who, having had a recommendation made that they should be compensated for their suffering, are being denied that support because one party in Northern Ireland refuses to form a Government. That breaches the principles of democracy and the rights of the electorate.

Mr Rees-Mogg: I am very grateful to the right hon. Gentleman for making that point. It is a matter of great concern to the Government, who want to see the Northern Ireland Executive re-formed as a matter of urgency. I note very much what he has said about the contribution that the Democratic Unionist party is making to ensure that that happens, and I am aware that there is one party that is obstructing that. That can of course be raised with the Secretary of State for Northern Ireland in due course, and we will have to have some debates on Northern Ireland subject to the Northern Ireland (Executive Formation etc) Act 2019, and that may be an opportunity to raise some of these subjects further in coming days and weeks.

Mr Clive Betts (Sheffield South East) (Lab): I am sure the Leader of the House is forward-thinking. In anticipation that his motion for tomorrow may not be carried, he is probably thinking what business might be considered next week instead. Would that thinking include an announcement on a social care Green Paper, which the House has been waiting for for the last three years?

Mr Rees-Mogg: Unfortunately, I have to keep the hon. Gentleman in suspense, but I can reassure him that there will be an exciting announcement tomorrow, in a statement from me, and all will be revealed as to what may happen under certain circumstances, or under different circumstances. But Opposition Members, in the spirit of generosity that has been emerging at this late hour, may well vote for the conference recess so that the Manchester economy can be protected, and so that the sauce that the goose has already had shall become sauce for the gander, to use a term that the Prime Minister favours.

Sandy Martin (Ipswich) (Lab): The Attorney General this morning, and then the Prime Minister and now the Leader of the House, have made it absolutely clear that they would like us to call for an immediate general election. So may I ask the Leader of the House the question that I asked the Prime Minister, whose answer, I am afraid, I failed to understand? If we have a general election, what is the point of a Queen's speech?

Mr Rees-Mogg: I am very sorry that the hon. Gentleman did not manage to understand the Prime Minister; that is unfortunate. The point of a Queen's speech is for setting out the Government's programme, which we have to do because we have not got a general election. If there were to have been the general election, on the motions that we tabled twice in September, we would have had a Queen's speech opening a new Parliament, not just a new Session. I would have thought that was rather obvious and straightforward.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): In every constituency, ballots are arriving today for Royal Mail workers who are set to take industrial action unless Royal Mail Group sticks to its promises made on jobs, terms and conditions and drops its plans to sell off Parcelforce. I stand with the Communication Workers Union and the postal workers and I am pleased that the Labour party stands in solidarity with them. Does the Leader of the House support the postal workers, and will the Government make a statement on that fact?

Mr Rees-Mogg: The hon. Gentleman may raise these matters in many ways. Details of how to apply for Adjournment debates have been posted on the Annunciator and he could apply for one of those. We have already discussed Backbench Business debate. I do hope that as we get closer to Christmas, postal workers will not think of going on strike and causing misery to families. I think that is always a great shame, and that it would be unfortunate if that were to happen, but there are parliamentary opportunities to discuss the matter.

Helen Goodman (Bishop Auckland) (Lab): I do not know whether the Leader of the House is planning to speak in the general debate on the principles of democracy. If he is, he might want to explain something to us.

If not, could he say now what he meant by a “constitutional coup”? He has not denied saying it, and the Attorney General led us to believe that he did say it. Did he mean definition 1, a sudden and illegal seizure of power from the Government; or definition 2, an instance of successfully achieving something difficult?

Mr Rees-Mogg: The hon. Lady has left out a third definition of a coup: something hens live in.

Chris Bryant (Rhondda) (Lab): The trouble with the Leader of the House’s argument about the recess motion tomorrow is that there is already a provision on the Order Paper for Westminster Hall debates next Tuesday, and lots of people have already submitted for them. I have submitted for a debate on skin cancer because the number of men in particular in recent years who are presenting the skin cancer, particularly at later stages which can be fatal, has grown quite dramatically. Postal workers are still not provided with free sunscreen, and nor in many cases are police officers, so it would be good to be able to have that debate on Tuesday. I guarantee absolutely that if the Leader of the House were to allow us to sit on Monday and Tuesday and he brought forward the Domestic Abuse Bill on Monday, there would be no other contentious business to deal with.

Mr Rees-Mogg: I know that the hon. Gentleman has suffered personally from skin cancer and I reinforce what he is trying to do to ensure that more people know about it, so there is greater awareness and so that treatment can be faster and quicker. I therefore think it is a very suitable subject for debate, because Westminster Hall debates do have the effect of raising awareness, and I wish him extraordinarily well both in his personal health and in this campaign. However, he knows procedures of the House better than I do, and he is aware that Westminster Hall debates and Adjournment debates are organised, assuming the House is sitting, before recess motions are taken, and that they then get changed. Government business in Government time is not announced unless a recess motion has been either not taken or sorted out. So it is routine for Westminster Hall to have an announcement for next Tuesday, regardless of tomorrow’s motion.

Peter Grant (Glenrothes) (SNP): May I reveal to the House that the Leader of the House unintentionally learned some guid Scots words more than 20 years ago when he was knocking doors in my constituency, and that what he referred to was not a constitutional coup but a constitutional cawp, which I think well describes the position the Government have got us into. May I ask him, even at this late stage, to think again about the necessity to close down Parliament in order for the Conservative party to have its annual conference? I do not think anybody is suggesting that it should be cancelled, because it has been pointed out that that would have serious economic implications for Manchester, among other things, but this will be the fifth year in succession that members of the Scottish National party in this House have had successfully to manage the fact that we are expected to be here as Members of Parliament at the same time as our party members want us to be at our party conference. This year, the conference is in Aberdeen, which is more or less twice as far from here as Manchester is. The Queen’s Speech is right in the

middle of our conference, yet we will manage that. My right hon. Friend the Member for Ross, Skye and Lochaber (Ian Blackford) has had to make some extraordinarily difficult and tortuous journeys to combine both duties. If 35 SNP Members can manage that every year, surely almost 300 Conservative MPs can manage it just this once. Let the conference go ahead, but let us have Members of Parliament in the House doing the job they have been elected to do.

Mr Rees-Mogg: The hon. Gentleman reminds everybody that I stood in his constituency many years ago, in 1997. Standing in Glenrothes was a great honour and privilege, and the people of his constituency are fantastic people—*[Interruption.]* They did not vote for me, but that is a separate matter. That does not stop them being good people. I am not so exclusive in my view of good people. I was very touched on becoming Lord President of the Council to get a letter of congratulation from Elizabeth Scott, who in 1997 was chairman of the Conservative Association in Glenrothes—a small but perfectly formed Conservative Association.

I am very conscious of the point that the hon. Gentleman makes. It is a long-standing problem that the SNP conference takes place when the House is sitting. What I would say to him in relation to the Conservative party conference is that we have had no notice of this change, whereas the SNP was aware when booking its conference that the House would be sitting. I therefore do not think that the two are exactly comparable, but I am certainly sympathetic to the situation that he and his party find themselves in.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The Leader of the House clearly enjoys his role as Lord President of the Council. Can he tell us when was the last time the Lord President of the Council presented an Order to Her Majesty that was subsequently found to be unlawful? Has he apologised to Her Majesty, and will he rule out requesting any further Prorogations?

Mr Rees-Mogg: Mr Speaker, the hon. Gentleman has forgotten what you said at the beginning. This statement is narrowly about tomorrow’s business. He has not asked for a debate; he has not asked for a statement; he has not asked for any parliamentary activity. He really ought to get to know the procedures of this House, and then I look forward to answering his questions.

Alison Thewliss (Glasgow Central) (SNP): It strikes me that the business tomorrow is incredibly light. I want to offer to help out the Leader of the House with some legislation he could bring forward tomorrow. He kindly wrote back to me on the issue of drug deaths in Scotland. I was glad that he did—he showed me more courtesy than the Minister for Crime, Policing and the Fire Service and the Home Secretary, who have failed to come to Scotland to discuss this issue.

Tomorrow, we could discuss the Second Reading of the Supervised Drug Consumption Facilities Bill, which would go some way to preventing a repeat of the 1,187 souls that we lost in Scotland last year to drug deaths. As the FAVOR campaign says, “They keep talking, we keep dying”. People in Scotland are dying and we are not even getting to talk about it in this House. I ask the Leader of the House to bring forward this ten-minute rule Bill, which would help to solve some of these issues.

Mr Rees-Mogg: The issue the hon. Lady raises is of the greatest importance and I will happily take it up again with the Home Office, further to the response that I have already sent her. She is entitled to receive proper answers. That is one of the purposes of this set of questions: to allow me to follow up where people have not got the answers they feel they want.

Tomorrow will not be the day for ten-minute rule Bills, but there will be further opportunities for ten-minute rule Bills. I absolutely accept that the issue the hon. Lady raises is of fundamental importance. Anything that relates to drug deaths is something that this House must take really seriously, both in terms of how we help people who are addicts and in terms of how we enforce the law. Both of those issues need attention.

Wes Streeting (Ilford North) (Lab): In relation to tomorrow's general debate on the principles of democracy, one of the unfortunate consequences of the unlawful Prorogation is that it has dragged the Crown into a matter of enormous controversy on one of the biggest issues of our time and calls into question the role of constitutional monarchy. If in future the monarch was asked to sign off an unlawful Prorogation and simply rubber stamped it, it would call into question the very need for a constitutional monarch. Conversely, if Her Majesty was asked to agree again an unlawful Prorogation and, having had this experience, refused, Her Majesty the Queen would again be drawn into political controversy.

Given the enormous speculation about the role of Her Majesty the Queen in relation to the last Prorogation and in relation to future Prorogations, does the Leader of the House and Lord President of the Council not consider it a matter of enormous personal regret that the actions of the Government of which he is a part have dragged Her Majesty the Queen into such controversy and plunged the whole notion of constitutional monarchy into the political spotlight, in a way that I do not think anyone who believes in constitutional monarchy could possibly want?

Mr Rees-Mogg: The Prime Minister said earlier that the hon. Gentleman normally makes sensible points. This is the second time today when he has not. That is the most fatuous point I have heard. We know full well that Her Majesty acts on the advice of her Prime Minister. That was set out in front of the Supreme Court and was not questioned by anybody. Her Majesty does not independently decide whether to prorogue or not to prorogue. The British public know that. The only doubt that is ever caused is by hon. Gentlemen opposite raising the point that it is the Queen and trying to politicise Her Majesty, of which I think the great work, "Erskine May", disapproves. It is quite wrong to drag Her Majesty into it. The responsibility is unquestionably the Prime Minister's and this is the routine a, b, c of constitutionalism. Anybody who understands the constitution knows that Her Majesty had no discretion. There was no question of dragging her into it and it is the hon. Gentleman—who is, to use your favourite word, Mr Speaker, chuntering away merrily—who ought to go back to school and learn about the constitution. A Ladybird book can be provided.

Mr Speaker: It is not for me to say, and it was not evident to me whether the activity was being undertaken merrily, but I can certainly confirm that there was

chuntering from a sedentary position. I may say, of course, that the expression "chuntering from a sedentary position" is very commonplace in the work of the House, but I have noticed in my travels to Parliaments around the world that it is a source of regular comment and no little amusement.

Mr Mark Francois (Rayleigh and Wickford) (Con): It is great to see the Leader of the House at the Dispatch Box, in his natural element. May I ask him a question that does not relate to Brexit? Before the House was prorogued, because of a Standing Order No. 24 debate it unfortunately lost the opportunity to debate and conclude the remaining stages of the Animal Welfare (Sentencing) Bill. The measure is uncontroversial on both sides of the House, and its basic point is to extend the sentence for cruelty to an animal from six months to five years.

Will the Leader of the House be in a position to say something in his statement tomorrow about finding Government time for this important Bill which, amid all these other controversies, would allow us better to protect animals across the country? The Bill is vital to the millions of animal lovers in the United Kingdom, so could the Government find time to bring back the Bill and get it on the statute book as soon as possible?

Mr Rees-Mogg: My right hon. Friend raises an important point. It would be wrong of me to pre-empt what I will say tomorrow, but I encourage him to keep his hopes up.

Ian Paisley (North Antrim) (DUP): Yesterday was an excellent day for burying awkward news, and the awkward news that emerged way down on the bulletins was that the National Crime Agency had decided that there is no evidence of any criminal activity whatsoever by Leave.EU, or by its founder and key supporter, Mr Arron Banks, for that matter. That has not brought forward any apologies from Members who asked the NCA to begin that investigation.

Will there be scope in the debate on the principles of democracy and the rights of the electorate for Members who had wrongly raised that matter, causing great burdens on individuals in that organisation, to apologise for abusing the court process?

Mr Rees-Mogg: My hon. Friend makes a crucial point. Members of this House must be very careful when they use parliamentary privilege to raise accusations of crime, not just in relation to Leave.EU but in relation to certain senior figures who were accused of very horrible crimes, all of which turned out to be untrue and the work of a fantasist. Indeed, tomorrow may well be an opportunity for people who have, or ought to have, a guilty conscience to come to the House and ask for forgiveness of their consciences.

ADJOURNMENT

Resolved, That this House do now adjourn.—
(*Mr Marcus Jones.*)

10.58 pm

House adjourned.

Written Statement

Wednesday 25 September 2019

TRANSPORT

Thomas Cook

The Secretary of State for Transport (Grant Shapps):

I am today updating the House at the earliest opportunity on the action the Government are taking to support those affected by the collapse of Thomas Cook, in particular the 150,000 passengers left abroad without a flight back to the UK and the 9,000 people who have lost their jobs in the UK. This situation is deeply regrettable. All parties considered options to avoid the collapse of the company. Ultimately, however, Thomas Cook's directors took the decision to place it into liquidation and it ceased trading at around 2 am on Monday 23 September.

It is normal practice, when a Government Department proposes to undertake a contingent liability in excess of £300,000 for which there is no specific statutory authority, for the Minister concerned:

To present a departmental minute to Parliament, giving particulars of the liability created and explaining the circumstances; and

To refrain from incurring the liability until 14 parliamentary sitting days after the issue of the minute, except in the cases of special urgency.

I am making this statement to provide the House with retrospective notice of two contingent liabilities (both uncapped) created by my Department in responding to the collapse of Thomas Cook:

Providing an indemnity created by an agreement with the CAA, under section 16 of the Civil Aviation Act (1982), for the repatriation of non-ATOL-protected Thomas Cook passengers (the CAA indemnity); and

Providing an indemnity to the official receiver (OR), in his capacity as liquidator of the failed Thomas Cook companies (in liquidation) (the OR indemnity).

In both cases, I was unable to refrain from incurring the liabilities, or to provide the normal 14 sitting days' advance notice, due to the rapid development of the situation in the days leading up to Thomas Cook's

insolvency, which occurred while the House was not sitting, and the special urgency that resulted. The terms of the contingent liabilities were also commercially sensitive at the point they were created.

The CAA indemnity is identical to that provided in relation to the Monarch repatriation exercise in October 2017. The indemnity could be called, in respect of any claim against the CAA if there is a successful legal challenge relating to the repatriation requiring damages to be paid.

The official receiver (OR) was appointed liquidator of the Thomas Cook companies on Monday 23 September 2019. The OR indemnity has two elements and is based on the precedent of the indemnity provided by the Department for Business, Energy, and Industrial Strategy to the OR following the insolvency of British Steel in May 2019:

An indemnity to meet any shortfall in the OR's costs that cannot be covered by the realisation of the assets of the Thomas Cook companies. This would include any unexpected costs arising from a services agreement which the CAA has entered into with the Thomas Cook companies (in liquidation) to keep some key elements of Thomas Cook running to facilitate a smooth repatriation of UK passengers (e.g. key IT systems containing passenger information and flight booking details). Without this indemnity the OR would not have taken the appointment. This approach is playing an important role in achieving a smooth repatriation of all UK passengers who were overseas at the time of Thomas Cook's insolvency. In the absence of the services agreement there would have been a markedly higher risk of Thomas Cook being immediately wound up. This would have had the effect of creating an extremely disjointed insolvency process, with CAA having no meaningful ability to plan or control the provision of repatriation flights, and no means of informing affected passengers about their new flight arrangements.

The OR also requested, and with my authorisation was provided with, an indemnity against any liabilities arising from any claims brought against him as liquidator. This is reasonable in the case of the OR, who although an office-holder, is acting in his personal capacity and, in this case, was being asked to do something which would not normally be done in a liquidation, namely to maintain part of the Thomas Cook companies running to provide services to the CAA, which is crucial to the repatriation exercise.

Authority for any expenditure required under both liabilities will be sought through the normal supply procedure. HM Treasury has approved the proposal in principle including conditions to require both CAA and OR to demonstrate reasonable endeavours in their actions.

[HCWS1831]

Ministerial Corrections

Wednesday 25 September 2019

EDUCATION

Children with Higher Needs: Stoke-on-Trent

The following is an extract from Questions to the Secretary of State for Education on 9 September 2019.

Mr Steve Reed (Croydon North) (Lab/Co-op): I welcome the new Minister to her post. As she will know, children with special needs rely on help with speech and language and on counselling support, but the Children's Commissioner has published research showing that the severe underfunding of those services is seriously damaging children's lives and futures. Even after the spending review and the additional funding to which the Minister has referred, we still face a £1 billion shortfall in special educational needs services by 2021. Given that the Government could so easily find £1 billion to bribe the Democratic Unionist party, will the Minister agree, here and now, to find the same amount to fully fund the services that the country's most vulnerable children so desperately need?

Mrs Badenoch: I met the Children's Commissioner last week, and discussed this issue among many others. We welcome her report. However, I remind the hon. Gentleman that the Government are spending £7 billion on special educational needs, and are adding an additional £700 million. That is part of the extra £14 billion that we are spending over three years, and I think that it is to be welcomed.

[Official Report, 9 September 2019, Vol. 664, c. 485.]

Letter of correction from the Under-Secretary of State for Education, the hon. Member for Saffron Walden (Mrs Badenoch).

An error has been identified in the answer I gave to the hon. Member for Croydon North (Mr Reed).

The correct answer should have been:

Mrs Badenoch: I met the Children's Commissioner last week, and discussed this issue among many others. We welcome her report. However, I remind the hon. Gentleman that the Government are spending **£6 billion** on special educational needs, and are adding an additional £700 million. That is part of the extra £14 billion that we are spending over three years, and I think that it is to be welcomed.

Disadvantaged Schools: Per Pupil Funding Increase

The following is an extract from Questions to the Secretary of State for Education on 9 September 2019.

Judith Cummins: Pupils in disadvantaged areas are significantly less likely to pass crucial GCSEs such as English and maths. School funding must reflect different needs in different places, but the Government's recent funding announcement will do exactly the opposite and sees more money going into affluent schools in the

south of England while many schools in Bradford South will continue to lose out. How can the Minister justify that disgraceful situation?

Nick Gibb: Under this settlement, all schools will receive more money, at least in line with inflation, and schools with the highest proportions of children from disadvantaged backgrounds will receive the highest level of funding. Since 2011, we have closed the attainment gap by 9.5% in secondary schools and by 13% in primary schools.

[Official Report, 9 September 2019, Vol. 664, c. 489.]

Letter of correction from the Minister for School Standards.

An error has been identified in the answer I gave to the hon. Member for Bradford South (Judith Cummins).

The correct answer should have been:

Nick Gibb: Under this settlement, all schools will **attract** more money, at least in line with inflation, and schools with the highest proportions of children from disadvantaged backgrounds will receive the highest level of funding. Since 2011, we have closed the attainment gap by 9.5% in secondary schools and by 13% in primary schools.

Topical Questions

The following is an extract from Topical Questions to the Secretary of State for Education on 9 September 2019.

T1. [912334] **Stuart C. McDonald** (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): If he will make a statement on his departmental responsibilities.

The Secretary of State for Education (Gavin Williamson): We recently announced a £14.4 billion investment in primary and secondary education between now and 2022-23. This is in addition to the £4.5 billion we will continue to provide to fund additional pension costs for teachers over the next three years. I will be working with schools to ensure this money delivers on our priorities to recruit and retain the best teachers, to continue boosting school standards and to tackle poor classroom behaviour. We are also investing an extra £400 million in 16-to-19 education next year, demonstrating our commitment to teaching our young people the skills needed for well-paid jobs in the modern economy.

[Official Report, 9 September 2019, Vol. 664, c. 491.]

Letter of correction from the Secretary of State for Education.

An error has been identified in the answer I gave to the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald).

The correct answer should have been:

The Secretary of State for Education (Gavin Williamson): We recently announced a £14.4 billion investment in primary and secondary education between now and 2022-23. This is in addition to the **£4.4 billion** we will continue to provide to fund additional pension costs for teachers over the next three years. I will be working with schools to ensure this money delivers on our priorities to recruit and retain the best teachers, to continue boosting school standards and to tackle poor classroom behaviour. We are also investing an extra £400 million in 16-to-19 education next year, demonstrating our commitment to teaching our young people the skills needed for well-paid jobs in the modern economy.

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