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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES
(HANSARD)**

Tuesday 8 October 2019

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

JUSTICE

The Secretary of State was asked—

Female Offenders: Rehabilitation

1. **Stephen Morgan** (Portsmouth South) (Lab): What recent assessment he has made of the adequacy of funding for women's centres to rehabilitate female offenders. [912593]

The Minister of State, Ministry of Justice (Lucy Frazer): I start by saying how deeply upsetting it was to hear of the recent tragic incident at HMP Bronzefield. It was a terrible incident, and my thoughts are with all those who have been affected. As would be expected, there are a number of ongoing investigations, including an investigation by the police.

The hon. Gentleman is right to highlight the important role of women's centres in providing holistic support to vulnerable women. This approach forms part of our female offender strategy, which announced a £5 million investment in community provision for women from 2018 to 2020. As we take forward the strategy, we are committed to ensuring sufficient funding for female offenders.

Stephen Morgan: Almost half of all women sent to prison are homeless, up significantly in the past few years. Does the Minister really believe that this Government's approach of failing to properly fund women's centres is working?

Lucy Frazer: Of course it is important that we look after all our offenders, and we have a particular strategy in relation to female offenders. We not only want to ensure they get adequate care in prison, but we are also intervening early to try to prevent women from entering the justice system at all.

Thelma Walker (Colne Valley) (Lab): Our local women's centre, which supports many women in my constituency, helped 850 individual women in 2017-18. Currently, though, there is no core Government funding to help these women. Does the Minister agree that funding early intervention to support vulnerable women would prevent future crises and future pressure on the justice system?

Lucy Frazer: I pay tribute to the centre's work, which I am sure is important to the hon. Lady's local community. There is funding from a variety of sources for women's centres and, as I mentioned, it is something we will be looking at very carefully as we develop the female strategy. We have funded a number of very valuable women's centres over the past year, including the Sunflower Centre in Plymouth and a new women's centre in York.

Richard Burgon (Leeds East) (Lab): Two thirds of women sent to prison get sentences of less than six months. Such sentences are proven to lead to more reoffending, and so create more victims of crime than tried and tested alternatives such as women's centres. The Justice Secretary and his team know this, but they have chosen to ignore the evidence. Will the Minister tell the House today how many crimes her Department's own research shows will be prevented by investing in such alternatives to ineffective short prison sentences?

Lucy Frazer: We are very interested in looking at alternatives to prison sentences. Although we want the most serious offenders who commit serious violence and sexual crimes to spend the appropriate time in prison, we want to ensure there are sentences on offer in which the judiciary have confidence and that will turn people's lives around. We are already working to improve the quality of information that sentencers receive about community sentencing options, including, for example, whether an offender is a primary caregiver and is pregnant or has given birth in the previous six months, so they can take that into account and give the appropriate sentence.

Richard Burgon: To help with that answer: the Government's own research says that investment in alternatives would see more than 30,000 fewer crimes every year, an answer the Minister omitted, yet the Tories are deliberately choosing to ignore the evidence and are failing to invest properly in women's centres and other proven alternatives. Instead, they are chasing "hang 'em and flog 'em" headlines, thinking that will help them win the coming general election. Luckily, the British people are not the mugs they are trying to take them for.

Does the Minister agree with her own Department's report from July, which notes a

"statistically significant increase in proven reoffending"

for those on short sentences rather than effective community alternatives? If so, will she act on it?

Lucy Frazer: I think the hon. Gentleman failed to listen to my previous answer on the importance the Government place on appropriate sentences and on our particular strategy for female offenders. I was at HMP Send a few weeks ago, and I saw how we are turning people's lives around in prison. I met a woman who was due for a parole hearing—she is a lifer who has served 10 years—and she told me that she is not actually ready to be released because of the amazing support she is getting through the therapeutic community in her prison. For the first time, she is realising the consequences of her actions. We are absolutely committed to ensuring that women get the right sentences and the right provision in the community and in the prisons.

Knife Crime Prosecutions

2. Glyn Davies (Montgomeryshire) (Con): What recent discussions he has had with the Attorney General on the prosecution of people who carry knives. [912594]

9. Stephen Metcalfe (South Basildon and East Thurrock) (Con): What recent discussions he has had with the Attorney General on the prosecution of people who carry knives. [912601]

The Lord Chancellor and Secretary of State for Justice (Robert Buckland): I work closely with the Attorney General and Home Office Ministers to ensure that the criminal justice system commands public confidence and tackles crime effectively. To address this and other serious crimes, we are recruiting an additional 20,000 police officers, investing £85 million in the Crown Prosecution Service and building an additional 10,000 prison places, and this is together with the work of police and crime commissioners in setting up violence reduction units.

Glyn Davies: The best way to prevent knife crime is to take knives out of circulation and off the streets. What steps is my right hon. and learned Friend taking in conjunction with the Attorney General to ensure that people who carry knives are prosecuted?

Robert Buckland: Of course, the prosecuting authorities take knife crime incredibly seriously. In 2015, minimum custodial sentences of six months for repeat knife crime possession were introduced, and in the year ending March of this year 83% of offenders received a custodial sentence for that type of repeat offence.

Stephen Metcalfe: Does the Justice Secretary agree that the sentence should reflect the serious nature of knife crime and the serious damage it does to our communities? Does he support the work of organisations such as Only Cowards Carry, which help to highlight the devastating damage knife crime does to the individuals involved, on both sides?

Robert Buckland: My hon. Friend is right to highlight the hard work of that local organisation and many others, such as the Ben Kinsella Trust, which do so much to educate young people about the folly of carrying knives. The new knife crime prevention orders, introduced by this Government as part of the Offensive Weapons Act 2019, will be a key tool in preventing knife crime, and we are working with the Home Office to develop operational guidance, because we want to get on with introducing that programme.

Jenny Chapman (Darlington) (Lab): Yesterday, it was reported that knife crime in my relatively safe constituency has risen by 50%, which is extremely worrying, particularly for parents with teenage children in Darlington. Will the Justice Secretary look at the fact that since 2010 funding for youth offending teams has been halved?

Robert Buckland: The hon. Lady, like all of us in this House, whether we are parents or not, shares the worry about young people either carrying knives or coming into contact with people who do. The truth about the trends in knife crime offending are these: there was an

alarming rise 10 years ago and there was then a decline, but we are seeing a rise again. We are taking a twin-pronged approach, which is about not just sentencing, but intervention. That is why announcements about youth funding at last week's Conservative party conference are welcome and indeed this is part of the work our youth offending teams are doing all across the country.

Lucy Powell (Manchester Central) (Lab/Co-op): The Secretary of State may be aware of the recent murder of high-flying teenager Yousef Makki from Manchester. His killers were found not guilty of either manslaughter or murder, coming as they were from affluent Hale. The case stands in stark contrast with many I have raised here recently involving groups of young black men from Moss Side, who are all serving mandatory life sentences under joint enterprise. Given that the Secretary of State's Government's own race audit and Lammy review found that there were burning injustices in our criminal justice system when it comes to race, background, class and wealth, what are the Government doing to address these very different outcomes in the same cases?

Robert Buckland: The hon. Lady raises an interesting point. I think she would agree that it is difficult to extrapolate trends from an individual case, however concerning and deeply distressing that case was. I think the lesson is that knife crime respects and knows no class or race boundaries. We should not stigmatise this, particularly outside London, as a crime that is exclusively based upon any racial profile—that is wrong. However, I take the point that she makes and clearly we need to look carefully across the piece as to whether we are sometimes being a bit shy—institutionally shy—about addressing knife crime in some of the less typical places.

Rape Convictions

3. Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op): For what reasons the proportion of rape cases that result in conviction has declined since 2010. [912595]

The Parliamentary Under-Secretary of State for Justice (Chris Philp): The latest CPS figures from the "Violence Against Women and Girls Report 2018-19" show that the conviction rate for those cases taken to court has increased from 58% in the previous year to 63% in the year ending March 2019. However, the number of cases reaching court, which peaked in 2015, has declined significantly, which is a substantial cause for concern. A number of steps are being taken to address that, including recruiting 20,000 extra police officers and giving the CPS £85 million a year in additional funding.

Preet Kaur Gill: Many women, including many survivors of rape and sexual violence, have lost confidence in our justice system, due partly to the appallingly low rate of prosecution for rape. Women's organisations are calling on the Government to launch a fully independent review of how the justice system handles rape cases. Will the Minister take this opportunity to join Labour in committing to deliver on that?

Chris Philp: A review by a sub-committee of the Criminal Justice Board is already under way and is due to report in spring next year—in just a few months' time. That will be accompanied by an action plan,

which is clearly needed, as the hon. Lady's question pointed out. Just a few weeks ago, the Government announced additional funding for the victims of sexual violence; that extra £5 million a year is a 50% increase, bringing annual spending to £13 million a year to support victims of these crimes in exactly the way that the hon. Lady rightly describes.

Mr Speaker: It was remiss of me not to congratulate the hon. Gentleman on his becoming a Minister. I hope he enjoys it; I feel sure that he is uncontrollably excited about the prospects that lie ahead.

Anne Milton (Guildford) (Ind): The Rape and Sexual Abuse Support Centre in Guildford, of which I am a patron, is overwhelmed by women and men requesting help. The abuse often happened years ago, and a fear of coming forward means that the perpetrators do not face prosecution. The National Society for the Prevention of Cruelty to Children's Close the Loophole campaign aims to ensure that young men and women are better protected. I do not know what progress has been made in reviewing the Sexual Offences Act 2003; perhaps the Minister can update us.

Chris Philp: My right hon. Friend rightly draws attention to the importance of giving victims the confidence to come forward and not only report these offences but take them through the system—there is quite a high drop-out rate between the reporting of an offence and the case being prosecuted in court. She mentions a particular centre in her constituency that is doing excellent work; I hope that some of the additional money announced last week may find its way into that centre's hands to help with its work. The 2003 Act is among the matters being considered as part of the review that will report back in spring next year.

19. [912611] **Wera Hobhouse** (Bath) (LD): I, too, congratulate the Minister on his new post. Indeed, my question is linked to his being in that post. We simply do not have enough rape crisis centres and we need to support survivors of rape better. Will the Government consider ratifying the Istanbul convention? That should lead directly to their providing the right number of rape crisis centres. Will the Minister meet me to discuss that?

Chris Philp: Via the Domestic Abuse Bill, which was debated last week, a number of steps are being taken in the direction that the hon. Lady points towards. I repeat the point I made a moment ago about the additional funding for the victims of rape: there has been a 50% increase, which I hope will increase provision of the kind that the hon. Lady rightly calls for.

Financial Capability: Prisoners and Prison Leavers

4. **Damian Hinds** (East Hampshire) (Con): What steps his Department is taking to improve financial capability among (a) prisoners and (b) prison leavers. [912596]

The Minister of State, Ministry of Justice (Lucy Frazer): As my right hon. Friend the former Secretary of State for Education knows, education is often the route out of a challenging background. I pay tribute to all the work that he did in his previous role. We know that we can sustain employment and manage our own budget only

if we have financial capability, so we have ensured through the new prison education contracts that personal budgeting skills can be taught. Under the new prison framework, 103 out of 104 prisons currently commission functional mathematics qualifications.

Damian Hinds: Building up savings can be truly transformational. The Legal Aid, Sentencing and Punishment of Offenders Act 2012 allowed for prisoners' earnings to be paid into an account. I encourage my hon. and learned Friend to look at that provision again and enact the regulations, as part of her wider work on meaningful paid work.

Lucy Frazer: My right hon. Friend is right to identify the fact that leaving prison with savings can be hugely beneficial to an offender's rehabilitation. Although he is right to point out that the relevant clauses of LASPO have not been commenced, we do enable prisoners to save money under the terms of the Prisoners' Earnings Act 1996. In addition, all prisoners have access to a prison savings account during their time in custody. We hope that our recent changes in respect of release on temporary licence will enable an even greater number of prisoners to benefit from saving. Since I have been in post, I have been looking actively at how we can ensure that all prisoners have a bank account.

Kate Green (Stretford and Urmston) (Lab): Leaving prison with just £48 is not a great start for someone to manage their own finances. Can the Minister say, first of all, whether the Government plan to review that amount and, secondly, what steps are being taken to streamline the application process for universal credit so that it can start from inside the prison ahead of release?

Lucy Frazer: As I mentioned, we are increasing the opportunity for people to do work on release on temporary licence, which will increase their ability to earn money while they are in prison, so we are looking at the point that the hon. Lady raises. In relation to universal credit, my predecessor, now the Lord Chancellor, had a number of meetings with his counterpart in the Department for Work and Pensions and offenders are now able to access a DWP work coach prior to release, so they can make an appointment early and then, even on the day of release, complete their claim, because universal credit is critical.

Mr Philip Hollobone (Kettering) (Con): Whatever advice and guidance prisoners get while in prison, it is of little use if they are released at the weekend when support they need is often not available. How many prisoners as a proportion are released at the weekend and what are we doing to reduce that?

Lucy Frazer: My hon. Friend makes an important point about releases on Fridays. It is something that I have been looking at, but whether a prisoner is released on Friday, Thursday, Wednesday, Tuesday or Monday, it is important that they have accommodation and support.

Louise Haigh (Sheffield, Heeley) (Lab): Today's report by Her Majesty's inspectorate of probation is one of the most shocking independent inspection reports that I have ever read. Nearly two thirds of children are going

on to reoffend. Accommodation, health services and support on leaving custody are all highlighted as failing. How much longer are Ministers going to throw good money after bad in providing more prison places, rather than the targeted investment on education and support that we know helps turn children's lives around?

Lucy Frazer: The hon. Lady makes an important point about rehabilitating people in prison. We have reduced the youth estate over the years, so only the most serious offenders are in prison and we do want to ensure that appropriate sentences are handed down. None the less, education in prison, accommodation on release and universal credit are priorities for this Government.

Patrick Grady (Glasgow North) (SNP): I hope the Minister will be interested in learning more about the Street & Arrow initiative run by Scotland's violence reduction unit, which helps ex-offenders make a livelihood through its street food vans, which in turn are supported by public projects such as the Glasgow Hospital and Dental School and the University of Glasgow's construction project. This helps them learn new skills and take initiatives to reduce offending and improve their livelihoods. I hope the Minister will be willing to look at projects such as that.

Lucy Frazer: I would be willing to meet the hon. Gentleman and discuss this matter. I must say that, as I have visited a number of prisons since I have been appointed, I have seen some fabulous schemes around the country, and I am very happy to hear about this one.

Prisons: Staffing Levels

5. **Mr Adrian Bailey** (West Bromwich West) (Lab/Co-op): What recent assessment he has made of the adequacy of staffing levels in prisons. [912597]

6. **Gordon Henderson** (Sittingbourne and Sheppey) (Con): What progress his Department has made on recruiting the 2,500 new prison officers announced in 2016. [912598]

The Minister of State, Ministry of Justice (Lucy Frazer): In my first orals in this role, I am very pleased to pay tribute to the hard work of all our prison staff. I have had the opportunity, since I was appointed, to visit a number of prisons and I have seen at first hand the dedication of their staff. It is critical that we recruit and retain staff to keep our prisons secure. We have invested significantly in increasing staff numbers, recruiting a net total of an additional 4,366 prison officers between October 2016 and June 2019, surpassing our original target of 2,500, and we will continue to recruit officers to ensure that our prisons are decent and safe.

Mr Bailey: Since 2010, the number of prison officers has dropped by 80,000. Violence and insecurity in our jails have soared. What estimate has the Minister made of the impact in jails of her party conference's proposals to increase jail sentences on violent and sexual offenders and the cost of delivering it?

Lucy Frazer: We have recruited more than 4,000 staff since 2016. The hon. Gentleman is right to identify that if the police catch more criminals and we prosecute

them, there will be more people going into our prisons. That is why we have committed to investing £2.5 billion in prison places. He is also right to identify that we will need not only prison places but more prison officers. We are actually ahead of our recruitment targets in this regard. The Prison Service has been lauded as a good employer: for example, it is in the top 100 graduate employers.

Gordon Henderson: I congratulate the Government on their efforts to recruit more prison officers. However, does my hon. and learned Friend accept that cuts earlier this decade contributed to a vicious cycle of prison violence because fewer officers on landings led to more assaults, which caused more staff to leave, leading to more violence and so on? With morale and retention of prison officers at rock bottom, does she accept that more must be done to reward these brave public servants—for instance, by improving and reducing their retirement age to 60 because 68 is far too late?

Lucy Frazer: I thank my hon. Friend for raising the profile of the work of prison officers in his Westminster Hall debate last year, as well as this morning in questions, and for participating and promoting the excellent Prison Service parliamentary scheme. He is right to refer to prison officers as "brave public servants", and the Secretary of State referred to them in his conference speech as "unsung heroes". We made offers to staff to reduce the pension age in 2013 and 2017, but both offers were rejected by the Prison Officers Association.

Imran Hussain (Bradford East) (Lab): I welcome the Minister back to the Ministry of Justice in her new role. Like her predecessors, she comes to this House triumphant about the Government's recruitment campaign. However, the reality is that we just have to look at the breakdown in the number of prison officers to see that it is far from the truth. Some 80,000 years of cumulative prison officer experience have been lost, a third of officers have less than two years' experience and the number of officers is now falling again—still lagging 2,500 behind 2010 levels. Will the Minister in her new role simply commit to bringing prison officer numbers back to 2010 levels?

Lucy Frazer: We have made a significant breakthrough in the number of prison officers. We have introduced the key worker scheme, which allows prison officers to build relationships with the prisoners, and during my visits to prisons I have heard that the scheme is extremely popular among prisoners and prison officers. We are professionalising our workforce in the youth estate, providing all frontline officers with a foundation degree—

Mr Speaker: Order. Resume your seat, Minister. I am sorry, but these exchanges are very protracted. I know lawyers like to expatiate, but the answers are just too long, with people reading out great screeds. That is not what the House wants.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): But in looking at the way in which the Prison Service operates, will my hon. and learned Friend also review the kind of prisoners who are sent to open prisons? Bearing in mind the announcements made last week, there is concern that open prisons will contain more

people who have been convicted of very serious offences and are therefore not suitable for open prisons. Will she review this?

Lucy Frazer: I can, very briefly, assure my right hon. Friend that we are looking at the recategorisation of offenders to ensure that they are in the right prisons for them.

Judiciary: Independence

7. **Jamie Stone** (Caithness, Sutherland and Easter Ross) (LD): What the Government's policy is on maintaining the independence of the judiciary. [912599]

The Lord Chancellor and Secretary of State for Justice (Robert Buckland): An independent judiciary is the cornerstone of our constitution and our democracy, and we are rightly proud of our world-class judiciary. As Lord Chancellor, I have sworn an oath to defend its independence. I take that extremely seriously and will continue to defend its independence vigorously.

Jamie Stone: I am encouraged to hear that answer. That is why—thank God—we are not a totalitarian state. I have a rather scary bit of advice for the Lord Chancellor: could he share his thoughts with No. 10 and perhaps Mr Dominic Cummings?

Robert Buckland: I think that everybody—whichever part of Government or our country they might come from—will probably be aware of my public pronouncements about this matter. I will keep saying it again and again and again, as long as it is necessary to do so.

Robert Neill (Bromley and Chislehurst) (Con): Consistent with the Lord Chancellor's speech at the opening of legal year, will he confirm that there is no place for political involvement in the appointment of judges and no question but that the rulings of the courts must be observed by all?

Robert Buckland: I am more than happy to confirm all those points, made so ably by the Chair of the Justice Committee.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Will the Secretary of State today put it on record not only that he believes in the independence of a robust judiciary, but that his Government will obey the law, and not crash us out of the European Union against the law?

Robert Buckland: I can confirm that this Government, like their predecessors and, I hope, successors, will continue to respect and obey the law, and respect the rule of law.

Sir Desmond Swayne (New Forest West) (Con): Might my right hon. and learned Friend honour his oath by restoring the proper role of his office in the other place?

Robert Buckland: My right hon. Friend tempts me along the path of debate about the constitution, and in particular the Constitutional Reform Act 2005. While I am always keen to engage in academic constitutional debate, we have many other fish to fry at the moment.

Joanna Cherry (Edinburgh South West) (SNP): I thank the Lord Chancellor for speaking out in favour of the independence of the judiciary.

Lord Hope of Craighead, a former Deputy President of the Supreme Court and Lord President of the Court of Session, has pointed out that

“The Supreme Court justices were careful to explain in their judgment”

on the Prorogation case

“that they were not pronouncing on political questions. The issues with which they were dealing...were issues of law.”

Will the Lord Chancellor explain that to those in his party demanding a politicised appointment process for the judiciary?

Robert Buckland: I am grateful to the hon. and learned Lady. I treat the remarks of the noble Lord Hope with extreme gravity, bearing in mind his experience and knowledge. It always bears repeating that the judiciary do not have political motivations, and that case was no exception. Frankly, I think the matter needs no further debate. If we ended up with an American-style approval system, we would all be the poorer for it.

Joanna Cherry: Yesterday a Scottish court recorded the Prime Minister's unequivocal promise to comply with his statutory duties under the Benn Act. The judge, Lord Pentland, said:

“it would be destructive of one of the core principles of constitutional propriety and of the mutual trust that is the bedrock of the relationship between the court and the crown for the prime minister or the government to renege on what they have assured the court that the prime minister intends to do”.

Can the Lord Chancellor assure us that he will be impressing on the Prime Minister the grave consequences of ignoring that warning from a senior member of the Scottish judiciary?

Robert Buckland: I read the transcript of what Lord Pentland said with great interest. Of course, that matter is subject to appeal, and it would be wrong of me to speak about it in detail, but those comments are noted.

Richard Burgon (Leeds East) (Lab): We have seen the Justice Secretary forced to take to Twitter to defend the independence of the judiciary and the rule of law after recent briefings from No. 10 Downing Street. He may well have to do that again later today, after this morning's headlines. The Attorney General has briefed the press that he will resign if the Government refuse to adhere to the law demanding an extension to rule out no deal. Will the Justice Secretary do the same?

Robert Buckland: I hope that Members in this House and elsewhere feel that I have discharged my duties under my oath, and I will continue to do that. I will take whatever step I deem necessary to make sure that I am true to that oath, and to the rule of law.

Reforming Probation

8. **Faisal Rashid** (Warrington South) (Lab): What progress he has made on reforming probation. [912600]

The Minister of State, Ministry of Justice (Lucy Frazer): We have already announced that we will strengthen probation by bringing back into the National Probation Service the supervision of offenders. In July, we published a draft operating blueprint.

Faisal Rashid: The former Justice Secretary's decision in 2013 to privatise probation was set up to fail from the start. Now that a partial U-turn has been announced, can the Minister set out for the House the full cost, from start to finish, of the failed privatisation of probation services?

Lucy Frazer: We recognise that there is more we can do in relation to probation, which is why we are changing the system, but "Transforming Rehabilitation" brought 40,000 people back into supervision, and we are ensuring that the new procedure will work well.

Derek Thomas (St Ives) (Con): Good probation can be the means to transform young people's lives and help to rehabilitate them in communities. We do not have a prison in Cornwall, but we have many people who are involved in this process. What can the Minister do to help those organisations to get the funds they need to support those young lives, so that they can play a full part in life?

Lucy Frazer: The new system will ensure that, while offender management is brought in-house, private sector innovation will be involved in providing unpaid work, and there will be a dynamic framework to enable new schemes and charities to bid to provide bespoke local services. I am happy to talk to my hon. Friend about what might be provided in Cornwall.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I rise as the co-chair of the justice unions cross-party group. Following disastrous mismanagement by the former probation provider, Working Links, it is to be welcomed that probation in Wales is due to come back under public control by 2 December. The terms on which staff are employed by HMPPS in Wales will set a benchmark for England. How confident is the Minister that terms will be agreed with the unions over the next seven weeks, and what will be the consequences if that does not happen?

Lucy Frazer: We are working hard to ensure that we succeed in Wales. As the right hon. Lady mentioned, it is the first of our operations. I met representatives of Napo, GMB and Unison at the end of last month to discuss that very issue, and we are working hard to ensure that matters are in place by the end of the year.

Prison Leavers: Accommodation

10. **Kerry McCarthy (Bristol East) (Lab):** What support his Department provides to help prison leavers secure appropriate accommodation on release. [912602]

The Minister of State, Ministry of Justice (Lucy Frazer): I absolutely agree with the hon. Lady that finding accommodation for prisoners at the end of their sentence is vital. That is why we have already started pilots to help offenders released from three prisons—Bristol, Pentonville and Leeds—to secure and maintain accommodation, with £6.4 million from the Government's rough sleeping strategy.

Kerry McCarthy: My hon. Friend the Member for Sheffield, Heeley (Louise Haigh) mentioned today's report which says that young offenders are being set up

to fail when they are released. One concern raised in the report is about the quality of unregulated supported living, which is a real concern in Bristol. May I urge the Minister to talk to her counterparts in the Ministry of Housing, Communities and Local Government to see how we can regulate supported housing?

Lucy Frazer: The hon. Lady makes an interesting point. I would like to assure her that we do liaise with MHCLG. In fact, on Thursday I am going with my counterpart from MHCLG to visit one of the pilots in Leeds, and I will raise that point with him.

Several hon. Members rose—

Mr Speaker: A Buckinghamshire knight—Sir David Lidington.

Sir David Lidington (Aylesbury) (Con): I welcome what my hon. and learned Friend has said about the pilot projects now under way and wish them success. Since up to 30%, by some estimates, of people sleeping rough on the streets have a prison record, does she agree that one of the best ways to secure a reduction in reoffending is to step up these schemes and ensure that when someone has served their time, they have a roof over their heads on release?

Lucy Frazer: I agree very much with my experienced right hon. Friend, from whom I learned so much as his Parliamentary Private Secretary. He is absolutely right about accommodation. We are looking at the pilots. We are also trying to expand the approved premises estate by an extra 200 beds. Accommodation is a critical matter, and we are looking hard into it.

Access to Justice: Court Digitisation Programme

12. **Andy Slaughter (Hammersmith) (Lab):** What recent assessment he has made of the effect on access to justice of the court digitisation programme. [912604]

16. **Peter Aldous (Waveney) (Con):** What steps he is taking to modernise the courts and tribunals system. [912608]

The Parliamentary Under-Secretary of State for Justice (Chris Philp): Digitisation is designed to improve access to justice and, of course, efficiency in the court system. Last year, 150,000 people accessed court services online. To date, no fewer than 63,491 people have entered uncontested divorce proceedings online. The take-up rate is now 62% and growing. Some 94,975 people have issued or responded to civil money claims to date, and they report an 88% satisfaction rating. No fewer than 317,206 minor pleas have been entered since 2014, and if the House is wondering, 85% of those pleas were guilty and 15% were not guilty.

Andy Slaughter: From next April, the vast majority of personal injury claims will have to be dealt with online, without the benefit of legal advice. Even the Association of British Insurers—the major advocate and beneficiary of that policy—does not think the Government will be ready. It is urging the Government to drop the proposed increase in the small claims limit for employers and

public liability and concentrate on road traffic claims. As the Government often follow the ABI's advice, will they on this occasion?

Chris Philp: The House has been in the process of legislating in this area for some time. The Prisons and Courts Bill fell at the 2017 election. We finally legislated in the Civil Liability Act 2018, which is due to be implemented along with the £5,000 limit for the small claims track in April next year, and that remains the Government's intention.

Peter Aldous: In Suffolk, nearly half of all victims of domestic abuse or sexual offences are unwilling to proceed with prosecutions. Clause 75 of the Domestic Abuse Bill will help to improve the situation, but will the Minister confirm that the Government are committed to root-and-branch reform to remove the culture of confrontation, fear and intimidation in the courts and tribunals system?

Chris Philp: My hon. Friend raises a very important point, which was touched on by Members under Question 3. It is vital that we help victims of these terrible crimes to pursue the case right through the court system, rather than dropping it after reporting the crime, and there is a lot more to do there. The provisions in the Domestic Abuse Bill, introduced for its Second Reading last week, will help that, as will the increased funding to support victims of these terrible crimes, to which I referred earlier.

Yasmin Qureshi (Bolton South East) (Lab): The Government have undertaken an unprecedented sale of courts, which has made giving evidence in court far more difficult for the many victims of crime who now have to travel much further to have their day in court. As the hon. Member for Waveney (Peter Aldous) said, the fact is that victims of sexual and other physical abuse are already reluctant to come to court, and this plays into that even more. Will the Minister agree to an independent assessment of the impact of these court closures and commit to no further closures unless it can be proved that they are not having a detrimental impact on access to justice?

Chris Philp: Of course, access-to-justice considerations are extremely important. Before any court is earmarked for closure, there is an extremely thorough consultation process, and if any courts are due to close in the future, a similarly thorough consultation process will be gone through. I would point out that in the cohort of courts consulted on in 2015 that were subsequently closed, on average their utilisation rates were about one third. We need to balance a reasonable approach to the court estate with the access-to-justice considerations that the hon. Lady quite rightly raises.

Assisted Dying

13. **Sir Vince Cable** (Twickenham) (LD): What recent public consultation he has conducted on the law in relation to assisted dying. [912605]

The Lord Chancellor and Secretary of State for Justice (Robert Buckland): The Government have not conducted a public consultation on the law in relation to assisted

suicide. We remain of the view that any change to the law in this sensitive area is a matter of conscience and a matter for Parliament, rather than one of Government policy.

Sir Vince Cable: The Secretary of State will be aware that, under the current law, people can be sentenced to up to 14 years in prison for assisting the suicide of a terminally ill loved one in great pain, and that the Crown Prosecution Service is pursuing prosecutions, with traumatic effects in some cases, so why have the Government decided to abandon even the call for evidence that his predecessor initiated only a few weeks ago?

Robert Buckland: I am grateful to the right hon. Gentleman for his question. There was no initiation of a call for evidence. However, I hear his point about prosecutions. The Crown Prosecution Service guidelines, which were actually pioneered by the right hon. and learned Member for Holborn and St Pancras (Keir Starmer), in my view strike a very sensitive and sensible balance between the need to protect the vulnerable and the need to understand the sensitive and emotive circumstances of many of these tragic cases.

Sarah Newton (Truro and Falmouth) (Con): Last week, the police and crime commissioner for Durham, Ron Hogg, said there needed to be changes in the law on assisted dying, and this reflects the view of many in the police. I know that the Secretary of State for Justice is a very compassionate man, so will he meet police officers to discuss their concerns?

Robert Buckland: I am grateful to my hon. Friend, who has taken a very close interest and been actively involved in this issue. Of course I would be happy to meet police officers—indeed, I have committed to meet others on this issue—but I do harbour the gravest of doubts about the ability of legislation to be watertight when it comes to the potential, sadly, for abuse.

Nick Boles (Grantham and Stamford) (Ind): It is a great pleasure to ask a question of my old friend the Lord Chancellor. I fear that he may not have received complete information from his officials, because his immediate predecessor did ask for a call for evidence and for No. 10 approval of a call for evidence. It is true that the previous Prime Minister resigned before that request could be approved, but the previous Lord Chancellor did make it clear that he thought a call for evidence was justified. To be clear about the reasons why: it is not that Government are going to take a position on a possible change of law, but only the Government can gather the information about the effect of the current law so that Parliament can decide whether that law needs to be changed.

Robert Buckland: I am grateful to my old friend for the way in which he asked that question. I accept the comments that he made. It was not agreed that there should be a call for evidence, and it is not my plan to initiate one. However, discussions and conversations will continue, and the wealth of information out there on both sides of the argument is something that will

prompt right hon. and hon. Members to continue this debate, either on the Floor of the House or by other means.

Lucy Allan (Telford) (Con): Parliament is out of step with the people on this issue—90% of the UK population believe that assisted dying should be legalised. Shropshire man Noel Conway recently had his case turned down in the Supreme Court, which believed that it was a matter for Parliament to decide. Does the Minister agree that Parliament must look at this issue once again, because it is not right for us to decide that terminally ill people, who are enduring great suffering, have no right over how they choose to die?

Robert Buckland: My hon. Friend raises the Noel Conway case, in which the Court found that Parliament's decision not to change the law did indeed strike a fair balance between the interests of the wider community and the interests of people who were in that tragic position. That was upheld by the Court of Appeal. It is a matter for right hon. and hon. Members to raise that issue, either in a private Member's Bill or in a general debate.

Several hon. Members *rose*—

Mr Speaker: Well, as usual, we are running late, but my judgment is that the House would be impoverished without the sound of Shipley, and it must not be. Mr Philip Davies.

Automatic Release from Prison on Licence

14. **Philip Davies (Shipley) (Con):** Whether he plans to abolish the practice of automatic release from prison on licence at the halfway point of sentences for all offenders. [912606]

The Lord Chancellor and Secretary of State for Justice (Robert Buckland): I do not have any immediate plans to extend the proposals that I made last week. I reassure my hon. Friend that public protection weighs very much in my mind when it comes to automatic early release—something about which I have long held strong views, from my days in the criminal justice system.

Philip Davies: The automatic early release of prisoners halfway through their sentences, introduced by the last Labour Government, is dishonest. It undermines public confidence in the justice system, and it lets people out halfway through their sentence even if they still pose a risk to the public and there is a risk of their reoffending. A Conservative Government should scrap that for all offenders.

Robert Buckland: I hear my hon. Friend's strictures. He will be greatly encouraged by the announcement that I made last week to move that threshold to two thirds for serious, violent and sexual offenders. As I have said, this is about public protection and confidence in the system, and I am sure that he will fully support the Government's measures.

Stephanie Peacock (Barnsley East) (Lab): The Secretary of State is aware of my constituent Jackie Wileman, who was hit and killed by four men driving a stolen

heavy goods vehicle. They had nearly 100 convictions between them. One man was in the probation system; another two had just completed probation. As part of the Government's renationalisation of the probation service, will the Minister commit to review the way in which offenders are classed and monitored? Those men were not classed as high risk and were not monitored as such. That was a clear failure, which, as he knows, had devastating consequences.

Robert Buckland: The hon. Lady and I have spoken about this case in the past. She is an assiduous campaigner on this and other issues, and I am grateful to her. The reforms to probation give us an opportunity to get that sort of risk assessment absolutely right. Ending the division between the National Probation Service and community rehabilitation companies will allow us to focus on the offender, rather than worrying about which part of the system they should be in. I am grateful to the hon. Lady for raising that issue.

Caroline Nokes (Romsey and Southampton North) (Ind): My constituent Valerie Matcham's grandson was killed by a single punch to the side of his head. Bradley's killer was sentenced to just two years in prison, and the family are distraught at the thought that he could be out on licence after just one year. I am encouraged by my right hon. and learned Friend's words and urge him to keep the views of families at the forefront of his mind when considering these difficult decisions.

Robert Buckland: My right hon. Friend raises a distressing case. It is perhaps not appropriate for me to comment on it individually, but I extend my deepest sympathy to the family and friends of that victim. It is precisely why we have decided to take action to try to create a higher degree of confidence for victims and their families when it comes to the administration of sentences.

Chris Evans (Islwyn) (Lab/Co-op): I was out with Gwent police on Friday. A large amount of their casework relates to serious high-risk offenders being released halfway through their sentences, which is a massive drain on resources both locally and nationally. Will the Lord Chancellor commit to review automatic release?

Robert Buckland: I am sure the hon. Gentleman will join me in actively supporting my proposals to change the automatic release to two thirds for serious violence and sexual offenders. That will indeed help local police forces, such as Gwent, with their management of offenders in the community. I pay tribute to the work the police do in that respect.

Mr David Davis (Haltemprice and Howden) (Con): When violent criminals are released, it is a time of fear and sometimes terror for their erstwhile victims. Release under licence allows the restriction of both movement and access, but not beyond licence. When the Lord Chancellor reconsiders the issue of licence, will he consider whether restrictions can be put on such criminals after their licence periods are over, to protect the victims?

Robert Buckland: My right hon. Friend asks a very important question. I have to accept the limitations on the period of sentencing. Supervision is an important part of the licence period, but what happens beyond

that is difficult in terms of court order. However, work can and should be done by the probation service to ensure we are protected as fully as possible.

Liz McInnes (Heywood and Middleton) (Lab): Almost two years ago to the day, the Government made a pledge to increase the maximum sentence for causing death by dangerous driving from 14 years to life. In the light of the Secretary of State's recent announcement, will he be revising that pledge? To date, no action has been taken.

Robert Buckland: I am grateful to the hon. Lady, who I know has written to me. I repeat my pledge to get on with legislating on that issue as soon as possible. We have, we hope, a new Session coming. I am not going to pre-judge what might be said then, but I think there will be an opportunity for us to right this wrong.

Support for Victims of Crime in Court

15. **Andrew Griffiths** (Burton) (Con): What steps he is taking to ensure the provision of adequate support for victims of crime in court. [912607]

The Parliamentary Under-Secretary of State for Justice (Wendy Morton): The Government are prioritising support for victims through the criminal justice system and beyond, and we are committed to tackling poor criminal justice outcomes for them. Just last month, my right hon. and learned Friend the Lord Chancellor and I took part in a roundtable at Downing Street to discuss support for victims of rape. Victims and stakeholders highlighted the importance of support in their engagement with the criminal justice system.

Andrew Griffiths: The Minister will be aware that the recent consultation on the code of practice for victims of crime has recently closed, and she will be considering representations. Will she look closely at the greater use of criminal compensation orders for the victims of child sexual abuse? They are used in a woefully small number of cases, so vulnerable people have to re-live the trauma either through a private prosecution or through the criminal injuries compensation scheme.

Wendy Morton: Compensation orders are an important power. The purpose of the order is to pay the victim compensation for any personal injury, loss or damage caused by an offence, and they allow courts to ensure that offenders make financial reparations to victims where possible. As part of our review of the victims code, we will be considering the recommendation on raising awareness of criminal compensation orders made by the Independent Inquiry into Child Sexual Abuse.

Several hon. Members *rose—*

Mr Speaker: The hon. Member for Ashfield (Gloria De Piero) is leaving the House voluntarily at the next election to the very considerable detriment to Ashfield and to the House, so it would be discourteous of me not to hear her.

Gloria De Piero (Ashfield) (Lab): Support for victims is not good enough, so can I appeal to the Government to change the law to remove the automatic entitlement of joint assets from those who have attempted to murder their partners? The case I am working on sees the

perpetrator demand £90,000 from the woman he attempted to kill, or, as she puts it, a £3,000 reward for every stab wound.

Wendy Morton: I am grateful to the hon. Lady for her question. I suggest that we perhaps meet after this session, when she can outline a little more about her case.

Topical Questions

T1. [912618] **Bill Wiggin** (North Herefordshire) (Con): If he will make a statement on his departmental responsibilities—with reference to Question 24.

The Lord Chancellor and Secretary of State for Justice (Robert Buckland): I know what my hon. Friend means. I laid a written ministerial statement before the House last week, and at the Conservative party conference, I announced reforms that will end automatic halfway release for the most serious violent and sexual offenders. These criminals will be required to serve two thirds of their sentence behind bars. I also announced that we will allow courts across England and Wales to sentence offenders guilty of alcohol-related offences for up to 120 days of electronically monitored abstinence. That follows two successful pilots, including one in London launched by the then London Mayor, now the Prime Minister.

Bill Wiggin: During the last Prorogation of Parliament, I was looking forward to serving on a jury. When the Supreme Court decided that we should be here, I had to be released from that jury service by a distinguished judge in Hereford. It cannot be right that judges decide when we sit and who attends, but the Secretary of State's Department has been pathetic in its written responses to me about how it proposes to make sure that we can fulfil both sorts of public service.

Robert Buckland: I am distressed to hear that from my hon. Friend—I have sat as a judge in Hereford and it is a most pleasant court. Matters of jury service and jury duty are, of course, for the court system, and it would be inappropriate for my Department or Ministers to—[*Interruption.*] No, I am sorry; it is not appropriate for us to intervene in these matters. This Parliament changed the rules about jury service some years ago not to exempt Members of Parliament, or indeed judges or barristers. That was the right thing to do. While the system is there to accommodate my hon. Friend and his needs, like all other members of the public, we just have to work with respect to the system.

Richard Burgon (Leeds East) (Lab): The coming Labour Government are committed to restoring all legal aid-funded early legal help. That will restore legal aid help in nearly half a million cases, but the Government refuse to do it, so which of these groups of people does the Secretary of State think would be undeserving of such legal help: the 50,000 or so people who get help fighting dodgy landlords and other housing issues; the 90,000 or so people who get help fighting cruel decisions denying them the social security that they are entitled to; or the thousands of people who get help taking on bullying bosses? Which is it, or will the Government change their mind and agree to back this policy?

Robert Buckland: I am afraid that I will take no lectures from a Labour party that took a knife to civil legal aid back in the 1990s. I have a very long memory about legal aid, and I challenge anybody else to better it. I take the hon. Gentleman's point about early intervention. That is why we are working with a £5 million pilot—*[Interruption.]* I will not be heckled by the right hon. Member for Islington South and Finsbury (Emily Thornberry)—*[Interruption.]* I will not. I think it is extremely discourteous, Mr Speaker, and I am trying to—*[Interruption.]* And now she wants to insult me even further. *[Interruption.]*

Mr Speaker: Order. The Secretary of State for Justice is entitled to be heard. There is quite a lot of noisy chuntering from a sedentary position, but I wish to hear the mellifluous tones of the right hon. and learned Gentleman, who is now looking discontented, to put it mildly. Blur it out, man, with your usual elegance.

Robert Buckland: What I will say is that we are working on a housing repossession pilot. We are investing £5 million in early intervention services. I take a great interest in the work of law centres, and I want to do more to help them.

Jack Lopresti (Filton and Bradley Stoke) (Con): What plans does my right hon. and learned Friend's Department have to help to facilitate careers for people who want to join the Ministry of Justice who have served in the military or the armed forces, so that it can help to communicate and facilitate their transition back into civilian life?

Robert Buckland: My hon. Friend makes a very important point about the role of the armed forces. They have a huge offer to make, and I will talk to him further about those points.

T2. [912619] **Justin Madders** (Ellesmere Port and Neston) (Lab): A recent freedom of information request of mental health trusts showed that they had spent millions of pounds on legal representation and inquests. In the same year, 2017-18, just £118,000 was available to families for legal aid. Do the Government agree that such inequality of representation means that justice is extremely hard to achieve?

The Parliamentary Under-Secretary of State for Justice (Wendy Morton): I fully understand where the hon. Gentleman is coming from. It is fundamental to our legal and justice system that everyone has the right to a fair trial. None the less, it is important that we give our utmost support for bereaved families. I am determined to do all that I can to ensure that bereaved families are at the heart of the coronial process, and we are working across the Government to achieve this.

Stephen McPartland (Stevenage) (Con): To reduce reoffending we need to improve ex-offenders' employment prospects. What incentives can the Minister offer employers to take on people who have recently left prison?

The Minister of State, Ministry of Justice (Lucy Frazer): My hon. Friend has done some work in this area as a former trustee of a charity that seeks to rehabilitate ex-offenders. He raises a very important point. The new

futures network, which we recently set up, and to which 500 employers have now signed up, seeks to ensure that ex-offenders are rehabilitated into jobs in the community.

T3. [912621] **Ms Karen Buck** (Westminster North) (Lab): The number of civil legal aid providers has fallen by a third since 2013. In February, the Government announced, under the legal support plan, a review of criminal legal aid providers. Will the Government today announce a similar review of civil legal aid provision to look at the levels of remuneration and how we can ensure capacity in all areas of the country?

Wendy Morton: As the hon. Lady will know, criminal defence lawyers play a crucial role in upholding the rule of law, and the Government greatly value their work. We have the legal aid support action plan, which we are working through, and I am keen to do all I can as legal aid Minister in this regard.

Several hon. Members *rose*—

Mr Speaker: Might I reasonably hope that the Chair of the Justice Select Committee can ask a single-sentence question?

Robert Neill (Bromley and Chislehurst) (Con): Will the Lord Chancellor confirm that the Government have no plans to change the right to trial by jury in serious criminal cases?

Robert Buckland: I am happy to confirm that.

Mr Speaker: Excellent.

T4. [912622] **Karen Lee** (Lincoln) (Lab): People in Lincoln are waiting on average 59 weeks for their personal independence payment appeal to be heard. It has gone up by 10 weeks in the last seven months. The Government have created a hostile environment for disabled people. The mandatory reconsideration process is causing distress, illness and hardship. Will the Secretary of State take urgent action to reduce the PIP appeal waiting time and provide accessible and financial support mechanisms for those going through the process?

Robert Buckland: I am grateful to the hon. Lady for raising that point. The level of appeals and the number of successful appeals remain stubbornly high, which has been of concern to all of us who have taken an interest in this for many years. I want to see the mandatory reassessment process be as meaningful as possible so that the courts are not having in effect to overturn these decisions. I take her point onboard and am looking at it anxiously.

Sir Peter Bottomley (Worthing West) (Con): I am aware of two cases in the last year where the most senior Appeal Court judges have come to a unanimous agreement only for that to be followed by unanimous disagreement in the Supreme Court. The Justice Secretary might know of more. Would it be a good idea to have an independent body to write an explanation so that those of us who are not lawyers can understand what is actually going on?

Robert Buckland: A novel point, Mr Speaker. I think the judgments of their lordships and the lords justices in the Court of Appeal speak for themselves and are increasingly written in clearer language, and the recent Supreme Court judgment was an eloquent example, whatever one's view of it might have been.

T5. [912623] **Grahame Morris** (Easington) (Lab): There is growing concern about the explosion in violence in prisons directed against prison officers. Does the Minister understand or even agree with the assessment of the Prison Officers Association that the Government are breaching their responsibilities under health and safety legislation by wilfully exposing hard-pressed prison staff to assaults? The number is running at 10,000 a year, which is over 28 a day on average.

Lucy Frazer: We are very concerned about the level of violence in prisons and very pleased that the 10 prisons project showed that we can reduce violence in prisons by reducing drugs in prison. I am very pleased that the Government recently announced the £100 million investment in prison security to make our prisons safer for those who work in them.

Mr Bob Seely (Isle of Wight) (Con): I thank the Minister for recently discussing the important Camp Hill site on the Island with me. Will the Ministry of Justice now develop, with me and Isle of Wight Council, a considered position in a timely way so that we can get a public interest outcome?

Lucy Frazer: I was very pleased to speak to my hon. Friend about this matter. As he knows, I have offered to meet him and others, and I will be very pleased to do that.

T6. [912624] **Preet Kaur Gill** (Birmingham, Edgbaston) (Lab/Co-op): What steps are the Government taking to ensure that ordinary people are not priced out of accessing proper legal advice and representation by the civil legal aid means test?

Wendy Morton: Access to legal aid is an important part of our justice system. In the past year, £1.6 billion was paid in legal advice. The Government remain committed to giving people access to legal aid when they need it.

Several hon. Members *rose—*

Mr Speaker: May we have very brief questions now, as we are short of time?

Tom Tugendhat (Tonbridge and Malling) (Con): Very briefly, Mr Speaker. The Lord Chancellor will remember that there used to be a convention involving judges not speaking publicly other than in their written declarations. Does he agree that speaking publicly can sometimes make people confused about what is the judgment of the court and what is personal opinion?

Robert Buckland: My hon. Friend is absolutely right. The judgments speak for themselves, and the judges cannot really answer back when it comes to criticism. That is why I am here to defend them.

T7. [912625] **Jo Stevens** (Cardiff Central) (Lab): I refer the House to my entry in the Register of Members' Financial Interests.

Further to the question from my hon. Friend the Member for Hammersmith (Andy Slaughter), may I point out that the Association of British Insurers has made very clear its view that the small claims limit in employer and public liability cases should remain at £1,000? We know that the Government would not listen to victims of injury and would not listen to the Justice Committee, so why are they not listening to the industry body that speaks for all insurers in the United Kingdom?

The Parliamentary Under-Secretary of State for Justice (Chris Philp): The £1,000 limit has not been changed for many years, and it is of course a great deal lower than the general small claims limit of £10,000. In my view, a small claims track limit of £5,000 balances access-to-justice considerations with reasonably administering the courts system.

T8. [912626] **Debbie Abrahams** (Oldham East and Saddleworth) (Lab): More than seven out of 10 men and women in prison have at least two mental health conditions, and there was a 30% increase in the number of self-inflicted deaths last year. What investigation have the Government undertaken of the relationship between that increase and the significant delays in transferring prisoners to hospital?

Robert Buckland: The hon. Lady raises a hugely important point. I assure her that the mental health of offenders and prisoners is my priority. I think that we can do far more, and far more sensibly, working with other Departments such as the Department of Health and Social Care, to get the commissioned services right and to stop those delays. I will talk with the hon. Lady further about this important issue.

T9. [912627] **Paula Sherriff** (Dewsbury) (Lab): I recently visited New Hall women's prison, which is on the border of my constituency. We discussed drug smuggling, and how much of it could be prevented if the prison had a body scanner. I know that 10 were installed in male prisons in January this year, but there have been no further announcements about rolling them out in other prisons, or indeed in any women's prisons, such as New Hall. Will the Secretary of State update us on the plans for future roll-outs of this vital equipment?

Robert Buckland: The hon. Lady will welcome the £170 million that we are investing in new scanners, up to now and in the next year. We are prioritising category B local prisons, which are particularly problematic in terms of security, but I will take away the point about New Hall and consider it carefully.

Mr Speaker: The hon. Member for Westmorland and Lonsdale (Tim Farron) has been jumping up and down like Zebedee, so I think he will be inconsolable if he is not heard. Let us hear the fella.

Tim Farron (Westmorland and Lonsdale) (LD): Thank you very much, Mr Speaker.

Local families and police in the south lakes have been badly affected by the closure of Kendal court. Will the Secretary of State agree to meet me to ensure that we restore access to justice in the south lakes?

Chris Philp: I thank the hon. Gentleman for his question and for the enthusiasm with which he called for your attention, Mr Speaker. I should of course be delighted to meet him to discuss any concerns that he may have about access to justice in his constituency.

Catherine West (Hornsey and Wood Green) (Lab): Given the tragic case of the baby who died in prison and the mother who laboured on her own in a prison cell, will the Minister please, in her review, look at two issues? First, were enough prison officers on duty that night, and secondly, will every single pregnant prisoner be given a healthcare plan suitable to her needs for every day of her pregnancy on which she is in prison?

Lucy Frazer: The hon. Lady has made a very important point. I assure her that a number of investigations are under way. Ten separate investigations of the incident are currently taking place, and I am pleased to announce that the Secretary of State and I have formally asked the prisons and probation ombudsman to conduct an overarching investigation. I spoke to the governor of the prison yesterday. She has introduced hourly checks throughout the night for all pregnant women, and fortnightly pregnancy review boards are being held for them, involving a multidisciplinary team. That is happening throughout the female prisoner estate.

Mr Speaker: A sentence from Strangford.

Jim Shannon (Strangford) (DUP): It will definitely be one sentence. Will the Minister further outline what recent work has been done in co-operation with the Department for Education to target young people and knife crime?

Robert Buckland: The hon. Gentleman will know that there is cross-governmental work on this. We have a strategy on that issue, and the teachable moment and the importance of education are things that we absolutely understand.

Tonia Antoniazzi (Gower) (Lab): What assessment has the prisons Minister made of the discrepancy between the starting salaries and pay scales for prison officers employed by Parc Prison in Bridgend, which is run by G4S, and those for officers employed by the Government-run HMPs in Swansea and Cardiff?

Lucy Frazer: We have increased prison officers' salaries in the public sector by over 2% across the board. The public and private systems are separate, and both produce excellent outcomes in some circumstances for prisoners.

Melanie Onn (Great Grimsby) (Lab): In June, a 15-year-old and an older accomplice broke into my house to steal my car. Thankfully, Humberside police force was excellent. It found those two and made sure they were imprisoned and put on remand. However, that 15-year-old was released on tag but apparently has removed the tag and stolen two further vehicles, which have been crashed into community buildings and people's homes. Can the Minister please explain to my community how the current system is working to protect them?

Robert Buckland: I listened to hon. Lady's case with care and concern. I think it merits a further conversation, and I will have that with her.

US Troop Withdrawal from Northern Syria

12.41 pm

Mr Tobias Ellwood (Bournemouth East) (Con) (*Urgent Question*): To ask the Minister for the Middle East and North Africa if he will make a statement on the US troop withdrawal from northern Syria.

The Minister for the Middle East and North Africa (Dr Andrew Morrison): We are consulting the US on its response to the proposed Turkish military action in north-east Syria. The Foreign and Defence Secretaries both spoke to their US counterparts yesterday. The US position, including any movement of US troops, is of course a matter for the US Government. However, the US Department of Defence said in a statement yesterday that the US does not endorse a Turkish operation in north-east Syria. We have been consistently clear with Turkey that unilateral military action must be avoided, as it would destabilise the region and threaten efforts to secure the lasting defeat of Daesh. As members of the global coalition, our focus remains on securing the enduring defeat of Daesh. We will continue to work with the US and other international partners to that end.

Mr Ellwood: I first declare an interest: I am a dual-US national.

The US is our most trusted and valued ally. We share the same vision in wanting to shape the world around us to defend international standards and values. It is why we stepped forward in the first place to form the international coalition to defeat Daesh, to which the Minister referred. That bond—that friendship, that trust—means that we have a privileged relationship with the US that enables us to be honest and speak out if there are differences of opinion. Today is one such case.

The President's decision to remove US troops from northern Syria goes against official and congressional advice and will leave the Syrian Democratic Forces exposed to the expected Turkish offensive to establish a 30-km safe zone in northern Syria. These are the same Kurdish forces who worked with us to defeat Daesh. Essentially, they were our boots on the ground. Now it seems we are turning our backs on them. If this goes ahead, it will be no orderly handover. The Kurds will fight to defend their land. If the zone is secured, Turkey intends then to move over 3 million refugees who are currently in Turkey into the zone, fundamentally altering the ethnic makeup of the region.

If anything must be learned from previous interventions, it is that we do not abandon the very people who stepped forward to help before the job is done. General Petraeus has said that it is no longer good enough to defeat the enemy; we have to enable the local. We need to learn from Iraq in 2003, Afghanistan—Charlie Wilson's war and after 9/11—and Libya. If we create a vacuum, it is quickly filled by stakeholders who pursue a very different agenda.

Further to the Minister's or the Secretary of State's conversations, will the Prime Minister be speaking to the President on this matter? Has the Minister or the Foreign Secretary spoken to our coalition allies about this fundamental change in US foreign policy? The Minister says that the placement of US troops is a matter for that

country, but the US is part of an international coalition. We will only defeat the challenges around the world if we work and stick together. What impact will this decision have, therefore, on our efforts—Department for International Development efforts—to help provide aid to this war-torn country?

The Minister talks about discouraging Turkey from crossing the border in some form of invasion and creating that safe zone. What actions will the international community, or indeed Britain, take if such an action does, in fact, take place?

More generally, does the Minister acknowledge that the character of conflict has changed? These are not soldiers in uniform, but radicalised extremists committed to pursuing their jihadist agenda. Many of these fighters come from across Europe, including from the UK. Simply denying dual nationals the ability to return to the UK is not enough to keep our nation safe. Does the Minister therefore agree that the international community must design a better long-term legal solution to this challenge, which will not go away?

Neither the SDF nor Turkey has the desire to properly process the number of detainees and foreign fighters. If Turkey invades, the SDF will fight back, and these camps, such as that at al-Hawl, will get caught in the middle, with thousands deliberately released or able to escape. We will then see the emergence of Daesh 2.0.

We must have the strength and resolve to ask our closest ally to reconsider. Let us also exhibit our own international leadership by energising the same international community that so swiftly came together to defeat Daesh militarily and that now needs to stay the course to stabilise the region we helped to liberate. Otherwise, why did we step forward in the first place? Our world is getting more dangerous, and the threats more complex. The international community must stick together.

Several hon. Members rose—

Mr Speaker: Order. The right hon. Gentleman speaks with very considerable authority on these matters, and that was part of the rationale for granting him his urgent question. He rather gently pointed out to me that it was his first urgent question, so I granted him some latitude, because I think the House wanted to hear from him, but other colleagues cannot expect comparable latitude. Two minutes does not mean four minutes.

Dr Morrison: Nevertheless, Mr Speaker, I think the eloquence of my right hon. Friend probably justified the time he took.

I will try to address some of the points my right hon. Friend made. I absolutely agree with him about this being primarily an issue about Daesh. To answer his question about foreign fighters and others, my worry would be that this will divert the SDF from its activities against Daesh in the Euphrates valley—absolutely, 100%.

My right hon. Friend will understand that we are talking to all our interlocutors at the moment. This situation is very kinetic and very fast-changing, and we of course need to ensure that, so far as we can, we influence our partners in the way that he has just described.

As I understand it, the US withdrawal, if it happens, will be fairly small-scale. It will involve a small number of troops in the immediate vicinity of the border. That is our understanding. We do not support any incursion by Turkey into north-west Syria.

[Dr Murrison]

My right hon. Friend will know from previous outings at the Dispatch Box of the extent, breadth and depth of support for the crisis in Syria. We are among the top few in terms of our financial contributions to that awful humanitarian disaster. I hope that that begins to address some of the points he raised.

Emily Thornberry (Islington South and Finsbury) (Lab): Thank you very much, Mr Speaker, for granting this urgent question. I thank the right hon. Member for Bournemouth East (Mr Ellwood), along with all those other Members who sought to pursue this issue today, including my hon. Friend the Member for Brighton, Kemptown (Lloyd Russell-Moyle).

The number of UQ applications you had on this issue today reflects the range of concern and, indeed, anger across the House about the Trump Administration's decision to open the door to a Turkish invasion of northern Syria and to the subjugation of the Kurdish people in Rojava—the very people who led the fight against Daesh and who lost 11,000 brave fighters in the process. Donald Trump is not just abandoning those Kurdish allies; he is betraying their sacrifice. Of all the great and unmatched ways in which he has shamed his office over the last three years, this is one of the very worst.

However, simple expressions of anger will not help the Kurdish people now, so I have four specific questions for the Minister. First, in answer to critics of the decision, Donald Trump said yesterday:

“The UK was very thrilled at this decision ... many people agree with it very strongly.”

Will the Minister make it clear today that that is a lie? Can he explain what, if anything, the Foreign Secretary said yesterday to Mike Pompeo that might have given Donald Trump that impression?

Secondly, will the Minister agree to table emergency resolutions at this afternoon's UN Security Council meeting and tomorrow's North Atlantic Council meeting prohibiting Turkey from taking any action on the ground or by air to increase its military incursions into northern Syria? Will he redouble our efforts through those bodies to reach a genuine peace settlement, a political solution and the negotiated withdrawal of all foreign forces?

Thirdly, will the Minister also work through the UN Security Council and the High Commissioner for Refugees to make it clear to Turkey that it must not use the American withdrawal as a green light to forcibly resettle non-Kurdish Syrian refugees in the Rojava region in an effort to change its ethnic composition?

Finally, will the Minister insist, as a matter of urgency, that Kurdish representatives are finally invited to join the Syrian committee on constitutional reform so that they are able to stand up for their own rights?

An old rule of middle east conflict is that, one way or another, the Kurds will always get sold out. Donald Trump may be following that rule in the most brutal of fashions, but we must unite today, both here and at the United Nations, and say that this time we will not let it happen.

Dr Murrison: I thank the right hon. Lady for her questions. As for the tweet, I have no idea where that came from. It certainly is not based on the conversation

that my right hon. Friend the Foreign Secretary had with Secretary Pompeo last night. Let me be quite clear that we would be opposed to any incursion by Turkey into Syria. The right hon. Lady refers to what is technically called *refoulement*, which is proscribed under international law, and we would most certainly be against any attempt by any state to engage in social engineering, ethnic cleansing or demographic change.

The right hon. Lady referred to the constitutional committee, and she will be aware that Geir Pedersen led on that at the UN General Assembly and that it will be stood up on 30 October in Geneva. It will be three pillared, with the pillars being the opposition, the regime and independence. Our position would be that all citizens in Syria should be fully represented. There is only one way of making progress in Syria, and that is through an inclusive political process.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I rise to support the urgent question of my right hon. Friend the Member for Bournemouth East (Mr Ellwood). This is surely an issue on which we should be, in many senses, bolder and more public about our disagreement. In America, as the Minister will know, General Petraeus has made it absolutely clear that this is the wrong move and the Republicans themselves in Congress are absolutely opposed to it, so this is not an issue about Trump versus just the usual political sources. It is a real problem that we could abandon a key ally in the destruction of the caliphate and then release them to the mercies of Turkey. Can we make it clear, publicly, that we disapprove of this—not just to the Americans but, more importantly, to the Turks? Will we also make it clear that if the Turks do carry out their threat, we would consider it to be an aggressive act against ourselves as much as we would one against the Kurds?

Dr Murrison: I have said in plain terms that we would resist any incursion into Syria, and the reason for that—well, there are many reasons for it—is that it will divert attention away from the principal threat to this country in relation to this conflict, which is Daesh. It would potentially divert efforts by the SDF from its operations along the Euphrates valley to the north-west of the country. That would not be helpful and would destabilise the situation, and I think that that is probably behind a lot of concern that has been expressed in Washington. We will continue to work with our allies to push that agenda, because it is right, and if we are going to restore any sort of equanimity in Syria, we need to be united in this particular fight.

Stephen Gethins (North East Fife) (SNP): I thank the right hon. Member for Bournemouth East (Mr Ellwood) for securing this question and for his comments, and I thank other colleagues for theirs. The SDF has been critical in the defeat of the murderous death cult Daesh. One of my concerns relates to what this move says about our future commitment to allies and about UK foreign policy when we are seeking those boots on the ground. President Trump's policy is ill-thought-out, with one Pentagon official describing it as a blatant betrayal. What does this mean for UK forces still on the ground? Will the Minister comment on reports that the SDF was compelled to demolish defensive fortifications? Finally, what discussions is he having with his Turkish

counterparts, particularly on the humanitarian impact? We know from Save the Children that thousands of children and other refugees need access to food and medicine, so what is he doing to secure that? Is now the time to repatriate the innocent British children who have been stuck in Syria?

Dr Murrison: The US has to answer for itself. I cannot answer for the US or for President Trump—

Emily Thornberry: Give it a go.

Dr Murrison: The right hon. Lady tempts me, but I am going to resist.

The US, I believe, is talking about seeking to redeploy 50 servicemen at the moment. I have no information on forts, so I cannot answer that question. As for boots on the ground, we need to be careful. The UK does not have regular boots on the ground in Syria; we do not do that. The hon. Gentleman was right to raise international development and Turkey, and he will be aware that we have been a major donor to this particular crisis through the EU Facility for Refugees in Turkey. We are also considering at the moment what our response to FRIT 2 will mean, particularly in the context of our imminent departure from the European Union.

Mr Andrew Mitchell (Sutton Coldfield) (Con): My right hon. Friends and the right hon. Lady spoke for the entire House on the important issue raised in this urgent question. Does the Minister understand that Britain must take responsibility for its own nationals and not use some device to evade that responsibility, nor must we leave them swilling around in ungoverned space where they can do ill in countries less well governed than this, but where they are also a danger to the people in this country? Does he understand that we may well be talking about approximately 40 people, of whom maybe as many as 30 are children? Will he raise this matter immediately with the Foreign Secretary and with his colleagues in Government to see whether we can get a change of policy and an urgent resolution of that particular issue?

Dr Murrison: My right hon. Friend is obviously an expert in such matters. There are two categories of individual: those in detention camps and those in al-Hawl, who are, in the main, the families of detainees. It is important that justice is served as close as possible to any alleged crime, and we are taking that forward with those in the region. As for the minors, it is the Government's intent that innocents should be protected at all times. He will appreciate the difficulties that that poses in the context of Syria, but we are quite clear that minors need to be handled properly and humanely, and that will be our intent.

Ann Clwyd (Cynon Valley) (Lab): I am afraid that the Kurds are being stabbed in the back once again, as they have been so many times in the past. We have a responsibility, and we should stand up. We need to know what is going on day by day. We cannot wait for the Queen's Speech and all that; we need to know what is happening today and what the Minister will be doing today. Otherwise, the Kurds are going to be left to die, as they have been so often in the past.

Dr Murrison: I understand the right hon. Lady's frustration. We must be clear that we cannot act alone and that we have to act with our partners. That is the reality. The Kurds are not being stabbed in the back by the United Kingdom, but US actions are obviously a matter for the US. I hope that my remarks have provided my understanding of the extent and scope of what is in the President's head, so far as I can, and it seems that some of the more exaggerated claims have probably been overdone. However, the right hon. Lady is right that the situation is highly kinetic and that things change from moment to moment. If things do change further, I rather suspect that I will be back in his place before too long.

Tom Tugendhat (Tonbridge and Malling) (Con): The Minister will be aware that one principle of military action is the need for surprise, but we normally try to surprise the enemy, not our friends. Here we find ourselves surprised by the actions of our most important ally, and our allies on the ground have been surprised by the possibility that they may find their homes under serious threat from another of our important military allies—Turkey. Will the Minister please assure me that our other allies in the region are being assured that the UK will not make a pattern of being a fair-weather friend but will commit to our allies seriously and properly?

Dr Murrison: The only point I would make about surprise is that President Erdoğan has, of course, threatened this on a number of occasions, and he has previous in relation to Afrin. This has not come out of the blue, but I agree that we need to ensure that we do everything we can to understand our colleagues' thinking on these matters so that we can act in a relatively joined up way, if possible.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): As ever, it is innocent civilians who will suffer the consequences of the humanitarian disaster that will follow this decision. May I press the Minister to respond to the question of my right hon. Friend the Member for Islington South and Finsbury (Emily Thornberry)? It really is time for us to table this at the United Nations Security Council.

Dr Murrison: I cannot give the hon. Gentleman that commitment at the Dispatch Box, but the point has been well made and will be considered. I am sure what he suggests has merit, but we will have to examine it fully.

Mary Robinson (Cheadle) (Con): There have been ongoing concerns about the safety and welfare of Syrian refugees on or near the Turkish border. There is the prospect of a safe zone being set up, but how can the Minister guarantee that these people will be safe? There are fears about forcible repatriation or relocation from Turkey into Syria, which will be challenged. What representations are being made on their behalf?

Dr Murrison: My hon. Friend refers to the forcible repatriation of refugees, and clearly we would strongly oppose such a thing. I made it very clear to the right hon. Member for Islington South and Finsbury (Emily Thornberry) that we would oppose anything that looks

[Dr Murrison]

like ethnic cleansing or demographic change. All those things are absolutely not appropriate, and we will resist them.

My hon. Friend will be aware of our effort in support of Turkey through the FRiT process, which will endure on our departure from the European Union. Turkey has done a good job in supporting refugees on its territory, and we will continue to support it in doing that. Turkey has a strong tradition of humanitarian assistance and, so far, it has acted well for refugees, and we want to encourage it in that process.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): I am chairman of the all-party parliamentary group on north-eastern Syria, and we were in al-Hawl a month ago. I do not want to disagree with the Minister, but this is not primarily an issue of defeating ISIS; it is also about defending an area that has promoted democracy and gender equality, and that has been an ally, too. Will we now suspend the sharing of security and intelligence information with Turkey so that it cannot use that information against one of our allies? Will we bolster support for the SDF to ensure it has the resources it needs? And will we go to NATO to ensure that Turkey cannot invoke article 5 if there is a backlash?

Dr Murrison: I do not think we are into article 5 territory. We continue to support the SDF and the coalition. The principal intent here is the fight against Daesh, which is a clear and present danger that threatens us all. We will do everything in our power to ensure that fight continues and is unaffected by this latest news. It is important that we keep our eye on the ball in that respect. As the hon. Gentleman may be aware, there is a lot of ongoing work against Daesh along the Euphrates valley, and it is important that that work continues. This latest news risks destabilising that work.

Alistair Burt (North East Bedfordshire) (Ind): I am grateful to my right hon. Friend the Member for Bournemouth East (Mr Ellwood) for raising this question.

Security depends on stability and consistency, and the decision taken by President Trump does not help that. It is a reminder, if any is needed, of the dangers of the United Kingdom pivoting too close to United States foreign policy at a time of inconsistency, rather than staying close to our European allies.

May I ask for further reassurance on the global coalition against Daesh? The communications cell, which does the vital work of dealing with the ideology, is based in the United Kingdom. Anything that might give Daesh supporters a sense that the United States is weakening in its commitment against Daesh could be used against the coalition and will materially affect those who are carrying on the vital communications work here. Can the Minister assure me that the United States realises that that coalition work is essential and that it will remain committed to it, no matter what its decision in this case may be?

Dr Murrison: My right hon. Friend's point is well made. I cannot give him that assurance because I am not the US, but I am sure his point will have been heard by our interlocutors. He refers to our allies in the

coalition and elsewhere, and he will be aware that we are working very closely with our E3 partners—probably more closely than we have for some considerable time. Some might think that is something of a paradox, given our imminent departure from the European Union, but it remains true nevertheless. Particularly in the region for which I have geographic responsibility, I have been struck by our close working relationship with France and Germany.

Alison McGovern (Wirral South) (Lab): Syrian civilians have suffered again and again in this conflict. Further to the question asked by my hon. Friend the Member for Liverpool, West Derby (Stephen Twigg), may I ask the Minister what we will do? Will we review all the Government's policies at this crucial point to see whether we can do a little more to accept more refugees from the region?

Dr Murrison: I have alluded to our support for the humanitarian situation. I suspect I will be quizzed on this further when I appear before the Select Committee on International Development in a few minutes' time. I am proud of the contribution made by the British people. We are in the top few countries in our support for the humanitarian situation in Syria.

I am also proud that, by 2020, we will have resettled 20,000 Syrians, including in my constituency. That is a sign of the generosity and big heart of the British people. It is a fair contribution, and it is an indication of the UK punching above its weight on international development.

Crispin Blunt (Reigate) (Con): I was in north-east Syria just three weeks ago with the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle) and my hon. Friend the Member for Gravesham (Adam Holloway) and, at least then, it would have come as news to the leaders in the region that there was any engagement on the justice measures apparently being taken forward on the ground.

I am sure the Minister understands the scale of Kurdish resentment following the operation against Afrin, and therefore the scale of Kurdish resistance that there would be if there were a Turkish incursion. He has just said that we would resist any incursion into Syria and that we support the SDF and the coalition. What will we actually do to deter Turkey from making the profound mistake of this planned intervention in north-east Syria?

Dr Murrison: Turkey is a major NATO ally, and it is a good friend of this country. We have some leverage with Turkey, as a friend and as a partner, and my hon. Friend will understand that this is currently in the diplomatic space. He is tempting me to make all sorts of contingency preparations, which I certainly will not do at the Dispatch Box. This is clearly a dynamic situation, and we will have to respond to whatever happens, but our message to Turkey is, "Please don't do this. It will deflect attention from what really matters here: first, defeating Daesh, and secondly, restoring this poor, benighted country to some sort of equanimity."

Joanna Cherry (Edinburgh South West) (SNP): The Kurdish diaspora has a sizeable presence in Scotland, with a community centre at Dumbryden in my constituency.

I know they would wish me to remind the UK Government of the debt we all owe the Kurds in relation to defeating Daesh, so can the Minister confirm that the United Kingdom Government recognise that they have a moral obligation to help the Kurds, rather than just leaving them to their fate?

Dr Murrison: Of course, the SDF is part of the coalition against Daesh. I admire our Kurdish friends and partners enormously, and our posture has not changed at all. We are talking here about the possibility of Turkey moving into north-west Syria—we do not know how far that incursion is going to be—and the fact that the US has said that in those circumstances it would withdraw 50 of its people from the immediate area. So we need a sense of proportion on this, but of course we have to react to circumstances.

Dr Julian Lewis (New Forest East) (Con): I am sorry to disagree with my friend the Minister, but saying, “Oh well, it is only a withdrawal of 50 people” is like saying, “Oh, well, it is only the withdrawal of HMS *Endurance* before the invasion of the Falkland Islands.” Is it not a fact that if the green light is given to Turkey, under its Islamist regime, to attack our allies, it will be an act of treachery and betrayal not dissimilar to what happened in 1944 when Stalin basically gave the green light to Hitler to crush the Warsaw uprising?

Dr Murrison: I am grateful to my right hon. Friend for that. I disagree with his analogies, although we will be able to discuss that in some depth, perhaps when we have more time. The Government have been clear where we are on this: we would oppose any incursion by our good friend and NATO ally Turkey into Syria. He is tempting me to speculate on what we might do in the event that this happens. A lot of his remarks are probably better addressed to the US, and no doubt the US, which I am sure listens carefully to him, will have heard his remarks.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): The right hon. Member for Bournemouth East (Mr Ellwood) and others have rightly spoken about getting international co-operation on persuading President Trump of the error of his ways. We have friends in the US; we know that General Petraeus and elements of the Republican party disapprove of Trump’s activities. Could we not use a back-door approach, via our friends and parking our tanks in his back yard, to get the President to change his mind? With an eye on the next election, that might work.

Dr Murrison: I am not sure which election the hon. Gentleman is referring to, but it certainly would not be the UK Government’s job to interfere in US elections, presidential or otherwise. He has rightly referred to opposition to this particular thing in Washington, and I am sure that, as his voice is no doubt influential on the Hill, he will be listened to carefully.

Adam Holloway (Gravesham) (Con): When the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle), my hon. Friend the Member for Reigate (Crispin Blunt) and I were on the ground in Syria three weeks ago, the SDF was clear in its appreciation for the help of coalition countries, including the UK and US. Given the resurgence

of ISIS, particularly around Deir ez-Zor, and the fact that after nightfall great swathes of north-east Syria are no-go areas for the SDF, will the Minister confirm that we will redouble our efforts in supporting the Syrian Kurds?

Dr Murrison: We do support the SDF, which is an important part of the coalition—it is clearly central to it. As I said in my earlier remarks, the worry is that this recent news, if it is carried forward, will detract attention from Daesh along the Euphrates river. That would be extremely bad for the stability of Syria and for the rest of us.

Thangam Debbonaire (Bristol West) (Lab): The Minister rightly says he is proud of DFID’s support in the region and he rightly speaks of the vulnerable persons resettlement scheme, but that is 20,000 people from Syria over the course of five years, and we have only one year’s commitment from the Government so far about what is going to happen after the end of that scheme next year. With 12 million displaced people from the Syrian war so far, and the possibility of refoulement and new refugees from this action ahead of us, will he not now consider asking his Government to redouble efforts and increase the number of people coming to this country for resettlement? Why should we not want to be the best country in the world for welcoming refugees, and allow them to come through safe and legal routes?

Dr Murrison: I am grateful to the hon. Lady for that. She talks about being the best, but I think we probably are that. If we look at the sum total of our contribution to this, we see that it is extraordinary, and I am really proud of it. I am proud of it on behalf of my constituents and hers, because they are the ones who ultimately provide this contribution—she and I do not. If she looks at the humanitarian package in Syria objectively—I am more than happy to sit down to discuss it with her—she will share my view that we are doing extremely well, and we will continue to do so.

Mr Bob Seely (Isle of Wight) (Con): I wish to declare an interest: I have worked alongside the peshmerga—men and women—in northern Iraq, and I consider them to be impressive soldiers and incredibly generous hosts. My question to the Minister is: if this is just about a redeployment of 50 servicemen, is he saying that this crisis is overblown? It seems to me—I am not trying to trap him into a trick question—that if the Turkish army and the Syrian Kurds are at each other’s throats at any point along their extensive border, it is a potentially extraordinary state of affairs both in respect of ISIS soldiers, and the stability and humanitarian aspects of this problem.

Dr Murrison: Yes, we are obviously responding to events and what we are being told, but the information available to us is that this is envisaged as being relatively modest. I have to say to my hon. Friend, whose experience in these matters is broad and deep, that he will know that the matter is extremely kinetic and may very well change. However, we have to be consistent; we oppose any move into Syrian territory by Turkey—that is the wrong thing to do. I would probably leave it at that, but obviously this matter is evolving and we are going to have to respond as we find the situation at the time.

Mike Gapes (Ilford South) (IGC): The Turkish President has recently improved his relations with Putin, and the Russians and the Iranians who are fighting on the side of Assad will also have views and interests in respect of what is happening. Is not the danger of what President Trump has done that it reduces the influence of other forces in the region and means that the autocrats and demagogues are dominant in this conflict?

Dr Murrison: We want to make sure that autocrats and demagogues are not dominant in this conflict. The hon. Gentleman talks as though action has been taken, but my understanding is that that is not the case yet, so we are talking about what might happen. What we have done is say that we do not believe that what has been discussed is the right way forward. We believe we have to ensure that Turkey does not go ahead with this, as it would be unhelpful. If it does not go ahead with it, presumably the US will not carry out the action that has been talked about and which the President has been tweeting about.

Richard Drax (South Dorset) (Con): The only way to stand firm against this recent scourge that is Daesh, ISIS, call it what you will is by doing just that—standing firm. As a former soldier, I must say that to withdraw now seems like an act of betrayal to the Kurds, who are brave allies and who I do not want to see on our TV screens fighting for their lives in the days to come. Will the Minister assure me that if there are any British soldiers on the ground, they will not get caught up in the fighting—if there is some—between the Kurds and the Turks?

Dr Murrison: I think I can give that reassurance. As I said in response to an earlier question, we do not have boots on the ground. Let me be clear: that means we do not have combat soldiers on the ground. I am grateful for the opportunity that my hon. Friend has given me to clarify that point. We have others, as part of the coalition, who engage, for example, in training, and across the middle east we have UK servicemen engaged in the fight against Daesh. That will continue. Our No.1 imperative is the defeat of Daesh, and we have to celebrate the fact that the coalition has been very successful against Daesh in achieving a substantial degradation in that malign organisation. That will continue.

Several hon. Members *rose*—

Mr Speaker: For the benefit of those observing our proceedings, let me explain that I now call the president of the NATO Parliamentary Assembly, otherwise known as President Moon.

Mrs Madeleine Moon (Bridgend) (Lab): I thank the Minister for his statement, which has been very clear. He said that the issue has now moved into diplomatic discussions; this weekend, and over the next few days, it will also be moving into parliamentary discussions, as the NATO Parliament will be meeting here in London. I assure the House that parliamentarians from across NATO—the alliance is not involved in Syria but allies within it are—will be discussing this issue and talking to the Turkish representatives and the American representatives who will be at the conference. Across Parliaments throughout the alliance, discussions such as this one are taking place, and they are so important to the sending

of clear, concise messages to the Governments who will be making decisions that will impact on all our countries and on the Turkish and Kurdish communities within them.

Dr Murrison: I thank the hon. Lady for her comments. She serves with great distinction as chairman of the NATO Parliamentary Assembly. No doubt conversations will be had over the next few days and will particularly note Turkey's status in NATO.

Henry Smith (Crawley) (Con): I, too, have had the privilege of seeing the work of the peshmerga combating Daesh on the frontline—for me, it was in northern Iraq—and also the work of the Kurds supporting internally displaced persons in the region. Will the Minister assure me that, in addition to speaking to officials at the top of the US Administration, our interlocutors will engage with officials in Ankara to say that any Turkish incursion into northern Syria is unacceptable?

Dr Murrison: Yes, of course. My hon. Friend will be aware, because he knows how these things work, that those conversations happen all the time. There can be no room for confusion in the minds of our Turkish interlocutors as to where we stand on this matter. We clearly have something of a privileged position with our good friends the Turks, given their status as a firm ally of this country and as a member of NATO.

Kate Osamor (Edmonton) (Lab/Co-op): Many of the 50,000 Kurds who live in this country live in my constituency, and they are in a state of absolute anguish about what is about to happen to their families in Rojava. Will the Minister of State agree to meet Kurdish representatives from my constituency in the next 24 hours, so that he can hear what they are going through?

Dr Murrison: The hon. Lady needs to help us to reassure Kurds in this country about the extent of what, as we understand it, is being proposed. This has been threatened before, so I suspect that Kurds will live their lives in a state of constant anxiety, given the very difficult part of the world in which they and their loved ones live. So far as I know, nothing has happened yet, so I do not think we should do anything that would heighten their anxieties. The information we have is that if it happens, Turkey's incursion into Syria is going to be modest in scope and that the US response to that is going to be similarly modest. Obviously, we have to watch and await events, but I do not think we should do anything that is going to cause Kurds resident in the UK too much anxiety. That would be the wrong thing to do, and I hope the hon. Lady will assist us in making sure that people are given an accurate view of what is going on.

Dr Matthew Offord (Hendon) (Con): How many British-born Daesh supporters does the Minister believe remain in Syria?

Dr Murrison: I do not know and I am not going to speculate.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): There are thousands of Kurds in Plymouth who are equally as concerned as those we have heard

about from other Members. They are also concerned about the UK's role. As well as making it clear that a Turkish invasion is unacceptable, will the Minister specifically look into the military hardware that Turkey will be using, to ensure that no British-built weapons are potentially used in any invasion?

Dr Murrison: The hon. Gentleman will be aware that this particular matter is the subject of a great deal of work in the Departments of State that have responsibility for this policy area. A great deal of heart searching—if I can put it like that—is going on right now to make sure that what we have done in the past is correct and that what we do is correct going forward. He will also be aware that the basis for what we do in this space is governed very strictly by the EU consolidated criteria. That has to be the fundamental way in which we deal with these matters. Notwithstanding the recent past in this respect—the hon. Gentleman will be aware that my right hon. Friend the Secretary of State for International Trade has established a committee of inquiry—we are confident that, fundamentally, our processes are correct and that they comply with the eight or so articles of the EU consolidated criteria.

Bob Blackman (Harrow East) (Con): The clear impression is that our closest ally, the United States, is abandoning an ally, the Kurdish forces, to be attacked by another ally, the Turkish forces. Not only is this a strategic and humanitarian error, but it will send a signal around the world that if people trust the United States or the UK, they might be abandoned. Will the Minister undertake to speak to his opposite number in the United States and impress upon them that this is not only a bad move now but a bad strategic move?

Dr Murrison: It really is not for me to be an apologist for the US, but my hon. Friend needs to be a little bit careful about conflating the US and the UK in the way he has. That would be unfair. Let us be clear: the focus of what we understand to be happening at the moment is the 110 km stretch of border covered by the previous US-Turkey security mechanism agreement. It is a fairly narrow strip of land. That is not to justify anything that has been said in recent times, but nevertheless I hope that puts it into some sort of perspective. It would be wrong if we gave any message about the UK—I can speak only for the UK—abandoning our partners in the coalition. That is clearly not the case—it is definitely not the case—and we stand shoulder to shoulder with them in the battle against Daesh, which is undiminished.

Kevin Brennan (Cardiff West) (Lab): The Minister is assiduous and sincere, but does he understand that hearts sink in all parts of the House when he uses phrases such as any incursion might only be “modest in scope”? Essentially, we will be complicit in the US President's decision to stab our Kurdish allies in the back. It is not just a moral betrayal but a strategic error to do what the United States is proposing. Do we not need to speak out more strongly at this stage? Otherwise, it will look as if we are complicit.

Dr Murrison: No. The hon. Gentleman, whom I respect very much, needs to be careful. We are not complicit in any action that the US may or may not take. This is a matter for the US. We have made our

position absolutely clear—I do not think I could have been clearer from the Dispatch Box than I have been: we are shoulder to shoulder with the SDF and our coalition partners in the battle against Daesh, which is undiminished.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): It seems to me that the British Government have two points of leverage against Turkey: first, the licensing of arms exports to Turkey, and secondly, a review of Turkey's NATO membership. If there is a ground offensive against the Kurds in northern Syria, will the British Government explore both avenues?

Dr Murrison: With respect to the hon. Gentleman, I do not think I would put it in the terms in which he put it. That is not where we are at the moment. He invites me to speculate; he would expect me to resist speculation. Clearly, we keep matters under review, but what he has suggested is a very severe penalty, either to threaten or to carry out in respect of Turkey. Let us be clear: Turkey is a long-standing and very close ally of this country. With that comes diplomatic leverage that we can exert, and we will continue to do that with our friends and allies the Turks. We have made clear that we think that any incursion into Syria would be wrong. It would be wrong in principle, and in practice I think it would be disastrous in relation to the fight against Daesh.

Catherine West (Hornsey and Wood Green) (Lab): Even a small incursion into the region by Turkey could have a detrimental effect on the Kurdish fighters there and for the communities there. What specific recommendations or representations can the Minister make in relation to women? Kurdish women in that area have suffered terribly through the war, including because of sexual violence.

Dr Murrison: There is some sunshine in this terrible situation, and that is the establishment of the constitutional committee and the work of the special envoy, Geir Pedersen. It is important that when that committee is set up at the end of this month in Geneva, it includes comprehensive representation. That is clearly an issue in relation to what is currently happening in the Idlib governorate and the north-west of the country. Nevertheless, I agree with the hon. Lady on the importance of the involvement of women; my experience is that when that happens, better outcomes are procured. I hope very much that the committee will include proper representation.

Peter Grant (Glenrothes) (SNP): It is now just under four years since this House agreed to UK airstrikes in Syria, and it is worth reminding ourselves that, first of all, we were assured that that was part of a strategy that was expected to restore civilian transitional Government to Syria in about six months. The Foreign Secretary who gave that assurance is now Prime Minister, so he is in a position to do something about it, but the success of the airstrikes against an organisation that was accepted to be a grave threat to our lives and to our security could only be achieved because of the involvement of Kurdish soldiers on the ground. Those Kurds have paid a terrible price: around 11,000 of them lost their lives and several times that number were seriously injured. They died not only to protect their territory, but so that British troops did not have to die protecting our way of life. Will the Minister accept that the very least we can

[Peter Grant]

do in recognition of the debt we owe to the Kurdish soldiers is to give an assurance that we will not stand back and let things happen to them if we could prevent it?

Dr Murrison: I think I can give an assurance that the Government will do everything they can to resolve the situation. The hon. Gentleman would expect me to say that, as a Minister in the Foreign and Commonwealth Office, I put my faith principally in diplomacy, which is what we are trying to roll out in relation to this situation. It is not pretty—it is messy, it is dirty, it is complicated, and it is sometimes very difficult to plot a sensible way forward, particularly as we are buffeted by events, but we will be quite clear that this is principally a fight against Daesh; it is a fight that we share with our Kurdish friends and allies, and we are shoulder to shoulder with them. We do not let people down, but we are also, I have to say, the victim of perhaps being rather less powerful than once we were in traditional terms, and we must be realistic about what we individually can achieve. What is undiminished is our ability, very often, to exert diplomacy for maximum effect. I like to think that we are extremely good at that, and we will deploy it, so far as we possibly can, in relation to this situation.

Jessica Morden (Newport East) (Lab): On Saturday, I met representatives of the Welsh Kurdish community in Newport, who, like other hon. Members' constituents, are obviously extremely worried and concerned about this news. I simply ask the Minister again to give reassurances directly to my constituents that we will do absolutely all that we can to influence partners and to protect the Kurdish people against any action by Turkish forces.

Dr Murrison: Yes, I can give the hon. Lady that assurance. We are doing everything we realistically can to try to bring some equanimity to this situation. That has been our position from the start, but we also have to be realistic about what we can individually achieve. We are influential, but we are one of several, and we will continue to work with our friends and partners within the coalition to try to ensure that this goes in an appropriate direction. As I have said on repeated occasions during my remarks, that does not involve an incursion by Turkey into Syria.

Chris Stephens (Glasgow South West) (SNP): I refer the Minister to early-day motion 2772, which reflects the strong feelings that have been expressed in this

House today and by the Kurdish community, many of whom are in Glasgow South West. May I say to the Minister that, obviously, pleas have been made to Turkey, but pleas in the past have been ignored—I am thinking particularly of the situation in Afrin last year—and ask him to reflect on that? Is it not time that the Government now immediately suggest to the Trump Administration that they must reverse this policy to protect one of the stable regions in Syria?

Dr Murrison: I think it is important to say—this is what we understand to be the case—that the US is not agreeing with Turkey by potentially withdrawing from this piece of territory, so it is not endorsing Turkey's action at all. I hope that it will be joining the UK and the rest of the coalition to impress upon Turkey that this is not the best way forward in our principal aim for Turkey and others, which is to defeat Daesh, which poses a threat to Turkey, a big threat to Syria and a threat to the UK and the US, too. As Turkey's reputation is on the line in this matter, I hope very much that it listens to its friends and allies and desists from this particular course of action. That is the line that we have taken, and I am hopeful that we will have some success in getting it to revise its position in this particular matter.

Jim Shannon (Strangford) (DUP): Along with others, I also express great concern over the decision of the President of the United States of America to remove US troops. No one should ever betray our allies—the Kurds—who helped to cleanse Syria of Isis fighters. Turkey's response towards the Kurds in the past has been all-out war, so what discussions has the Minister had with Turkey to prevent its aggression and the threat to democracy and freedom in that area, which will mean potential casualties among women, children and the innocents?

Dr Murrison: I thank the hon. Gentleman for his question. He tempts me to talk about wider issues relating to the Kurds, and he will know that we have in the past discussed these matters, and will continue to do so, with our Turkish interlocutors at every level in support of our Kurdish friends and allies. It is important that the rights of Kurds, of all groups, of all minorities and of all ethnicities are respected. That is contained within international humanitarian law, and all the conventions to which Turkey is a code signatory. We will use every opportunity to stand up for the rights of Kurds where we see them being abused.

HMRC Impact Analysis: Customs

1.36 pm

John McDonnell (Hayes and Harlington) (Lab) (*Urgent Question*): To ask the Chancellor of the Exchequer to make a statement on HMRC's published impact analysis of introducing new customs legislation and amendments.

The Financial Secretary to the Treasury (Jesse Norman): I am delighted to respond to the right hon. Gentleman's question. The Government are devoting huge energies, as the House will know, to Brexit preparations. The Prime Minister has stated that the Government's preference is to leave with a deal, but, if necessary, they will leave without a deal as it is so vital that we get Brexit done and move the country forward. The last thing that businesses need is more uncertainty and delay. A key part of those preparations is to ensure that there is a functioning customs, VAT and excise regime on exit to put the legal underpinnings in place. HMRC has laid 56 regulations to date following last year's Taxation (Cross-border Trade) Act 2018.

To support the latest bunch of statutory instruments, which were debated by this House yesterday, the Government published a third edition of the overarching impact assessment of the movement of goods if the UK leaves the EU without a deal. This updates and builds on previous versions of the impact assessment, which were published in December 2018 and February 2018. The new version provides updates to cover the September 2019 regulations, including transitional and other arrangements for safety and security declaration requirements for the period after exit; further temporary customs and excise easements to extend the transitional arrangements after exit; further VAT data-gathering powers to specify the type of information that was collected from postal operators; and, finally, various technical amendments and transitional provisions.

As I have said, our preference is very much for a deal, but the Government continue to ensure that this country is ready for no deal and that the impact on business is minimised as far as possible, which is why we have introduced a series of easements for traders moving goods in the UK to take effect in a no-deal scenario. Those easements, for example, are planned to simplify radically import processes for EU goods, which means that the costs identified in this impact assessment will be mitigated for UK importers. Crucially, the Government are also working to boost the long-term potential of the economy so that the United Kingdom can seize the opportunities that exist for us outside the EU.

1.38 pm

John McDonnell: Perhaps I can help the Minister fill in some of the gaps in the statement. The Government's own assessment shows that their no-deal Brexit policy will introduce

"significant ongoing administrative costs impacting on UK and EU businesses of all sectors."

It is an avalanche of paperwork descending on British businesses in the form of import, export, safety and security declarations. The burden will cost our business sector an annual £15 billion in administrative costs, and that does not even include the costs of complying with the new VAT procedures, which will hit our vital service companies—all this to pursue the hardest possible Tory no-deal Brexit.

We have heard the Prime Minister's previous crude dismissal of British business. Now we are seeing his words become Government policy. Does the Minister not understand that this only compounds the uncertainty brought about by this Government's failure to secure a deal that protects the UK economy? A senior No. 10 source, who I most believe to be the Prime Minister's adviser—well, I say "adviser"—Dominic Cummings, said:

"We'll either leave with no deal on 31 October or there will be an election and then we will leave with no deal",

and that everything to do with the duty of sincere co-operation that we have with the EU partners

"will be in the toilet".

Does the Minister agree with the priorities set out by No. 10 as a result of that statement? Does he also challenge the Institute for Fiscal Studies, which said today that this would push UK debt to its highest level since the 1960s, soaring to 90% of national income?

The reckless incompetence of this Government just knows no bounds, does it? At a moment of national crisis, this Government pose a threat to their own people and the economy they rely upon. Has the Minister any idea of the scale of the destruction of confidence in the British economy that this Government's stated policy is bringing about?

Jesse Norman: This is a long document at some 45 pages or so, but I would have hoped that the right hon. Gentleman could have made it to page 9. He claims that the cost to British business will be £15 billion, but it says perfectly clearly at the bottom of page 9:

"The latest...estimate for the annual administrative burden...is £7.5 billion (updated to reflect 2017 data)".

I am in no sense happy about that—[*Interruption.*] I am just correcting the record. The right hon. Gentleman said £15 billion, when in fact the figure is £7.5 billion. That figure is, of course, prior to any mitigations that might be put in place by the Government.

Let me turn to the right hon. Gentleman's other concerns. He criticised the Government for, as he puts it, failing to secure a deal. All his party had to do was support the perfectly sensible series of deals that have been put before this Parliament, and it would have a deal.

I am not going to comment on unsourced speculation of the kind mentioned by the right hon. Gentleman. Let me just remind the House that when this Government's predecessor came into office in 2010, debt was at a peacetime high thanks to the previous Labour Government. The deficit was at almost 10% and, interestingly, inequality under the Labour Government was significantly higher than it is today.

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): The number of customs declarations is likely to increase from 50 million now to 250 million when we have to start to export to the EU. This will be governed by a customs declaration service system. Will the system cope, and will there be enough agents to handle that volume of transactions?

Jesse Norman: We believe the system will cope. Of course, there are a lot of easements in place, and there is already a functioning CHIEF—customs handling of import and export freight—system to handle the current level of declarations.

Stewart Hosie (Dundee East) (SNP): I think the Minister is in denial. The cost is £15 billion—£7.5 billion from UK to EU trade, and a comparable amount from EU to UK trade, which will no doubt be paid by consumers and businesses here. This denial runs to the heart of this whole problem. The Prime Minister said that leaving the EU would save £1 billion a month. That clearly only adds up if we ignore and deny any costs such as the £15 billion that we are talking about today. But it is worse than that. This figure is an annual recurring cost, so how will it be mitigated?

The figures exclude additional one-off costs. How will they be mitigated and have they even been assessed? They ignore the new VAT rules on parcels that are damaging to small businesses. How will that be mitigated and has it actually been assessed? The £15 billion also excludes the serious damage done to exports of low-margin items where this cost burden may be significant. Has that been assessed? Finally, the figures ignore the multiple damages done to businesses that ship part-finished goods back and forward across borders many times, which multiplies the administrative burden. Has that been assessed? How many business will be damaged and what mitigation is being put in place?

Jesse Norman: As the House will know, a lot of mitigations have already been passed through statutory instruments, including instruments in relation to streamlining customs import processes and procedures, special procedures for other areas, and deferment of import duty and VAT. Only yesterday, we passed a statutory instrument on safety and security declarations on our imports.

Mitigation very much depends on the shape of any deal. As the House will appreciate, the figures we are discussing today pertain to a worst-case scenario of a no-deal impact. There are many other areas in which the EU has already indicated that it is happy to give mitigations—for example, in relation to some of our haulage processes and people travelling by air into the European Union.

Greg Hands (Chelsea and Fulham) (Con): In the debate around the UK-Ireland border, my hon. Friend will be aware of the confusion among commentators between customs checks and customs declarations. Of course, most customs transactions are not done at borders by a uniformed officer sitting in a customs office, but are essentially financial transactions akin to tax or VAT that are done at the point of production, shipment, transit or arrival. Does my hon. Friend agree that there is a role for HMRC in educating commentators about how modern customs practices work?

Jesse Norman: I pay tribute to my right hon. Friend for the work that he and the Secretary of State for Digital, Culture, Media and Sport have done on alternative arrangements. He raises a very important issue. As he says, Customs operates a risk-based assessment system of checks that is quite different from declarations. As for educating commentators, I absolutely agree with him and wish those commentators also included some Members of this House.

Sir Edward Davey (Kingston and Surbiton) (LD): Given that HMRC has now shown that Brexit means red tape, and that this would harm trade, destroy jobs

and cut growth, what estimate has the Treasury made of the impact of lower growth on Britain's public finances? Does the Minister accept that the Office for Budget Responsibility has said—and now the IFS analysis has shown—that borrowing will rocket under a no deal? Is it not now clear that under the blues, we will be going into the red?

Jesse Norman: I cannot match the right hon. Gentleman on verbal wit. What I can say is that the Government have published estimates of the impact of a no-deal Brexit in different forms, and we continue to believe that it is vastly in the interests of this country, this House and all our constituents to leave with a deal. I hope that the right hon. Gentleman will support that.

Andrew Jones (Harrogate and Knaresborough) (Con): Does my hon. Friend agree that it is critical for the UK to have an attractive regulatory regime as part of delivering the overall international competitiveness of the economy, and that he will do all he can to minimise the administrative burdens on business?

Jesse Norman: My hon. Friend is absolutely right. I think that in due course it will come to be seen that Brexit was a moment of change in which we moved ourselves to a global position in which we were able to change many of the rules and regulations governing our international and domestic trade for the better—to make them more streamlined, to lighten the burden and to increase our economic efficiency and productivity.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): Given that these are HMRC's own assessments—the Government's own assessments—of a multi-billion pound cost, the Minister could have given HMRC any credible assessment of mitigation if he had any. Can he instead confirm that these costs do not even include tariffs, and that they are in fact the costs not simply of no deal but of refusing to have a customs union at all? Given that a proposal for a deal including a customs union only lost by three votes back in April and that such a deal would, according to his own figures, have saved British businesses billions, why have the Government continually refused even to explore a deal that includes a customs union?

Jesse Norman: I could wish that the right hon. Lady, who is widely respected across the House, had used her influence to bring Labour Members into the Lobby to support the deal that was offered—[*Interruption*]/—and, still more, the deal that we are currently exploring, when that is placed before the Chamber. [*Interruption.*] The impact analysis is a careful piece of work that reflects dozens of statutory instruments that have been placed before the House. It is a composite of all the impact assessments in place, and should be seen as such. Before Members become too enervated, they should reflect that although the number has gone up somewhat, the unit cost of a declaration has not gone up. The increased number reflects the increase in trade in the last couple of years, and in the period to 2017, which is interesting, because it does not look as though trade has been headed off by the threat of Brexit.

Mr Marcus Fysh (Yeovil) (Con): I welcome the Government's extensive work to get businesses and us ready to leave at the end of October, and particularly

the facilitations and easements, which can substantially reduce the amount of money lost in these sorts of transactions; that has to be the way forward. The cost is much lower than those in the Treasury's forecasts thus far.

Jesse Norman: My hon. Friend is right to point out that although there is a cost, we do some £275 billion-worth of trade with the EU; we should see this in that context. As I say, the figures are before we take into account any behavioural change, either by UK exporters and hauliers or importers, or by the EU, and should be seen in the wider context of the liberalisation that we expect to occur after Brexit.

Lady Hermon (North Down) (Ind): The Chief Constable of the Police Service of Northern Ireland has already spoken directly to the Prime Minister, and has made it abundantly clear to him that his police officers will not carry out customs functions at or near the border after the UK leaves the EU. That being the case, the Minister has a duty to explain to HMRC officials what plans the Government have to keep those officials safe when they are carrying out their functions at or near the border after the UK leaves the EU.

Jesse Norman: I am grateful to the hon. Lady for that question. That is a very serious issue. I have discussed it with senior officials at HMRC, and I can tell her that they are taking the issue extremely seriously.

Sir Desmond Swayne (New Forest West) (Con): Is not the problem with reports of this sort the assumptions on which they are made—not least the assumption that though circumstances change dramatically, behaviour will not change at all?

Jesse Norman: My right hon. Friend, having of course taught economics in his previous life, is acutely aware of the dynamic effects of change when people are confronted with different circumstances. As he correctly points out, this is a static assessment; it does not reflect the dynamics once a change is made.

Helen Goodman (Bishop Auckland) (Lab): In effect, the Minister is telling the House that a £7.5 billion tax on trade is being introduced by the Government. How many jobs will be lost as a result of the reduction in trade? Given that we control the administration of imports, why are the Government allowing this £3.8 billion figure?

Jesse Norman: I think the hon. Lady misunderstands. Only in the event of a no-deal Brexit would we incur any of the additional declaration costs described here. This is not a tax; these are the administrative costs associated with a change in the country's trading position.

Jeremy Lefroy (Stafford) (Con): Does my hon. Friend agree that there will be extremely serious impacts on exports? We have been trying to promote exports for many years, given that we have such a large trade deficit, but the fact that 60% of our exports to the EU will now incur tariffs will be a real problem for our exporters—particularly of ceramics in my area, but also for exporters in many other areas. What does he say to that?

Jesse Norman: My hon. Friend is right to raise that concern on behalf of his constituents. Of course, we run a very substantial services surplus with the rest of the world, and that will be unaffected by these customs declarations. What he says of his concerns is true; that is why I hope very much that the House will come together to support the Government in procuring a deal before we leave the EU.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): *Diolch yn fawr iawn, Mr Speaker.* The Tories' claim to be the party of business and law and order has been blown apart by its Brexit policies. What is the point of the Conservative party today?

Jesse Norman: I do not need to tell the hon. Gentleman that conservatism, as a body of thought, has many virtues, and business has traditionally benefited from the Conservative party's commitment to low taxation and a supportive business economy. If he casts an eye over the spending round, he will see an enormous array of investments designed to complement growth in business with growth in public services. It is that balance that makes for good government.

Mr Speaker: If the appetite of the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards) remains unsatisfied by that ministerial reply, my counsel is that he should read the biography of Edmund Burke that the Minister penned, which is, at any rate, a stimulating read.

Michael Tomlinson (Mid Dorset and North Poole) (Con): How many businesses would be affected if we left the EU without a deal—a deal that some Opposition Members seem to be opposing?

Jesse Norman: As my hon. Friend will know, there are over 150,000 VAT-registered businesses that trade with the EU, and another 100,000, we believe, that are not VAT-registered. If they wish to continue to trade with the EU—that trade may be just part of their business—they will experience some effect. It would be impossible for me to improve on the Speaker's last comment, but if I might direct my hon. Friend to my book on Adam Smith, he will see that economies are dynamic, as has been recognised since the 18th century. We would expect the dynamic effects of the change in our status to offset many of the concerns raised in the impact assessment.

Luciana Berger (Liverpool, Wavertree) (LD): Anyone outside this place watching the response to this urgent question will be appalled by what they have heard so far, because the party that is supposed to be against red tape is piling it on for so many businesses. I can give the Minister the figures needed to respond to the question from the hon. Member for Mid Dorset and North Poole (Michael Tomlinson): 245,000 businesses will be affected, according to the impact assessment laid out yesterday. It will cost each company £28 at a minimum, and take an employee on average 1 hour and 45 minutes, to fill out each form for each load. How on earth will that ensure growth and jobs in our country?

Jesse Norman: The hon. Lady has managed to pull off the trick of saying almost exactly what I said, but in slightly fewer words. As I pointed out, 150,000 businesses registered for VAT, and a further 100,000 that are not

[Jesse Norman]

registered for VAT, may be affected. That makes 250,000, which is not a million miles away from the 245,000 that she described. If she looks at the impact assessment, she will see that the declaration cost will vary from between £15 for an export declaration for fast parcel operators, to £56 for traders operating below the VAT threshold and outsourcing their declarations, so there is a range of impacts. This was scouted, as she will know, in previous discussions with HMRC officials and in past impact assessments.

Stephen Timms (East Ham) (Lab): What has become of the Tory party? If the Minister really believes that a £15 billion additional burden on business is acceptable, can he tell us how large a burden would be unacceptable?

Jesse Norman: I would have expected the right hon. Gentleman, as a man of great assiduity who is widely respected across the House, to differentiate between the £7.5 billion that we are talking about and the overall impact on the EU as well as the UK of £15 billion, which is one of the things that will bring both sides together into what we hope would be, in these extreme circumstances, a deal. Of course, no impact on business is something that we want. That is why we are pressing the House for a deal, and I hope he will support us in doing that.

Alison McGovern (Wirral South) (Lab): I think we are all confused about the nature of conservatism this afternoon. When the Minister and I joined the House in 2010, Prime Minister David Cameron was embarking on a red tape challenge. I did not understand that the ambition was to increase red tape in the manner that we see today. When did the Minister last speak to the car industry? We know that every 60-second delay takes away from that industry £50,000 of gross value added—every 60 seconds. If, as it seems, there is no deal to be had and we are heading towards that catastrophe, has he asked the car industry how many jobs we are going to lose?

Jesse Norman: The way to respond to that is to remind the hon. Lady that when I was at the Department for Business, Energy and Industrial Strategy, I had extensive engagement with different industrial sectors, including the car industry. The same was true when I was at the Department for Transport. There is no doubt, as she will know, that the importers and exporters that are repeatedly crossing the borders will be affected by this. Of course, there are mitigations in place, and I hope she will help us to avoid those by supporting the deal.

Mr Chris Leslie (Nottingham East) (IGC): To put this £15 billion figure in context, it is the equivalent of a 7% increase in corporation tax for those businesses and firms—or, to put it another way, the exact plan of the Labour leadership, were they to get into power and increase corporation tax. If the Minister shifts to the ideological fringes, he should not be surprised if he sacrifices any claim to be in the party of business.

Jesse Norman: I think most people would be surprised to hear me considered a member of the ideological fringes of any side of the political debate. We do not

wish this country to have to incur this £7.5 billion cost, and we do not think it would be a good idea for the country to have a Labour Government who imposed twice that amount in corporation tax.

Mr Ben Bradshaw (Exeter) (Lab): The Minister keeps claiming that his preference is for a deal, but is it not clear from the fictional briefing given by Dominic Cummings of the conversation between Chancellor Merkel and the Prime Minister today that the Prime Minister and Mr Cummings have absolutely no interest in a deal whatsoever? The tariffs proposed by the Government have been described by the normally mild-mannered and loyal hon. Member for Tiverton and Honiton (Neil Parish) as extremely disappointing. He says that no tariffs on imports but tariffs on exports will ruin the United Kingdom's farming industry. In the past hour, the head of the National Farmers Union has called it a "betrayal of British farmers". How does he respond?

Jesse Norman: I am not going to comment on the detail of tariffs, which were discussed in detail during an urgent question yesterday. I do not think there is any proper suggestion that the Government are in any sense comfortable about incurring these costs or any other costs. We would like to leave the EU with a deal, and the Chancellor of the Duchy of Lancaster and I have been working with colleagues around the clock for the past three months and longer to deliver it.

Dr David Drew (Stroud) (Lab/Co-op): With regard to what my right hon. Friend the Member for Exeter (Mr Bradshaw) just said, it is absolutely right that the Government—particularly the Chancellor of the Duchy of Lancaster, who was the Secretary of State for Environment, Food and Rural Affairs—listen to what the NFU is saying about no deal. With that in mind, is it not about time the Government updated their own website, which does not seem to have been changed since earlier this year, so that farmers at least know what will happen in the event of no deal?

Jesse Norman: In general, as the hon. Gentleman will know, the gov.uk website is updated daily, but I take the point. As a man with many farmers in his constituency, I will ensure that the website is checked to see that the data is up to date.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I also recommend the Minister's book on Burke as great bedtime reading; it is very good. Does he ever discuss the nature of modern conservatism with Dominic Cummings? Is it right that a Minister could have been on the radio at primetime this morning with Paul Johnson from the Institute for Fiscal Studies, but Cummings refused to let a Minister appear?

Jesse Norman: I am grateful for the hon. Gentleman's kind words about my book, but I cannot comment on remarks that may or may not have been made or rebutted on a media programme of which I know nothing.

Mrs Madeleine Moon (Bridgend) (Lab): Ford finally came up with its frustration in relation to a lack of customs union and single market and decided to close the engine factory in Bridgend, with 1,700 jobs lost directly at the plant and 12,000 across the south Wales

economy. When I look at today's report, I look with horror at what will happen to the small and medium-sized enterprises across my constituency. What assessment has the Treasury made of the impact of today's report on SMEs in individual constituencies? Ordinary lives will be devastated, even more so in my constituency than they already have been.

Jesse Norman: The hon. Lady is absolutely right that any job losses are deeply regrettable, and I am sure she will be delighted that, in aggregate, this country has proven to be astonishingly adept at creating good new jobs over the past 10 years. With this impact assessment, I think I am right in saying that the detail is not available that allows for a constituency-by-constituency or even regional assessment, which is why it has been done in aggregate, based on the number of declarations that are expected and the cost per declaration. Of course, it may be possible for other entities to take the number of businesses that were expected to fill out declarations and produce impact assessments for the specific areas that they are concerned about.

Matt Rodda (Reading East) (Lab): It is quite clear from the Minister's answers that the Government are willing to place enormous additional burdens on business. Given everything that he has written and said in the past, how can he possibly justify that approach?

Jesse Norman: I gently remind the hon. Gentleman that the burdens that he claims will be placed by this can not only be mitigated by voting for a deal but will be as nothing compared with the burdens that will be imposed on the UK economy by a Labour Government dedicated to nationalising, without full compensation, a swathe of industries and expropriating a large number of people by transferring property into the hands of employees. I think those things will impose much greater costs on the economy than anything that has been contemplated today.

David Hanson (Delyn) (Lab): The Minister is on a sticky wicket, and deep down, he knows it. After the Prime Minister's announcement today, it will get even stickier. I am still not clear whether he expects businesses to absorb the £7.5 billion of costs or pass it on to consumers.

Jesse Norman: In the event that we had no deal and this £7.5 billion of estimated costs were incurred, that it was not mitigated and that there were no behavioural reactions by businesses, there would be some costs—we do not know what they would be—and it would be up to businesses to decide how those costs should be allocated between consumers, employees and other stakeholders.

Toby Perkins (Chesterfield) (Lab): People watching this will be amazed. The Minister appears not to be aware of what is being said out there. He is still speaking

as though there is a deal to be done, when the Prime Minister and his advisers are making it absolutely clear that the deal is dead. The impacts that we are discussing will fall on businesses, and they are looking at a Government who appear utterly clueless about what to do. All we are getting now is a blame game. Will the Minister come to the Dispatch Box and say something that might help manufacturing businesses in my constituency?

Jesse Norman: I would be delighted to do that. With the good grace of the people of Great Britain, they will have a Conservative Government for many good years to come, supporting their interests, their welfare and the growth and productivity of the British economy. No finer outcome could be hoped for by British business.

Anna Soubry (Broxtowe) (IGC): Does the Minister have no shame at all in being a member of a Government who are meant to be on the side of business, having done a job in which, when I used to do it, we were so proud that for every one new piece of regulation we got rid of two? We see now a Government embarking quite clearly on no deal—this sham of trying to get a deal is exactly that—and imposing on our already struggling businesses an additional £15 billion. Has he no shame to be associated with this appalling Government?

Jesse Norman: I am unable to match the right hon. Lady's capacity for bombastic intervention, but let me just tell her that if she looks at the statutory instruments that have been placed in front of this House, she will see that their purpose is not to regulate, but to create mitigations to protect people in the event of a no-deal Brexit. If we have a no-deal Brexit, these will be useful mitigations and supports for businesses and people. If she doubts that, she can avoid the issue altogether by supporting the Government on the deal that I have no doubt is being promoted vigorously.

Wayne David (Caerphilly) (Lab): The extra administrative costs for filling in customs forms alone for businesses will be £15 billion per year. This contrasts markedly with the Prime Minister's claim that if we left the EU with no deal, we would save £1 billion per month. Does the Minister agree with me that there is a growing chasm between the rhetoric of a Prime Minister and the reality of a no-deal Brexit?

Jesse Norman: No, I do not accept that at all. I think that it is perfectly clear that the Government remain very fixed on securing a deal. That is what these negotiations and discussions are about. At the same time, it is important to prepare for the possibility of no deal—no responsible negotiator would fail to have a walk-away position—and this quantifies those. As I have indicated, there are mitigations and dynamic effects that may well reduce their actual effect. In that context, this is wise planning and provisioning—plans that I hope we will never have to invoke.

Preparations for Leaving the EU

2.11 pm

The Chancellor of the Duchy of Lancaster (Michael Gove): Mr Speaker, with your permission I would like to make a statement on our preparations to leave the European Union on 31 October and the steps we are taking to get ready.

It is the strong desire of this Government to leave the EU with a deal, and our proposals to replace the backstop were published last week. I commend the Prime Minister and the Exit Secretary for their continued efforts to ensure that we can leave the EU with a withdrawal agreement in place. We have put forward a fair and reasonable compromise for all sides that respects the historic referendum result, and we hope that the EU will engage with us seriously. In setting out these proposals, we have moved. It is now time for the EU to move, too. If it does, there is still every chance that we can leave with a new deal. However, if the EU does not move, this Government are prepared to leave without a deal on the 31st. We must get Brexit done, so that the country can move on and focus on improving the NHS, cutting crime, helping families with the cost of living and further improving school standards.

In preparing for every eventuality, we are today publishing our “No-Deal Readiness Report”. This document is a comprehensive summary of the UK’s preparedness for leaving the EU without a deal. It sets out the preparations that the Government have made and how these have been intensified under the determined leadership of my right hon. Friend the Prime Minister, and it also outlines the steps that third-party organisations need to take to get ready.

The actions in this report reflect our top priority: ensuring that we maintain the smooth and efficient flow of goods and people from the UK into the EU, and vice versa. The actions are also aimed at ensuring that we continue to support citizens, upholding their rights and helping them to prepare for the changes ahead. My right hon. Friend the Chancellor, to prepare for Brexit, has doubled funding from £4 billion to £8 billion. We have published a significant volume of material relating to no-deal planning, including 750 pieces of guidance setting out the steps that businesses, traders and citizens should take to prepare. We have also published 31 country guides for all EU and European Free Trade Association states, setting out what UK nationals living there need to do to get ready for Brexit.

This morning, my right hon. Friend the Trade Secretary has published the temporary tariff regime, which will apply from 1 November. In all, it liberalises tariffs on 88% of goods entering the UK by value. It maintains a mixture of tariffs and quotas on 12% of goods, such as beef, lamb, pork, poultry and some dairy products, to support farms and producers that have historically been protected through high EU tariffs in the past. I should say that, as a result of cutting these tariffs, we should see a 15% reduction in the cost of honey from New Zealand, a 9% cut in the cost of grapes from South America and of course a 7% reduction in the cost of wine from Argentina.¹

Businesses raised a number of points in response to the publication of the tariff schedule in March. The Government listened carefully to these representations

and have made three specific changes as a result: we are reducing tariffs on heavy goods vehicles entering the UK; we are adjusting tariffs on bioethanol to retain support for UK producers; and we are also applying tariffs to additional clothing products to ensure that developing countries continue to have preferential access.

But it is not enough just for Government to get ready; we need businesses and citizens to get ready too. Even with every Government project complete and necessary IT systems in place, flow at the border would still be affected if hauliers do not have the right paperwork. If companies do not prepare, they will face challenges in trading their goods and services with the EU. While the Government can of course lobby EU member states to improve their offer to UK nationals who are living in their countries, we need individuals to act as well—to register for residency and to make arrangements for continued access to healthcare. For that reason, the Government have invested £100 million in one of the largest public information campaigns in peacetime. *[Interruption.]* I am glad hon. Members have noticed.

Through both mass market and targeted advertising, we are alerting business and citizens to the actions they need to take to get ready. We are also providing a further £108 million to support businesses in accessing the information and advice they need. My right hon. Friend the Business Secretary is overseeing a series of events with businesses around the country, designed to provide information on all the steps they need to take to get ready, including actions that will support the flow of trade through the short strait. My right hon. Friend the Health Secretary has also today established a trader readiness support unit for suppliers of medical products. This week, Her Majesty’s Revenue and Customs is writing to 180,000 businesses, setting out the full range of steps that they need to take in order to import and export with the EU after we leave.

Of course, in advance of 31 October, we will continue to use every means at our disposal to communicate to business the need to get ready. I want to pay particular tribute to the automotive, retail and transport sectors, including authorities at the port of Dover and at Calais, as well as Eurotunnel, for the extent of their Brexit preparations. On a recent visit to the west midlands, the heartland of our automotive industry, I was impressed by the steps that manufacturers are taking to prepare. Retail businesses have also made significant strides: Morrisons, for example, now reports it is “prepared for all eventualities” in the UK, while the Co-op says it is “prepared for the worst case”.

Of course, risks remain and challenges for some businesses cannot be entirely mitigated, even with every possible preparation in place, but the UK economy is in a much better position to meet those risks and challenges, thanks to the efforts of these sectors and companies, and to my right hon. Friend the Chancellor.

It is also the case that the impact of no deal on both the UK and the EU will depend on decisions taken by the EU and its member states. On citizens’ rights, internal security, data protection and of course the vital position of Northern Ireland in the United Kingdom, we have taken decisions that will benefit UK nationals as well as EU citizens. I hope the EU will match the generosity and flexibility that we have shown.

1. *[Official Report, 16 October 2019, Vol. 666, c. 3MC.]*

Through the EU settlement scheme, we have ensured that every EU citizen resident here by 31 October can acquire a formal UK immigration status, protecting their right to live and work in the UK. To date, 1.7 million citizens have applied and 1.5 million have been granted a status. Those who have not yet applied have until the end of December 2020 to do so. So far, very few EU member states have made as generous an offer to UK nationals as the UK has made to EU citizens. We do not believe that citizens' rights should be used as a bargaining chip in any scenario. EU citizens in the UK are our friends and family, and we want them to stay. We now hope that the EU extends the same hand of friendship towards UK nationals as we have to EU nationals.

At the same time, keeping our fellow citizens safe should be a priority. My right hon. Friend the Home Secretary has written to Commission Vice-President Frans Timmermans to ensure effective arrangements are in place on the exchange of passenger name record data, disconnection from Schengen information system II and working arrangements with Europol, as well as the transfer of law enforcement data. We hope the EU will respond positively, in the interests of the shared security of us all. We have also unilaterally ensured that personal data can continue to flow freely and legally from the UK to the EU and the European economic area. A swift adequacy decision from the EU would reciprocate this arrangement, providing legal certainty to EU entities and companies.

With respect to Northern Ireland, to avoid a hard border we have committed not to introduce any checks at the border between Northern Ireland and Ireland. The limited number of checks that do need to take place, due to international obligations, will all be carried out well away from the border and will only affect a very small number of businesses. The Irish Government and the EU have not yet set out how they will manage the Irish border if we leave without a deal. We urge them now to match our commitment.

Let me, finally, turn to the opportunities from Brexit as laid out in this report. For the first time in 50 years, the UK will have an independent trade policy and we will be able to take our own seat at the World Trade Organisation. We will be able to introduce a points-based immigration system that prioritises the skills that we need as a country. We will have autonomy over the rules governing our world-leading services sector, and we will continue our leading role in setting global standards for financial services. We can be a beacon for the world in setting progressive policies on farming, fishing and the wider environment. Outside the jurisdiction of the European Court of Justice, we will set our own rules, putting in place smarter, more responsive regulation.

Of course, no deal will bring challenges. I have been open about that today, as I have been in the past. It is not my preferred outcome, nor the Government's. We want a good deal. Whatever challenges no deal may create in the short term—and they are significant—they can and will be overcome. Far worse than the disruption of no deal would be the damage to democracy caused by dishonouring the referendum result—17.4 million people voted to leave, many turning up to vote for the first time in their lives. They voted to ensure that the laws by which we are governed are set by the politicians in this place whom they elect. They voted for a fairer migration system that attracts the brightest and the best.

They voted to end vast financial contributions to the EU budget, and instead invest in the people's priorities such as the NHS and our brave police service. That is what the British people voted for, and that is what this Government will deliver. I commend this statement to the House.

2.21 pm

Keir Starmer (Holborn and St Pancras) (Lab): The Prime Minister should be here. Talks with the EU are collapsing as we speak. The proposals that the Government introduced last week were never going to work, and instead of reacting to challenge by adapting them they are intent on collapsing the talks and engaging in a reckless blame game. It will be working people who pay the price. The Prime Minister should be here to account for his actions.

It is no good pretending that the proposals would work. That is simply not going to wash. You cannot take the UK and Northern Ireland out of the customs union and avoid customs checks. You cannot have customs checks without infrastructure in Northern Ireland. The Government know that, which is why they refuse to answer the very simple question—where will the checks take place? You cannot give a serious response to the EU's concerns about protecting the integrity of the single market simply by saying, "We'll put that question off until later." You cannot be serious about upholding the Good Friday agreement while proposing what amounts to a veto for one party in Northern Ireland over the all-Ireland regulatory zone. Consent of all communities in Northern Ireland is at the heart of the Good Friday agreement, and the Government have ridden roughshod over that principle.

That is why the proposals were never going to work, but instead of responding to legitimate questions from the EU27 or in this House by actually answering them, the Government appear to be pulling the plug, descending into a reckless blame game, instead of putting the country first. Sources close to No. 10 say that a "deal is overwhelmingly unlikely". Sources close to No. 10 say that it is "essentially impossible". Sources close to No. 10 have begun blaming people—it is Parliament's fault, it is the Opposition's fault, it is the Benn Act, it is Germany, it is Ireland—absolutely defining the character of the Prime Minister, a man who never takes responsibility for his own actions.

The stark reality is that the Government introduced proposals that were designed to fail, and they still will not take responsibility for their own actions. Last night, there were even reports that the Government were threatening to withdraw security co-operation with the EU. That is an astonishing statement. If true, it is beneath contempt. Will the Minister take this opportunity to denounce those comments and confirm that that is not the Government's position? Will he echo comments this morning by the Secretary of State for Northern Ireland, who said that

"withdrawing security co-operation with Ireland is unacceptable" and was

"not in the interests of Northern Ireland or the union"?

I know from last week's statement that instead of answering serious questions the Minister prefers to revert to pre-prepared attacks and gags, but today is not the day for those tricks. Can he be straight with the House?

[*Keir Starmer*]

Is it the Government's official position to end negotiations with the EU, and to seek to leave on 31 October without a deal? If not, will the Government either propose a different basis for negotiations with the EU, or make it clear that they will seek an immediate extension, as required under the Benn Act, on 19 October? The House and the country deserve a straight answer.

I appreciate that the Minister speaks as if he is giving a statement or a reassuring bedtime story about preparations for no deal, but I remind the House that he used the same tone last week at the Dispatch box when he said:

"The automotive sector...confirmed that it was ready. The retail sector has confirmed that it is ready".—[*Official Report*, 25 September 2019; Vol. 664, c. 722.]

As he knows, while we were in the Chamber debating that, it drew a furious response. Within hours, the British Retail Consortium issued a rebuttal, stating:

"It is impossible to completely mitigate the significant disruption which would be caused by no deal."

The Society of Motor Manufacturers and Traders did likewise within hours in response to what the Minister said:

"A no deal Brexit would have an immediate and devastating impact on the industry, undermining competitiveness and causing irreversible and severe damage."

That was only hours after the Minister said that those sectors were ready. What the Minister tells the House in his reassuring tones and what businesses say are two different things, and he knows it. This is no longer a time for games.

The reality is that no deal would be a disaster for the economy and for businesses. That is underlined by today's figures from Her Majesty's Revenue and Customs, which estimates additional costs of £15 billion a year for businesses to comply with customs arrangements. The Institute for Fiscal Studies said today that no deal would result in borrowing rising to £100 billion, debt rising to 90% of national income, and growth flatlining. That is why it was essential that the House passed the Benn Act, which was intended as an insurance policy. We did so because we feared that the Government were more focused on delivering no deal than on doing the hard work needed to find a deal. It is clearer now than ever that the Act will be needed.

Michael Gove: I am grateful to the shadow Brexit Secretary for his questions. First, he asked where the Prime Minister was. The Prime Minister is talking to our EU partners, attempting to secure a good deal, and he is doing so with the full-hearted support of everyone on the Government Benches. The question that many people will be asking outside the House is why, if the right hon. and learned Member for Holborn and St Pancras (*Keir Starmer*) says that he is anxious for a deal, he declined to support one on the three opportunities he had to do so. If he wants to be taken seriously as an advocate of compromise and a deal why, in cross-party talks in which we both took part, did he attempt to erect an obstacle at every turn to consensus across the House? That is the conclusion that people will draw.

There is another conclusion that people will draw. The no-deal report was made public three hours before the right hon. and learned Gentleman began asking questions. Having had time to absorb 156 pages, he did

not have a single question about no-deal preparation; not a single point to make about how any sector could be better prepared; not a single suggestion, query or contribution about how we can ensure that British business is in a robust position. There was just a series of questions that we have come to expect from him about politics, rather than policy; about positioning, rather than practicalities.

The right hon. and learned Gentleman asked about customs checks in Northern Ireland. He knows—it has been made clear—that those customs checks can take place away from the border, at the manufacturer or other distribution sites. He also asked whether our proposals were serious about maintaining the integrity of the single market. They allow the EU to maintain the integrity of the single market, but is he serious about maintaining the integrity of the United Kingdom, because he and his party are more than willing to see a customs border erected in the Irish sea? We would be the only sovereign nation in the world with such a customs border, but he is more than prepared to dance to the EU's tune, rather than standing up for the UK.

That is the spirit in which the Benn Act was passed. That Act signals to the EU that there are people in Parliament who do not want to conclude a deal, who do not want to leave by 31 October and who want to delay. Indeed, the right hon. and learned Gentleman is one of them. He has had every opportunity to engage meaningfully with Government, not just on the deal but on no-deal preparations.

When I last spoke to the House, on 25 September—the right hon. and learned Gentleman referred to my statement then—I invited any MP in this House to come to the Cabinet Office and the Department for Exiting the European Union to discuss a deal and our no-deal preparations. Only one Opposition MP, the hon. Member for Leicester West (*Liz Kendall*), accepted that invitation. Oh sorry—and the hon. Member for North Down (*Lady Hermon*). Two Opposition MPs. That is the measure of the seriousness with which the Labour party, the SNP and all the Opposition parties take our Brexit negotiations: an open offer, an invitation, to come and talk rejected hands down.

Is there any surprise? The right hon. and learned Gentleman in 2017 said of the referendum:

"We've had a decision and we respect that decision."

He also said that the Labour party cannot spend all its time trying to "rub out yesterday" and not accept a result it is honour-bound to respect. As I mentioned earlier, after voting against the deal three times, he rejected the opportunity to come to a consensus between the Front Benches to get a deal through.

We in this Government have compromised. We in this Government are showing flexibility. We in this Government seek to leave without a deal, but faced with the delaying, disruptive and denying tactics of the Opposition we say, on behalf of the 17.4 million: enough, enough, enough—we need to leave.¹

John Redwood (Wokingham) (Con): When Mrs Merkel says that either the UK or Northern Ireland have to stay in the customs union, is she speaking for the EU following consultation with the other 25, or is she just making it up and assuming they will go along with her totally unrealistic and inflexible view?

1.[*Official Report*, 16 October 2019, Vol. 666, c. 3MC.]

Michael Gove: I do not know what the contents of the telephone call between the Prime Minister and the Bundeskanzlerin were earlier today, but we remain committed to working with the German Government and other EU Governments to find a deal. I am sure we can find a way through.

Tommy Sheppard (Edinburgh East) (SNP): It saddens me that in the middle of this political crisis what we have is a pathetic masquerade from this Government pretending that they are competently arranging our departure from the European Union, when in fact everyone knows that there is no agreement as to how that departure will take place and that without an agreement it is simply not possible to plan in a proper way how it would take place. The responsibility for that is entirely of the Government's own making: a mixture of their bellicose intransigence in their negotiations with our European partners and their arrogant contempt in trying to establish a political majority in this Chamber, and using the Brexit vote for their own narrow political ends.

Now the Government are in a situation where the only thing they can possibly do is contemplate crashing out of the EU without a deal. I have to remind the Chancellor of the Duchy of Lancaster that that approach would be illegal, because we have passed a law to say that we will not leave the European Union with no deal. I therefore want to ask him: why is he preparing this document, which is called the "No-Deal Readiness Report"? Perhaps it should be called "Preparedness for Breaking the Law" since that is essentially the course on which he is now engaged. Why is he preparing this, rather than trying to come back to this House properly with proposals we can debate on the negotiations they are having with the European Union? To my eyes, and to those of many colleagues, it looks as if the Government are not in the least bit serious about getting a deal at all, but are in fact engaging in gesture politics, deliberately setting conditions they know cannot be met in order to come back here and try to blame everybody but themselves for the consequences.

I have two specific questions relating to the statement. The Opposition spokesman referred to the IFS report, a damning report that came out this morning. It tears away all credibility for there being an economic case for Brexit. The IFS is saying that the difference between asking for an extension and considering this issue further, or crashing out with a no deal in three weeks' time, is 4% of GDP over the next three years. I invite the Minister to tell us whether this now means that, as we complete the first decade of Tory austerity, he and his Government are preparing for a second decade, because that is surely the consequence of the course they are on.

Finally, may I ask about the status of EU nationals? The Minister makes much of this, saying that everything is rosy in the garden. The truth is that most of the 1.5 million people he refers to as having some status have got what is called pre-settled status. It is not at all sure that they are going to get settled status. If he genuinely believes, and if it is the Government's policy, that European nationals living in this country should not suffer any disbenefit to their rights as a result of Brexit, will he commit now to let each and every one of them have a permanent right to remain in this country?

Michael Gove: I am very grateful to the hon. Gentleman for his questions. On the first question about the IFS report, we respectfully disagree with some, not all, of its conclusions. An extension would only generate further uncertainty. Not only would that extension involve us continuing to pay money into the European Union, but the uncertainty would mean that the investment decisions that business wants to make would still be put on pause. Business leaders, including many of those who backed remain such as the founder of Carphone Warehouse, now argue that we need to leave, deal or no deal, in order to have the certainty on which to plan for the future. That is what business wants overwhelmingly: to leave with a deal, but at least to ensure that we have certainty.

The hon. Gentleman asked about EU nationals, and he makes a very fair point. The majority of those who have been granted status have been granted settled status. Pre-settled status is for those people who have not been in the country, or cannot demonstrate that they have been in the country, for five years. Once they have been here for five years, however, they move automatically and smoothly to settled status. The number of people who have applied for status is increasing every day. It is also the case that our offer is significantly more generous than that for all save a tiny number of EU member states.

Those were the serious questions that the hon. Gentleman asked. I know that he used to be the proprietor of a comedy club in Scotland. I felt he was trying his hand at some Dadaist and surrealist comedy when he accused my party of trying to establish a majority for political purposes in the House of Commons. That is Scottish National party policy: trying to establish a bogus, broken-backed majority with Jeremy Corbyn as Prime Minister for blatantly political purposes. As for using Brexit for our own ends, it is the Scottish National party that has been attempting to weaponise this argument to push its separatist and sectarian agenda. As for gesture politics, that is the hallmark and stock-in-trade of the SNP. I am afraid the hon. Gentleman was guilty of a psychological phenomenon known as projection, which is accusing your opponents of the sins of which you yourself are guilty.

Mrs Maria Miller (Basingstoke) (Con): I thank my right hon. Friend for his statement. I am sure that the 3 million EU citizens who live in our country will very much welcome that their rights to health, education and welfare are being fully protected in the event of no deal. Does he have any hope of being able to secure similar rights for British nationals who are living, working and studying in EU countries, particularly those who may need to secure healthcare benefits?

Michael Gove: My right hon. Friend makes a very, very good point. The picture across member states varies. Some member states, Spain in particular, have done an enormous amount. Of course, Spain is the country that has the highest number of UK nationals living abroad. I also have to commend the Government of Denmark for the approach they have taken. We are working with EU member states to ensure that there is access to reciprocal healthcare. We are also ensuring that UK citizens abroad continue to have access to pension uprating and the welfare benefits to which they are entitled. I hope that more EU member states will improve the offer to UK nationals.

Hilary Benn (Leeds Central) (Lab): Notwithstanding the Chancellor of the Duchy of Lancaster's beguiling manner at the Dispatch Box, his statement today bears only a passing relationship to reality. No. 10 is briefing that the talks are going nowhere. He knows that if that remains the case, the Prime Minister will be under a legal obligation to write to apply for an extension which, if granted by the European Union, will mean that we will not be leaving the European Union without a deal on 31 October. The right hon. Gentleman wrote in March this year:

"We didn't vote to leave without a deal."

Why is he now advocating on behalf of a Government policy that he himself has admitted there is no mandate for?

Michael Gove: I am grateful, as ever, for the thoughtful tone in which the right hon. Gentleman asks his questions. I am also grateful for the opportunity, which I hope I will have, to appear in front of his Committee to discuss in detail some of the provisions within the document. We take a different view on the Act that bears his name. I think it weakens the UK Government's position. He in all conscience believes that it strengthens the UK's position, but we disagree on that. It is of course possible, for a host of reasons, that we might leave on 31 October without a deal, and it is prudent that this Government—and indeed the Scottish Government and the Welsh Assembly Government, led by Labour—are preparing for that, because that eventuality is a realisable and potential outcome. In the meantime, I am anxious to secure a deal. I argued that we should leave the European Union without a deal, but if it is impossible to leave the European Union without a deal, then, much though I regret it, we have to leave.¹

Several hon. Members *rose—*

Mr Speaker: Looking at me imploringly, and now to be heard, is the longest-serving member of the Speaker's Panel of Chairs: Sir Roger Gale.

Sir Roger Gale (North Thanet) (Con): You will recall, Mr Speaker, that some weeks ago you afforded me the opportunity to ask the Prime Minister what provision would be made for pension uprating, healthcare and benefits for expat UK citizens. My letter seeking a clarification of the broad-brush answer awaits a response, but I have had the opportunity to read the no-deal readiness report, and not one word in it offers long-term comfort to the thousands of now increasingly frightened and elderly UK citizens living within the rest of the EU. This is not a matter of reciprocal arrangements; it is within the clear gift of the United Kingdom Government to look after our own people. Will my right hon. Friend give a clear undertaking that that will be done?

Michael Gove: I am grateful to my right hon. Friend for raising that issue. He will be aware that on page 43 of the document, we point out:

"With regard to UK state pensions paid to eligible UK state pension recipients living in Member States, in the event of leaving without a deal the UK has now committed to uprate state pensions paid in the EU for a further three years"—beyond the original guarantee—until the end of March 2023".

We have a commitment, of course, to keep this policy under review.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): It is reported that a Downing Street adviser has threatened that the UK will withdraw security co-operation if Europe does not do what the Prime Minister wants. Does the right hon. Gentleman agree that given the common threats that we face—extremism, terrorism, trafficking and organised crime—this is extremely irresponsible and dangerous, and that there is no planet on which this is in our national interest? Whatever the Brexit plans, we need countries to work together, so will he condemn those threats from this Downing Street adviser? Will he agree that any adviser who makes such threats in public or private is not fit to hold any post in No. 10 Downing Street? Will he and the Prime Minister take some responsibility for removing anyone who pursues that course and argument from No. 10 Downing Street, because, frankly, when national security is at stake, we desperately need some advisers, some Ministers and a Prime Minister who are capable of behaving like grown-ups?

Michael Gove: The right hon. Lady is right that it is vitally important that we maintain security co-operation with our European allies. It is the case that we co-operate with not just the other EU27 nations but nations outside the EU on the exchange of information by security and intelligence agencies to keep us safe. That will continue outside the EU. We will continue to co-operate with the Garda Síochána and other police forces to ensure that our citizens are kept safe and the citizenry in our neighbouring countries is kept safe. One thing that I respectfully say to the right hon. Lady—I know that she takes these issues incredibly seriously—is that the Home Secretary has written to Frans Timmermans, who is the member of the EU Commission responsible for these issues, saying that we wish to continue co-operating in a number of areas, and the EU has said that it does not wish to continue co-operation. I absolutely respect the right hon. Lady's commitment to our co-operation with the EU. It is the case that we want to co-operate with the EU more than it currently wants to co-operate with us.

Damian Green (Ashford) (Con): I thank my right hon. Friend for reaffirming the Government's preference for leaving with a deal—that, today, is an important commitment to many of us on the Government side of the House—but I draw his attention to page 17 of his report, where he says:

"On both the M20 and at Manston, the Government will deploy resources to establish whether drivers have the necessary border documentation prior to proceeding to their point of departure at the Port of Dover or Eurotunnel."

May I plead—even at this possibly late stage—that some of the checking, which is essential, can be done before the lorries enter the last few miles of their journeys to the port of Dover or Eurotunnel? If we spread these checks around the country, they need not cause any pain to the local traffic system.

Michael Gove: My right hon. Friend is absolutely right. The Secretary of State for Transport has ensured that across the United Kingdom, at service stations and other points on our motorway system where hauliers are likely to pause or pass, we are in a position to provide them not just with the information that they need to know whether they are compliant with EU rules, but with the opportunity—if they need to—to

1. [Official Report, 16 October 2019, Vol. 666, c. 4MC.]

correct the paperwork that they have, or if they are not compliant, to turn back, because we want to do everything possible to ensure that non-compliant vehicles get nowhere near Kent for reasons of maintaining the flow at the border and safeguarding the interests of my right hon. Friend's citizens and other Kent residents.

Mr Ben Bradshaw (Exeter) (Lab): The business and local authority organisation representing Devon and Cornwall—the Heart of the South West local enterprise partnership—wrote to the right hon. Gentleman last week telling him that with the wholly inadequate mitigation measures that are already in place, a no-deal Brexit would be as bad for our region as foot and mouth, except that it will go on for a lot longer, will it not? Is the organisation wrong?

Michael Gove: Yes, I think it is, but it is also important that if we put to one side the rhetoric that organisations often use to try to secure attention and look in a granular way—*[Interruption.]*

Mr Speaker: Order.

Michael Gove: Thank you, Mr Speaker. If we put aside the rhetoric for one moment, there are granular issues that local resilience forums and local enterprise partnerships address. I would be very grateful to address those and, indeed, to meet the right hon. Gentleman if there are specific questions that he wants to put and specific easements that he wants to see put in place.

Mr Andrew Mitchell (Sutton Coldfield) (Con): I thank my right hon. Friend for his courteous and helpful statement, but I ask the Chancellor of the Duchy of Lancaster and, indeed, former Government Chief Whip: is he proud of the tone and character of quasi-official briefings and language coming out of No. 10? Does he think it is helpful?

Michael Gove: My right hon. Friend was kind enough to say that I was courteous; I also thank him for the courtesy and thoughtfulness with which he addresses every issue in this House. He is right: it is important for all of us in public life, whether we are appearing here at the Dispatch Box or working for Government Ministers or Opposition figures, to use language that shows our respect for differing points of view, even as we hold robustly to our own.

Anna Soubry (Broxtowe) (IGC): This is Brexit reality: £8 billion of taxpayers' money—the equivalent of 400 brand spanking new state-of-the-art schools—being spent on something that people did not vote for and were not promised. We have just heard about the cost to business—£15 billion—and that is before we have sorted out the tariffs. The leave campaign, of which the right hon. Gentleman was a proud leader, promised that we would not leave the European Union until we had secured a good deal. We were told that it was going to be so easy that it would take somewhere in the matter of a few days. Three and a half years on, the reason why we have not left the EU is that the simple truth is that whichever way we do it, it will harm our economy and cut jobs and the future prosperity of our constituents. He talks about the 17 million people who swallowed many of the falsehoods and fake promises that were made by him and others, forgetting the 29 million who did not vote

for us to leave the EU. Is not the only way out of this crisis now to put this matter back to the British people by way of a confirmatory referendum—at last, a people's vote?

Michael Gove: No.

Greg Hands (Chelsea and Fulham) (Con): I welcome the publication of the 31 country guides for UK nationals in other EU and EEA countries. I will ask my right hon. Friend a question that I asked our hon. Friend the Member for Worcester (Mr Walker) when he was working on no-deal preparations: is it possible to publish the preparations done by those countries all in the same place so that we can compare countries such as Spain and Denmark, which are doing the right thing for our nationals, with those that perhaps are not?

Michael Gove: My right hon. Friend makes a characteristically original, helpful and constructive idea. As well as the individual country guides, we should also publish a guide that allows for the comparisons of the kind he mentions.

Helen Goodman (Bishop Auckland) (Lab): Page 104 of the document says that the agricultural support will be continued at the current level until the end of this Parliament. Given that the Chancellor of the Duchy of Lancaster wants an election before Christmas, this is possibly the emptiest promise in the whole document. It is no wonder that the National Farmers Union described the Government's plans as "catastrophic". He knows that hill farmers will face 48% tariffs on lamb exports. He has a salary of £140,000 a year. They earn £14,000. How can he stand there and behave as if this is not a serious, critical, existential problem?

Michael Gove: I am grateful to the hon. Lady for making those points about hill farmers, whom she represents with such energy and passion. She is right—I have never shied away from this fact—that if we leave without a deal some sectors of our economy will face bigger challenges than others. Sheep farmers, along with the Northern Ireland dairy sector, are perhaps two of the sectors most likely to be most adversely affected. We take very seriously our responsibilities towards those who rear and grow the food on which we depend, and that is why my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs has the necessary comprehensive support package to help anyone who may be adversely affected.

Several hon. Members rose—

Mr Speaker: In order to accommodate as many hon. and right hon. Members as possible, I am now looking for short questions without preamble and comparably pithy replies.

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): We have been extremely generous to 3 million EU citizens residing in this country at the point of no deal. Surely our EU partners could be equally generous in providing assurances for 1 million-odd of our citizens living in Europe. They have been threatened with having to reapply for residence next year, and they do not know where they stand.

Michael Gove: My hon. Friend is right. As I mentioned earlier, some member states have been more generous than others. We respect the political constraints under which some Governments operate, but we want to work with them to guarantee the position of UK nationals.

Stephen Timms (East Ham) (Lab): Ministers recognise that the key to the level of chaos at Dover after a no-deal Brexit is the number of non-compliant trucks arriving without customs documents. In June, HMRC estimated that number to be at least 20%, or 2,000 a day. What is HMRC's current estimate?

Michael Gove: We are currently revising those estimates, and we hope to publish that revision. One of the key things is that the HMRC calculation of which companies will be ready depends on translating data it has on the amount of goods exported by value into data on the amount exported by volume, and as I am sure the right hon. Gentleman will be aware, that is not an easy calculation to robustly underpin.

Chris Grayling (Epsom and Ewell) (Con): I congratulate my right hon. Friend on this work. There is no incompatibility between being well prepared for no deal and working hard for a deal. Does he share my surprise and disappointment that the Irish Government appear to be preparing to carry out customs checks away from the border in a no-deal scenario but appear less willing to talk about customs checks away from the border in a deal scenario?

Michael Gove: I thank my right hon. Friend for the enormous amount of work he did when he was Secretary of State for Transport to prepare us for leaving without a deal and the opportunities of life after Brexit. He worked incredibly hard with tremendous focus, passion and energy, and we in this country are all better off for his service in government. I want to put that on the record and underline my thanks to him. He is absolutely right as well that, while of course we respect the sovereignty of the EU and the Irish Government's position, it is in the Irish Government's interests to avoid there being infrastructure near the border by collaborating and co-operating with us to secure a deal.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): This so-called no-deal readiness report is no such thing. It does not reflect the readiness of businesses in Newcastle for the devastating impact of a no-deal Brexit, it does not talk about currency fluctuations or how many businesses have got their documentation for imports and exports, and most importantly it does not talk about how many jobs will be lost. How many jobs will be lost in Newcastle?

Michael Gove: Businesses in Newcastle and the north-east, and more broadly, are at various different states of readiness. Some companies that are fully ready see opportunities to grow from the moment we leave. I hope we can work together on making sure that all businesses recognise what they need to do. That is why HMRC and others are, for example, automatically authorising EORI—economic operator registration and identification—numbers and making it easier for people to take advantage of transitional simplified procedures.

Stephen Crabb (Preseli Pembrokeshire) (Con): Does my right hon. Friend recognise that there will be dismay today among the UK oil refining sector at the Government's announcement of their no-deal tariff plans, which remove the level playing field for its trade with the EU? How do the Government plan to support these important strategic assets for the country?

Michael Gove: My right hon. Friend makes a very good point. It was important in looking at our tariffs that we did everything possible to ensure that prices remained low for consumers and industry, but there are bespoke arrangements we can put in place to support our refineries, which do such an important job.

Lady Hermon (North Down) (Ind): The Prime Minister and his Government will never be forgotten or forgiven for undermining the Belfast/Good Friday agreement, which has guaranteed peace and stability for all of us in the 21 years since it was signed. That agreement was endorsed in two referendums—one in Northern Ireland, one in the Republic of Ireland. Thousands upon thousands of people voted for the agreement in those two referendums. When will the Prime Minister feel honour-bound to respect those referendums?

Michael Gove: My hon. Friend knows that I have enormous respect for her, not just as a parliamentarian but because of her distinguished career in public service in Northern Ireland. I do not believe that it is the Prime Minister's intention for a moment to undermine the Belfast agreement. The hon. Lady and I have talked in and outside the Chamber about the importance of supporting all those who believe in maintaining the gains of peace over the last 21 years. I do not believe it is the Prime Minister's intention to undermine it at all. Far from it: we believe that our proposal is consistent with the Belfast agreement, but I understand that there will be people of good conscience who disagree.

Mr Mark Harper (Forest of Dean) (Con): I draw the Chancellor of the Duchy of Lancaster back to the opening part of his statement, where he talked about the prospects of a deal. If the reports this morning are accurate about the call between the Prime Minister and the Chancellor of Germany, they are very worrying. It cannot be the case that we can only leave the EU by leaving part of our country behind. That will not just mean that we will not get a deal by 31 October; it will mean we will not be able to get a deal at all. If that is the position, can I urge him and his Cabinet colleagues to hold fast to our position and urge our European partners to look at the Prime Minister's constructive proposals and negotiate them over the next couple of weeks so that we can get a deal? I am sure that all those on the Opposition Benches worried about a no deal would be in the Division Lobby supporting it.

Michael Gove: My right hon. Friend makes a very important point. In our proposal we have said that the people of Northern Ireland will be subject to the European *acquis* as it applies to manufacturing goods and agri-foods. That causes some discomfort for some in Northern Ireland, but we cannot accept the idea of a customs border inside our own country. No country on earth would allow a customs border to be erected between its own people. If it is the case—I have not heard that it is

—that any politician says that Northern Ireland must stay in the customs union come what may, they are saying either that we should generate dynamic forces that separate our country or that the UK can only leave the EU on terms that the EU dictates. That cannot be acceptable.

Several hon. Members *rose*—

Mr Speaker: Single-sentence questions please.

Angela Smith (Penistone and Stocksbridge) (LD): The document makes it clear that environmental standards will be not only maintained but enhanced. Yesterday, a leaked DEFRA paper, written by civil servants, said that the Department for International Trade would push DEFRA to lower UK standards governing animal welfare and pesticide residues. Does that not indicate that the document is not worth the paper it is written on?

Michael Gove: We are taking steps to improve animal welfare standards when we leave the EU, not least by taking steps to end the live export of animals to Europe. We are also introducing legislation on everything from puppy farming to banning the use of primates as pets, which means that the UK, as a nation of animal lovers, will lead the world in animal welfare.

Steve Double (St Austell and Newquay) (Con): Does my right hon. Friend agree that the Benn Act, which was rushed through the House last month, actually makes getting a deal harder for the Government, and that if we are forced to delay, not only will it extend the uncertainty for our businesses, which want this matter resolved, but it will simply mean we are having this same discussion three weeks before the new deadline?

Michael Gove: My hon. Friend is absolutely right. I know that there were good people who voted for the right hon. Gentleman's Act thinking that it would help the country, and I do not cast any aspersions on their motivation, but let us look at the consequences. The consequences are that it is more difficult to secure a deal, and as a result I hope that all those who voted for the Act—and I respect their motivation—reflect on the position in which we now find ourselves.

Nic Dakin (Scunthorpe) (Lab): As 31 October approaches, may I ask when the Government will deliver on their promise to put in place a UK version of the current EU steel safeguards?

Michael Gove: Shortly.

Steve Brine (Winchester) (Ind): Page 49 of the document states:

“The Government has permitted EU airlines to continue to fly to and from the UK until 24 October 2020”.

How does the Minister envisage the situation after that, given the point that he has rightly made about business certainty, and what is the position regarding new routes that may be opened up during that time?

Michael Gove: I am confident that we will make progress on aviation, but I understand its importance to my hon. Friend and his constituents.

Clive Efford (Eltham) (Lab): Figures from the Institute for Fiscal Studies show that after 10 years of austerity we are back to square one, with no discernible global financial crisis to explain the Government's incompetent handling of the finances. Would any other Government whose finances were in that state consider a no-deal Brexit?

Michael Gove: Business takes a variety of views on Brexit, and indeed on a no-deal Brexit, but I have yet to meet a single business man, woman or organisation that thinks that a no-deal Brexit would be worse than a Jeremy Corbyn Government.

Rachel Maclean (Redditch) (Con): According to the feedback from local businesses at a business event that I held in my constituency, the delay created by Opposition Members who are refusing to back the deal that the Government are negotiating is more damaging than the current state of affairs. Does my right hon. Friend agree with that?

Michael Gove: Absolutely. We could have been out of the European Union with a deal if Opposition Members had backed the Prime Minister, Theresa May, in her efforts.

Mr Speaker: Order. All these references to named individuals are quite improper. The right hon. Gentleman no doubt luxuriated in the lather of the Oxford Union, in which he excelled, and he excels in this House other than in that respect. He should wash his mouth out, and should refer to Ministers not by name but by title, which he is well able to do.

Caroline Lucas (Brighton, Pavilion) (Green): The Minister is not being straight with us. He has the gall to claim that UK environmental standards post Brexit will be a beacon to the world, but in reality he is planning to cut those standards. The document claims that the carbon price will apply “at a similar level” to that under the EU emissions trading system, but page 64 makes it clear that the new carbon emissions price will be about half the EU price. If the Government are going to cut incentives to tackle the climate crisis, will they at least be honest about it?

Michael Gove: This Government were one of the first to commit themselves to net zero by 2050, and we are taking all the appropriate steps to ensure that we shift towards renewables and reduce emissions.

Alistair Burt (North East Bedfordshire) (Ind): Would it not be better for my farming constituents today if the Government would listen to the concerns of Minette Batters of the National Farmers Union about the tariff regime resulting from no deal, rather than allowing their advisers to blame the EU, blame everyone else, and create new barriers to prevent a deal that the tone of last week was so determined to secure?

Michael Gove: My right hon. Friend is absolutely right: Minette Batters is a powerful and effective advocate for farmers in the UK, and she too is right. I know from my previous job, and from my role as a constituency MP, that the sector of our economy that faces some of the biggest challenges in the event of no deal is agriculture,

[*Michael Gove*]

and within that there are particular sectors that face particularly stringent challenges. I think it important that the tariff regime that we published today provides protection for some particularly vulnerable sectors, but more needs to be done. As for my right hon. Friend's broader point about tone, I believe that positivity and optimism are critical to ensuring that, whatever noises off there may be, we keep our eyes on the prize, which is a deal with the European Union.

Mr Chris Leslie (Nottingham East) (IGC): May I urge the Minister just to pause and reflect on the deliberate dog-whistle briefing issued this morning by No. 10 against Angela Merkel, the German Chancellor, in respect of the phone call reported to have taken place between her and the Prime Minister? It has sparked a series of frankly racist attacks against the Germans, from Leave.EU and others. This is an extremely dangerous course for the Government to embark on, and I want to hear—right now—the Minister condemn and distance himself from it.

Michael Gove: I am grateful to the hon. Gentleman for raising the matter. First, let me say that I was not in on that telephone call. Secondly, let me affirm that the Bundeskanzlerin and the Government of the Federal Republic are good friends of this country. I had the opportunity to speak at the German day of national unity event at the German embassy last week, when I affirmed our commitment to friendship and the respect that we have for the German people for their achievements since 1945 as a democracy that we can all admire. Let me take this opportunity, at the Dispatch Box, to dissociate myself entirely from any sort of racist or demeaning language towards Germany. The Germans are our friends and our allies, and Germany is a great country.

Mr Speaker: I must say to the Chancellor of the Duchy of Lancaster that my sense is that that statement will be very warmly welcomed across the House, but also by a great many people outside this place, whatever their view about Brexit. It is important that decorous language is used, and the right hon. Gentleman has just been an exponent of it.

Stephen Hammond (Wimbledon) (Ind): I agree with my right hon. Friend. As someone who voted for a deal three times, I am pleased to hear that that is still the Government's policy.

Many people will already have plans for travel beyond 31 October. Notwithstanding point 4 on page 41 of the document, and the answers that he gave my right hon. Friends the Members for Basingstoke (Mrs Miller) and for North Thanet (Sir Roger Gale), will the Minister say how many reciprocal healthcare deals have been signed, and how many memorandums of understanding are likely to be signed, before 31 October?

Michael Gove: We have reciprocal healthcare agreements with a number of member states. Spain is the most prominent, but we are working through each of the member states. I will be sure to write to my hon. Friend informing him of not just the details of the arrangements that we have reached with every country, but the steps that we continue to take in order to ensure that our citizens' rights are protected there.

Tom Brake (Carshalton and Wallington) (LD): The Government's business readiness fund, which sets aside just £15 million to help businesses, will be more than washed away by the cost to business of—according to the *Financial Times*—an extra £15 billion, 1,000 times more. Is this not just another example of the Prime Minister's attitude towards business?

Michael Gove: The business readiness fund has been well subscribed by organisations such as the Institute of Directors and the Federation of Small Businesses, to make sure that businesses are prepared for life outside the EU.

The leave campaign made the position clear, and people voted for us to leave both the single market and the customs union. Yes, leaving the customs union means new customs procedures with the EU, but it also means that we have opportunities to strike new trade deals with other countries, and to be a champion for freer trade across the world. Freer trade reduces prices for consumers in this country, and also helps the developing world. I should have thought that supporting the poorest in this country, and supporting the poorest globally, would recommend itself to the Liberal Democrats.

James Cartlidge (South Suffolk) (Con): What is the cash value of the support that my right hon. Friend plans to make available for agricultural and manufacturing businesses in the event of no deal, specifically in terms of the impact on them of new export tariffs in that scenario?

Michael Gove: My hon. Friend has made a very good point. Not just tariffs—which will particularly affect some in the agricultural sector—but other events and other frictions could have an adverse effect on specific businesses and specific sectors. That is why my right hon. Friends the Chancellor of the Exchequer and the Business Secretary have Operation Kingfisher, which is a means of making sure that we can support any company that is fundamentally viable but experiences turbulence for a short period.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Over the years, I have become something of a Gove-watcher. Is it not a fact that, in his heart of hearts, the right hon. Gentleman really now knows that this country is being led to disaster by a man whom he neither likes nor trusts?

Michael Gove: No, I do not take that view. The hon. Gentleman is an old friend, and I therefore take his comments in good part, but no: I admire the Prime Minister, and I know that what he is trying to do is what the Government are trying to do, which is to honour the votes of his constituents so that we can leave the EU.

Maria Caulfield (Lewes) (Con): Three million tonnes of the Republic of Ireland's goods travel to and from the EU via the UK land bridge, and without a deal they will be liable for customs checks, tariffs and quotas. Does the Minister agree that, more than those of any other country, the best interests of the Republic will be served if the UK leaves the EU with a deal?

Michael Gove: My hon. Friend and I both want to make sure that the Republic of Ireland is in the strongest possible position after we leave the European Union,

and the best thing for the UK, for the Republic of Ireland and for the many interests that we share across these islands is to secure a deal.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): The Prime Minister is trying to shift the UK away from EU rules on the environment, safety standards and workers' rights in order to secure a trade deal with Donald Trump. Has the Prime Minister had any discussions with the Trades Union Congress or with any trade union, and have you had any yourself, Minister?

Michael Gove: Both the hon. Gentleman and I have been trade union members. We have both been involved in industrial action and we both know how important it is to uphold workers' rights. I have had the opportunity to meet not just the TUC but other trade unions. My own view is that workers' protection matters and that we have higher standards of workers' protection than the EU mandates, and that will continue.

Richard Graham (Gloucester) (Con): Although this document shows the considerable work being done on the Chancellor of the Duchy of Lancaster's watch, it none the less reinforces his stated view that there is no good day for a no-deal Brexit. If the Labour party agrees with him and me on that, is it not time, given that Opposition Members were all elected on a manifesto to respect the referendum, for them to say that they will avoid no deal by supporting the deal, and would that not in turn help the negotiations?

Michael Gove: I think it would, and, to be fair, the attitude of EU member states and others towards the proposition that we have put forward would, I hope, be warmer and more flexible if they knew that it had support across the House. The hon. Members for Stoke-on-Trent Central (Gareth Snell) and for Stoke-on-Trent North (Ruth Smeeth) issued a cautious welcome to the deal, as did the hon. Member for Aberavon (Stephen Kinnock). If that were the view of those on the Opposition Front Bench, it would be better for the whole country.

Matt Western (Warwick and Leamington) (Lab): May I pick up the point about this being a comprehensive summary? There are two sentences referencing border inspection posts, which will seriously impact our food and fish exports. There will be only nine, as I think the Secretary of State understands. That will lead not to hundreds of certain certificates being issued, but to tens or hundreds of thousands. Does he agree that we do not have the capacity in our local authorities or the vets to service that?

Michael Gove: The hon. Gentleman makes an important point. The key thing is that we will be taking a continuity approach towards the flow of goods into this country. We will not be administering checks for the EU when EU businesses export to us. The EU will, of course, impose checks under its *acquis*, although the French authorities, for example, have ensured that the border inspection posts for shellfish will be in Boulogne-sur-Mer. That means that fish caught in Scotland on Tuesday can be on sale in France on Wednesday without any impairment.

Mr Speaker: Single-sentence questions.

Jeremy Lefroy (Stafford) (Con): On page 71 we see a reference to transitional arrangements for financial services that need to be in place by 31 October. How many of them are in place?

Michael Gove: Almost all. There are still one or two statutory instruments that need to be passed.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): The Prime Minister assured me on Thursday that he would seek to engage with the Deputy Irish Prime Minister, Simon Coveney, over the Irish Government's concerns about a minority in Northern Ireland potentially having a veto over the border arrangements. I was unable to get an update yesterday from the Under-Secretary of State for Exiting the European Union. Can the Chancellor of the Duchy of Lancaster provide us with an update on whether the Prime Minister has sought to have those discussion or not?

Michael Gove: I know that my hon. Friend the Under-Secretary of State for Exiting the European Union will write to the hon. Gentleman. More broadly, one of the key things that the Prime Minister and others have said is that we need to secure consent in Northern Ireland for the arrangements in our proposals, but how we secure that consent is a matter for discussion.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): My right hon. Friend will recall that two weeks ago I and other hon. Members raised our concerns about the no-deal preparations being done by the Scottish Government. Has he had a chance to speak to the Scottish Government about our concerns yet? If he has, can he say how much money that has been sent north has made its way to local authorities in Scotland that need to take relevant action?

Michael Gove: The Scottish Government have this afternoon published their own no-deal preparations. I have scanned them in detail and I cannot see that money has gone to the local authorities most in need. A miserly £50,000 has gone to each local authority in Scotland. That is not enough to ensure that local authorities such as Aberdeenshire have the capacity to issue the export health certificates that the fishing industry needs. I am deeply worried that the Scottish Government, despite containing many good Ministers, are not passing on the money that we are giving to them for Scotland's citizens.

David Hanson (Delyn) (Lab): Page 153 is about preventing terrorism, child abuse and criminal gangs. The document says that there will be a mutual loss of capability between the EU and the UK in the event of no deal. The right hon. Gentleman is not going to let that happen, is he?

Michael Gove: That is why we have written to Frans Timmermans to ask him to extend access to the databases that we are currently allowed to access. So far, he has said no.

Alberto Costa (South Leicestershire) (Con): I welcome the Minister's report and the detail that he has provided. I have a simple question for him. He knows that I have been campaigning for citizens' rights. In the event of no

[*Alberto Costa*]

deal on exit day, British citizens in the middle of treatment will receive treatment only for a further 12 months. Why can we not just provide healthcare costs for people suffering from terminal cancer or motor neurone disease, who, through no fault of their own, find themselves in this position?

Michael Gove: My hon. Friend makes a good point. I will take it up with the Health Secretary to ensure that the support that we already give can be extended in precisely the cases that he mentions.

Mr Speaker: A sentence, Mr Wilson?

Sammy Wilson (East Antrim) (DUP): The intransigence of the Irish Government and the EU has resulted in the comprehensive proposals put forward by the Prime Minister and the compromises that were required being rejected. In the light of that, will the Minister think again about his policy of not imposing duties on goods coming from the Irish Republic, in order to protect producers in Northern Ireland and put some pressure on the Irish Government to be realistic?

Mr Speaker: I think there were some semi-colons in there.

Michael Gove: I entirely appreciate the force of the case that the right hon. Gentleman makes, but it is our judgment that we should not impose additional checks or tariffs on goods coming from Ireland into Northern Ireland.

Michael Fabricant (Lichfield) (Con): I congratulate my right hon. Friend on his documents and on his crisp and effective chairmanship of the daily XO—EU exit operations—committees. I notice that he talks about the environmental safeguards in great detail. Does he think, therefore, that the current desecration of Cublington Wood by HS2, despite the moratorium, might be better controlled after Brexit?

Mr Speaker: The word “tangential” springs to mind.

Michael Gove: As one former Member of this House said to a foreign potentate, I admire my hon. Friend’s courage, his strength and his indefatigability in being able to insert HS2 into every question, and he knows my views on that matter.

Martin Whitfield (East Lothian) (Lab): We spoke in questions recently about pallets. I raise the issue again today because on page 113 of the recently published report the Government say that there must be compliance with ISPM 15—international standards for phytosanitary measure No. 15—to export into Europe, but on page 115 they suggest that compliance only “may” be needed. To help those trying to export on pallets that will be accepted, which is it?

Michael Gove: It would be prudent to ensure that pallets are compliant, but we also point out that individual firms should contact the supplier or the Timber Packaging and Pallet Confederation—TIMCON—if they need more advice.

Kirstene Hair (Angus) (Con): Without access to tens of thousands of seasonal workers, our soft fruit industry in Angus and across the UK will suffer. Will my right hon. Friend confirm that he recognises the importance of having a mechanism in place to ensure a smooth route for businesses to continue to function by having access to labour in a no-deal situation?

Michael Gove: Absolutely, and it is important that we look at the operation of the seasonal agricultural workers scheme and, if necessary, expand the numbers available to people in the soft fruit industry, for which my hon. Friend is such a powerful advocate.

Several hon. Members rose—

Mr Speaker: Order. I remind the House that only last week the hon. Member for Canterbury (Rosie Duffield) made a speech that brought hope and will have changed, and will change, lives. Colleagues, if you did not hear it, you missed something.

Rosie Duffield (Canterbury) (Lab): Thank you, Mr Speaker. In the light of recent fake news from the Prime Minister about a shiny new hospital in Canterbury, which currently has no A&E or urgent treatment centres, can the Minister please guarantee that, with the possible chaos resulting from Operation Brock, my constituents will still be able to get to the William Harvey Hospital in Ashford for the urgent care that they desperately need?

Michael Gove: I thank the hon. Lady for her question and underline your comments, Mr Speaker, about her amazing speech last week. We have been looking to ensure that we can accelerate the roadworks on junction 10A in order to ensure that access to the William Harvey for the hon. Lady’s constituents and others can be uninterrupted. I hope to be able to brief her and other Kent MPs on some of the other steps that we are taking in the next week.

Mr Peter Bone (Wellingborough) (Con): By what date this month does the Secretary of State think it will be necessary to reach an agreement with the EU or notify the country, and in particular business, that there will be a no deal?

Michael Gove: I hope we can make sufficient progress this week in order to be able to say at the EU Council that we have secured a deal. If we have not secured a deal, we will have to negotiate the legal framework that the House of Commons has put in place.

Alan Brown (Kilmarnock and Loudoun) (SNP): Does the fuel supply contingency programme mentioned on page 61 make special allowance for the predicted closure of two refineries, which was outlined in the Yellowhammer document? If not, why not? When will the Government tell us which two refineries they think are at risk?

Michael Gove: There are six major refineries across the United Kingdom. There have been representations from the energy sector about our tariff regime. We stand ready—in particular, the Business Secretary stands ready—to support all our refineries and the vital work they do.

Eddie Hughes (Walsall North) (Con): As the good people of Walsall North voted overwhelmingly to leave the EU, what role does my right hon. Friend think Walsall Council can play in ensuring that they are as prepared as they can be for Brexit on 31 October?

Michael Gove: They should pay attention and do everything they are asked to by the outstanding Member of Parliament for Walsall North.

Mr Speaker: There will come a time when the right hon. Gentleman will want the hon. Gentleman's vote. I do not know when that will be, but the time will come.

Michael Gove: In the race for Speaker.

Mr Speaker: Ah, the right hon. Gentleman has a new ambition. It is percolating in my head.

Peter Grant (Glenrothes) (SNP): First, may I indicate that, with your permission, Mr Speaker, I intend to raise a point of order at the end of this item of business about comments made by the Chancellor of the Duchy of Lancaster earlier that were deeply offensive to me and many others? However, given the damage that has been done to relationships between the United Kingdom and Germany by the deliberate, malicious and almost certainly inaccurate leaking of a private phone call between the two Heads of Government, will he, the next time he speaks to his very good friend the Minister for the Cabinet Office, ask how quickly we can be given a statement by the Cabinet Office that confirms that the culprit—there are only two possible suspects—has been identified and removed from No. 10 before they can do any more damage?

Michael Gove: That is not a matter for me.

Points of Order

3.21 pm

Marsha De Cordova (Battersea) (Lab): On a point of order, Mr Deputy Speaker. It has come to light that the Department for Work and Pensions is issuing ill and disabled people with positive health guidance statements, asking them to describe their disability or health condition. In these statements, disabled people are being asked

“to avoid words that sound worse than they are”

to describe their disability. This includes avoiding words such as “chronic”, “degenerative” or even “depression”. In essence, the DWP is encouraging disabled people to downplay their disability or health condition. Can you advise me on how the Secretary of State can come to the House and make a statement on this issue at the earliest convenience? It cannot be right that the Department expects disabled people to downplay their disability or health condition.

Mr Deputy Speaker (Sir Lindsay Hoyle): I thank the hon. Lady for giving me notice of the point of order. As she well knows, it is not the responsibility of the Chair, but what we can guarantee is that Government Members have absolutely heard what you have to say. The hon. Lady will be coming back next Monday, and I am sure that she will ensure this House is aware of the issue and that she will pursue it in the rightful way.

Dr Rupa Huq (Ealing Central and Acton) (Lab): On a point of order, Mr Deputy Speaker. I wondered whether you had had any indication before we are prorogued again imminently of whether the Home Secretary intends to come to the Dispatch Box to make a statement on the revelations that came out overnight via a freedom of information request that the review her Department ordered into buffer zones around abortion clinics to stop the harassment of women contained disturbing flaws. The review was ordered in 2017, and it reported last year, but ITV, LBC and *The Independent* newspaper are reporting that evidence was suppressed and that civil servants were instructed that the main aim of the game was to be seen to be doing something. In the light of the letter that the Home Secretary has received today from 30 different groups, from Mumsnet to the British Medical Association, the Royal College of Obstetricians and Gynaecologists and the Royal College of Nursing, and in the light of the moving statement made by my hon. Friend the Member for Walthamstow (Stella Creasy) on the same subject last week, as well as the daily distress women are still suffering up and down the country, can we please get the Home Secretary to right this wrong and have a fresh inquiry to clear up the mess made by her two predecessors?

Mr Deputy Speaker: I thank the hon. Lady for giving me notice of her question. The matter she raises is not a matter for me in the Chair today, but I know that the responsible Ministers in the Home Office have absolutely heard what you have to say. I am sure the Home Office will be taking that on board. Once again, I know that you, through your good offices, and colleagues of your good self will ensure that, when we return on Monday, this matter will be raised again.

Peter Grant (Glenrothes) (SNP): On a point of order, Mr Deputy Speaker. I apologise that I could not give advance notice of my point of order, because I had to remain in my seat hoping to catch Mr Speaker's eye. In his answer to my hon. Friend the Member for Edinburgh East (Tommy Sheppard), who was on the SNP Front Bench earlier, the Chancellor of the Duchy of Lancaster clearly accused the Scottish National party of being a sectarian organisation. That is the second time he has done that from the Dispatch Box. I appreciate that it is not a question of order whether remarks are offensive, although I hope that, on reflection, the Minister will understand that those comments are not only deeply offensive, but a highly irresponsible accusation to throw at any organisation that works so tirelessly to rid Scotland of the cancer that is sectarian bigotry—a cancer that was very prominent in the community in which I and a number of my colleagues grew up. Can you advise me whether it is still the case that a Minister who says something untrue from the Dispatch Box must be given a reasonable chance to correct the record and that, if they refuse to do so, it is not possible for them to remain as a Minister in the Government?

Mr Deputy Speaker: In fairness, it is up to the Minister whether they wish to. I do not know whether the Chancellor of the Duchy of Lancaster would want to speak or not—that is his choice. If he does, of course I will give way. What I would say is that you would not expect me to comment on that. I was not chairing the debate, and, in fairness to Mr Speaker, if it was disorderly, he will have said so. That is the one thing I want to be clear on. In fairness to Mr Speaker, he will have done the right thing at that moment.

Mr Chris Leslie (Nottingham East) (IGC): On a point of order, Mr Deputy Speaker. Parliament is expected to prorogue today, but, unusually, the Privy Council website still does not list an Order in Council as having been approved for Prorogation. The matter is listed on

the Order Paper and in the House of Lords on the Order Paper, yet, for some reason, an Order in Council does not appear to have been passed so far according to the Privy Council website. Normally, Orders in Council for Prorogation are passed several days before it actually occurs. It is 3.26 pm. I wonder what is going on.

Mr Deputy Speaker: That is not a matter for the Chair. It is not for me to speculate on the Privy Council. I am sure that you will not take your eye off your mobile phone, to ensure that that first-line knowledge will be through to your good self once you see it there. But it is not a matter for the Chair, as much as it is frustrating. As a member of the Privy Council, I have to say that I have no further information to add.

Rachel Reeves (Leeds West) (Lab): On a point of order, Mr Deputy Speaker. Lots of people will be watching Parliament on television today, but, of course, that was not possible 30 years ago. Twenty-seven years ago, Baroness Betty Boothroyd became the first female Speaker of the House of Commons. Today is her 90th birthday. I wondered what pieces of advice you could give on how we could all go about wishing her a happy birthday.

Mr Deputy Speaker: One of them is not to sing in the Chamber. I would say that I have the greatest respect for Baroness Boothroyd. She is one of my idols. She is somebody who I look up to and who set an agenda in this House that we can all respect—the first woman Speaker. It is a privilege to have known her; it is a privilege to have been in this House when she was in this Chair. Everybody who ever worked with her held her in the highest esteem and respect. The one other thing I would say is happy 90th and many more to come, because she is a great lady who I will always respect. I always remember her fighting the by-elections of Nelson and Colne, which my father took over as the MP afterwards. So, yes, we do have a great affinity.

Nurse Staffing Levels

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

3.28 pm

Maria Caulfield (Lewes) (Con): I beg to move,

That leave be given to bring in a Bill to make provision about National Health Service bodies establishing nurse staffing levels.

I start by declaring an interest as a nurse and a member of the Royal College of Nursing, which is leading the campaign for safe and effective nurse staffing. Nursing is one of the most underestimated professions in the country, if not the world, because while everyone loves a nurse, with colloquial terms such as “angel”, “having a vocation”, “hero” and “caring or compassionate” being used to describe us, the true impact of nurses and nursing on the nation’s health has never been recognised. We are more than just a doctor’s assistant. Whether an experienced nurse who holds a patient’s hand as they die while assessing their level of pain or symptom management, or an advanced nurse practitioner in places such as the Royal Marsden Hospital’s clinical assessment unit who can treat patients with acute ascites and manage them by inserting a drain to deal with the symptoms or can look for the first sign of sepsis, nurses are truly saving lives.

There is increasing evidence that the right number of qualified nurses can improve patient outcomes in terms of mortality, morbidity and quality of care, and that, conversely, insufficient nurses can have a potentially life-threatening effect on patients. A study by Aiken et al reported in *The BMJ* looked at discharge data from hospitals for over 275,000 surgical patients in 188 hospitals across Europe, finding that a greater number of professional nurses was associated with lower odds of mortality. Likewise, Bridges et al also found in *The BMJ* only last year that the addition of qualified nurses makes a difference to patient outcomes—not simply the addition of healthcare workers, but qualified and experienced nurses. There is something in the skill and experience of qualified nurses that improves mortality rates, morbidity rates and quality of care.

Record numbers of nurses have joined the Nursing and Midwifery Council register, with 8,000 more nurses and midwives now registered to work in the UK, but over 43,000 nursing vacancies remain in England alone. The RCN staff survey in 2017 reported that that is having an impact on the ground, and nurses are reporting that care is going undone as a result. That is why, as a nurse and a member of the RCN, I am bringing this Bill forward to establish legally enforceable nursing staffing levels in the NHS in England, as was done in Wales in 2016 and in Scotland in June this year, when the Health and Care (Staffing) (Scotland) Act was passed.

The Bill has four main aims. First, we need to make the Government accountable for nursing levels in England. No one is accountable for nursing numbers, which is why we have such a high vacancy rate and a lack of strategic action to address the situation. How are we going to increase student nurse numbers via degree apprenticeships, which are working so well in places at the University of Brighton in my constituency, where student nurses earn while they learn in clinical placements? How are we to increase the numbers returning to practice when return-to-practice courses are difficult to access

and expensive, with nurses often having to pay for them themselves? Nearly a third of our nurses in practice today are likely to retire in the next 10 years, so how are we to address early retirement? Without someone taking responsibility, none of those issues will be addressed. While individual trusts do their best to mitigate recruitment and retention challenges, no one is taking responsibility for the sheer scale of the issue across England.

That fits neatly into the second and third parts of the Bill, which relate to a fully costed workforce strategy and nursing numbers. There are currently no legally enforceable nursing numbers for any healthcare sector in England. In 2014, National Institute for Health and Care Excellence guidelines for adult wards stated that when nurse patient ratios reach eight patients to one nurse, that should act as a red flag that care is becoming unsafe. However, in the 2017 RCN staff survey, 71% of nurses report that they had cared for more than eight patients on their previous shift, with 26% reporting that they cared for more than 14 patients. We need legally enforceable numbers, so that nurses and patients can be protected from unsafe care and so that someone is held to account if that does not happen.

In England, each trust manages its own staffing numbers, and if money is tight, retention and recruitment just does not happen. To be fair to the trusts, they have no pool of nurses on which to draw, so what are they supposed to do? We need a nursing workforce strategy not only to meet short-term need, but to plan for the long-term healthcare needs of the nation. However, the Bill is about more than just ring fencing nursing numbers. It is about the skill mix, too. Having experienced qualified nurses is the key to improving patient outcomes.

As already mentioned, there is a growing body of evidence to show the difference that experienced and qualified nurses can make to patient outcomes. In my 25 years’ nursing experience, nothing can beat the continuity of someone looking after the same patient over a period that only adequate staffing numbers allows for. An experienced nurse often gets to know their patient and can spot mild changes, such as mild confusion, that could indicate the start of sepsis. They can spot that someone is not taking their medication, is slightly dehydrated or has raised sugar levels. Something as simple as constipation can lead to abdominal pain, nausea and vomiting, dehydration and, ultimately, hospital admission.

Service managers who are driven to replace nurses with healthcare assistants take a penny wise and pound foolish approach, as a qualified nurse can prevent hospital admissions, reduce the length of stays and reduce readmissions simply by using their skill and experience. Any extra paid in higher wages would be offset by savings in the length of stays and acute adverse events.

Finally, the Bill would legislate to provide training and education for all nurses throughout their career. If we want nurses to take on more advanced roles, from nurse prescribing to chest drain insertion, the Government need to ensure the training happens both by paying for it and by allowing study leave. We cannot continue with nurses using their annual leave and their days off to undertake training vital to their role.

Other countries have realised the need for change and have made legislative changes to ensure safe staffing levels. That is why I support the RCN and Dame Donna Kinnair in promoting this Bill to create a legal framework

[*Maria Caulfield*]

that clarifies the roles and responsibilities and the accountability for the supply, recruitment and retention of nurses in England.

Question put and agreed to.

Ordered,

That Maria Caulfield, Alberto Costa, Kate Hoey, Stephen Lloyd, Andrea Jenkyns, Andrew Lewer, Andrew Griffiths, Lloyd Russell-Moyle, Charlie Elphicke and Eddie Hughes and present the Bill.

Maria Caulfield accordingly presented the Bill.

Bill read the First time; to be read a Second time tomorrow, and to be printed (Bill 439).

Mr Deputy Speaker (Sir Lindsay Hoyle): I do not think there will be many here, but good luck.

Business without Debate

DELEGATED LEGISLATION

Mr Deputy Speaker (Sir Lindsay Hoyle): With the leave of the House, I will put motions 2 and 3 together.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

EXITING THE EUROPEAN UNION (FINANCIAL SERVICES AND MARKETS)

That the Prospectus (Amendment etc.) (EU Exit) Regulations 2019 (S.I., 2019, No. 1234), dated 5 September 2019, a copy of which was laid before this House on 5 September, be approved.

That the Risk Transformation and Solvency 2 (Amendment) (EU Exit) Regulations 2019 (S.I., 2019, No. 1233), dated 5 September 2019, a copy of which was laid before this House on 5 September, be approved.—(*Maggie Throup.*)

Question agreed to.

Exiting the European Union (Plant Health)

3.37 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rebecca Pow): I beg to move,

That the draft Plant Health (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 22 July, be approved.

These regulations amend the Plant Health (EU Exit) Regulations 2019 to ensure that recent EU-derived protective measures against the introduction and spread of harmful plant pests continue to remain effective and operable on leaving the EU. The 2019 regulations, which were debated in this House on 19 March, are an important element of the EU exit legislation that we have put in place to maintain plant biosecurity, and they set out a list of harmful pests and plant material that will continue to be regulated.

It is our responsibility to protect biosecurity across plant and animal health, as well as to protect the wider ecosystem. It is also important that we have a robust process of ongoing review to strengthen biosecurity protections, where this is possible and necessary, as we leave the EU. These draft regulations are specifically about protecting plant biosecurity, and the amendments address technical deficiencies and inoperability issues—that is quite a mouthful—relating to retained EU law on plant health that could arise when we leave the EU. I should make it clear that all the amendments introduced by this instrument are simply technical operability amendments and do not introduce any policy changes. They ensure that existing measures set out in EU legislation and national measures introduced under the EU's plant health directive will continue to apply to the UK as we leave the EU.

Jim Shannon (Strangford) (DUP): First, let me say what a joy it is to see the Minister in her role, and I wish her well in that position. In recent times, and in many of the papers I have had the chance to read, alien species, be they plant or animal life, have become a growing issue. Does the Minister feel that the legislation coming forward—I am mindful that the Minister has said that this is not a change—will be able to ensure that those alien species, wherever they come from, be they from the sea or land, become a thing of the past, rather than something we have to endure and live with?

Rebecca Pow: I thank the hon. Gentleman for his intervention. As he will know, I have an interest in this area, and I wish to give assurances that this Government are taking alien species extremely seriously. We do not want invasive species coming into this country, and we will give assurances that we will have the highest level of protections and standards as we go forward, as this example today on plant biosecurity will demonstrate. This is a belt and braces step we are taking today.

Susan Elan Jones (Clwyd South) (Lab): I have a quick question for the Minister. Many of us are very concerned about regulated plant material coming in from third countries via the EU. What will happen with the checking? Many of us are very concerned about what this could mean in terms of pests and diseases.

Rebecca Pow: Again, the hon. Lady raises a good point. We are setting up the most stringent system and checks. I will perhaps make some references to that in my summing up at the end, because people are concerned about it. However, we are revered for our standards on these things already, and we will be strengthening our checks and balances, because it is so important to us as an island that we address these things.

The majority of the changes update the list of regulated plant pests and plant material and associated import and movement requirements relating to host material in the 2019 regulations to reflect the recent amendments to the list in the plant health directive made by Commission implementing directive 2019/523, as a result of technical changes in the assessment of risks presented by particular pests and diseases. Important changes are included, regulating against new threats, such as the lemon tree borer, which affects a great deal more species than just lemon trees, including species in this country, and strengthening protections against the tobacco whitefly and the pine processionary moth, for which the UK currently has protected zone status. In addition, the list is being updated to ensure that specific national measures that have been introduced under EU provisions to protect against the rose rosette virus and the oak processionary moth remain operable after we exit the EU. I thought I would just say a bit about those two things because they are the new things we are ensuring protection against.

The rose rosette virus is an extremely damaging disease that will affect our wonderful roses. It is already widespread in the USA and parts of Canada, where it has had devastating impacts, and it was found for the first time in 2017 in India. The virus affects all roses—

Mr Jim Cunningham (Coventry South) (Lab): Will the Minister give way?

Rebecca Pow: I shall just finish describing the horrific effects of this virus, if the hon. Gentleman does not mind. The virus affects all roses and its mite vector may be present in both plants and plant parts. Current EU regulations restrict the import of plants for planting from non-European countries to plants which are dormant and free from leaves, flowers and fruit, but this is not sufficient to prevent the entry of this devastating virus, which is why we introduced national protections, which we want to retain into the future. Can you imagine, Mr Deputy Speaker, if the virus got a hold in our gardens, where we love and revere roses so much? It would have a terrible impact, as it would have on our high-quality rose breeders and the whole of that industry. It is extremely serious. Interestingly, the EU is now following our lead and is going to copy what we do. That sets us up as leaders.

Mr Jim Cunningham: I welcome the Minister to her new position. Can she give me an example of what I would call an early warning system? Do we have one so that we can get on top of diseases as soon as possible?

Rebecca Pow: That intervention leads me neatly to the other thing that we are protecting, so I will answer the hon. Gentleman's question shortly. The oak processionary moth is native to southern Europe. Its caterpillars eat the leaves of oak trees, thereby affecting the health of

the trees. They also shed poisonous hairs that can cause adverse reactions in humans. The majority of the UK is designated as a protection zone against this damaging pest. It is established in many parts of Europe and its distribution has recently expanded, including in the UK, where some cases were found earlier this year. Fortunately, the Government took rapid action—this answers the hon. Gentleman's question. We have in place a good system: first, we strengthened the existing national protections against the pest by tightening import requirements. The Forestry Commission and the Animal and Plant Health Agency then took swift action to eradicate any signs of the moth, its larvae or its caterpillars. An excellent surveillance system swung into action and lots of work was done to trace the creatures and destroy the caterpillars and, indeed, infested and related trees. All the infested trees were intercepted in the protection zone and any signs of the moths and the trees they attacked have been destroyed. It is important that we ensure the continued operability of the strengthened import requirements, to ensure ongoing protection. That is why we are proceeding with this legislation.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): The Minister has given a full and interesting answer. Global warming is upon us, and of course as global warming proceeds, various species of animals and flowers are migrating ever northwards to the British Isles and across Europe. I plead with the Minister to consult our scientists and experts at Oxford, Cambridge, Edinburgh and St Andrews on what dangerous species might be tempted north, even into my constituency, by what is happening in the world.

Rebecca Pow: That is very much on the Government's radar. Indeed, DEFRA is really strong in this policy area and works constantly to see what new threats might be coming into and out of the country. As an island nation, it is important that we are really on the ball. We are going to remain part of the European and Mediterranean Plant Protection Organisation, which involves many more European countries, as well as many others, all working towards the same goal.

Jim Shannon *rose*—

Rebecca Pow: I am going to press on, because time is tight.

The instrument will amend primary legislation to remove references to EU obligations. The changes have no operational impact, but simply remove redundant and inoperable references to EU obligations. The devolved Administrations have provided their consent for the changes to be made for the whole UK—I think that answers the question that the hon. Member for Strangford (Jim Shannon) was going to ask.

Jim Shannon *indicated assent*.

Rebecca Pow: Regulation 2 of the instrument applies to Great Britain, regulation 3 applies to Northern Ireland, and regulations 4 and 5 apply to England, Wales and Northern Ireland.

The instrument's purpose is to ensure that an operable legal framework is in place on EU exit day and to facilitate the flow of goods while preserving the current

[Rebecca Pow]

plant health regime's overall aim of preventing and managing pest and disease threats. For those reasons, I commend the regulations to the House.

Mr Deputy Speaker (Sir Lindsay Hoyle): I welcome the shadow Minister, the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard), to his position.

3.49 pm

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): May I welcome the new Minister to her place? As a south-west MP, it is good to see a south-west combo on both sides of the Dispatch Box. It is also good to see that she is in a position of responsibility where she will be able to use her considerable knowledge on the area of soil health, which is kind of related tangentially to plant health. She knows that, like her, I feel strongly about that issue.

Let me start by saying that the Opposition will not be opposing this statutory instrument today. We are grateful that the Government have chosen to correct mistakes and omissions in previous SIs on this matter. Once again with the plant health regulations, we are here to make amendments to amendments because the previous amendments fell short of what was required at the time. Regular watchers of these SI debates on parliamentlive.tv—I am sure that there are many of them—will know of the concerns shared by my hon. Friends the Members for Stroud (Dr Drew), for Workington (Sue Hayman) and for Ipswich (Sandy Martin), the shadow DEFRA team. We are concerned that these SIs are sometimes being rushed through, and that mistakes—or gremlins, as I call them—can be baked into them not only in the work of the officials, but as a result of the lack of time for proper scrutiny by Members and by stakeholders. This SI confirms just that; legislation that is rushed through will need further amendment in the future because of omissions. That creates the potential for a polluted statute book, which is something that we all want to avoid, especially in an area as important and technically detailed as plant health. Indeed, on 19 March, when this regulation was last considered, my hon. Friend for Ipswich said:

“I confidently predict that there will be mistakes—perhaps not in these particular SIs, but in some of them—and that they will have serious consequences for our residents and businesses over and above the massive overarching mistake, which is the way in which this Government are failing to handle Brexit.”—[*Official Report, Twenty-third Delegated Legislation Committee*, 19 March 2019; c. 6.]

Ignoring the bigger Brexit position that my hon. Friend was talking about, I think it is important to say that when the Government do find errors and omissions in SIs, as we have here, we support them in bringing amendments to the Chamber, which is why we are not opposing this one today.

I am grateful to the Minister for setting out in a tongue twister of a speech that there were technical deficiencies and inoperabilities with this regulation in the past, but this was not in her bailiwick at the time. I think that this SI was in the flood of statutory instruments that were proposed by her Department in the lead-up to one of the early exit dates in a bid to push through as many as possible. At the time, the Opposition raised concerns about how comprehensive those SIs would be.

Let me turn briefly to the explanatory memorandum, because, sometimes, it is just as important as the regulations themselves. It suggests, implicitly, that this is a mere updating of the previous SI with new regulation. However, if we take one example, the EU Commission Implementing Decision of 2018/1959, which concerns preventing *agrilus planipennis* being introduced into the EU, was passed on 10 December 2018. The *agrilus planipennis* is incredibly damaging to the European ash trees, and so the Government are correct to legislate against its introduction to the UK to protect our own trees. Why was this not implemented when we last considered this area? Can the Minister explain to the House what process her Department is undertaking to look at the statutory instruments that have been passed by Parliament to check that there were no omissions, especially in that real surge of statutory instruments in February and March of this year before one of the early exit dates.

The previous SI, which this one amends, was needed to correct errors and omissions in the Plant Health (EU Exit) Regulations. Does the Minister concur with our assessment that the process that was followed in some of those SIs was unsatisfactory and that improvements to the process could be made? If she does agree with that, can she set out how her Department is addressing that? I think there is cross-party agreement that getting this right is important, but sometimes getting right things that are very technical can take a few attempts, but we want to make sure that the system the Minister is using is as robust as possible.

The Minister may know that one of my penchants with statutory instruments is to look at the impact assessments, and I will not disappoint anyone who is concerned about the impact assessment on this particular SI. I am not a fan of the phrase that there is “no, or no significant impact” in impact assessments in explanatory memorandums. It is important to state that “no impact” and “no significant impact” are two very different things. The phrase “no impact” suggests that there is no change, and “no significant impact” suggests that there is change but that it has not been measured. In this case, there is no impact assessment to enable us to understand whether or not there is an impact. I encourage the Minister—I have done so with every one of her predecessors in this role—to work with the House authorities and the Leader of the House to correct that language. There is a difference between “no impact” and “no significant impact” and, as we know, this SI is a correction of the previous SI that corrected regulations. We need to be getting this right.

Let me turn briefly to biosecurity and Northern Ireland in relation to customs. The Minister has set out the territorial application of this instrument, which affects different parts of the UK differently. Given the volume of UK-EU trade—especially across the Ireland-Northern Ireland border, which we hope will not be diminished as a result of any of the Brexit arrangements her Government are pursuing—the current system for sharing biosecurity intelligence with EU countries risks being lost if there is not an agreement to ensure that information sharing takes place. In the past few days, we have seen a potential threat to information sharing between the UK and our EU friends as part of the posturing around the Brexit deal negotiations. Will the Minister set out clearly for the House that information sharing on biosecurity and plant health security, especially

regarding invasive species, will not be affected by any posturing from Downing Street, and that these regulations include the ability to share properly the information that we need between ourselves and our EU friends?

In the previous Statutory Instrument Committee on plant health, the Minister's predecessor referred to contingency plans to develop a database to capture interceptions and incursions, and to share information with the European Union when such incursions have been recorded. Is that database ready? If not, how long after the proposed exit day—for the sake of argument, let us assume that it will be 31 October, although I suspect many of us think that it will not—will it be ready? How many interceptions and incursions does the Minister anticipate the system recording, and what action will be taken to contain them as they are identified?

The report of the House of Lords EU Committee states:

"The need to facilitate trade post-Brexit must not be allowed to compromise the UK's biosecurity."

That is probably something with which everyone on both sides of the House would agree, so will the Minister tell us how her Department will guarantee that we face no increased biosecurity risks and that we maintain alignment with the EU—especially in data sharing—in any Brexit arrangements?

These regulations set up lists for England, Wales and Northern Ireland that seek to replicate the current set of EU lists on plant health. They ensure that protected zones can continue to be protected from pests, and that emergency measures can continue to be applied where necessary. However, it is proposed that a large raft of the EU legislation that accompanied the lists be revoked. As mistakes were identified in the previous SI, may I just check with the Minister that it is still her intention to revoke those parts of the EU regulation? I just want to ensure that there are no errors or omissions in that respect.

My hon. Friend the Member for Clwyd South (Susan Elan Jones) mentioned that the EU plant health directive requires checks on material imported from third countries at the first point of entry into the EU. However, once we have left the EU—if that happens—the intention is to allow plant material from third countries to enter and pass through the EU without checking at the border, and to rely on checks at the destination premises of the importers. How does the Minister intend to ensure that all plant material brought into this country in that manner from third countries—without checks—will actually be checked? It is important to ensure that there are no invasive species, pests or diseases on containments of plants that can escape into our natural environment. As the Minister set out in her speech, there are a number of different pests and diseases that can affect UK species and which we would want to avoid, especially as we see the effects of climate change. The number of diseases and pests that can thrive in the UK environment has changed since regulations on pests were first introduced.

I know that this is the Minister's first outing, so I apologise for the large number of questions that I have fired at her, but there is cross-party support for robust biosecurity in relation to plant health.

In case hon. Members were unaware, Extinction Rebellion is in New Palace Yard today, providing a free tree for every Member. I have collected mine; I got an

English oak with my name on it. In fact, I walked past the Minister's tree, which is sitting outside and which I am sure she will collect in a bit.

Ensuring that we have robust plant health and biosecurity for our natural habitat—especially the native species that Extinction Rebellion is giving out—is going to be very important whether we remain in the European Union or not, and we need to ensure that we have robust systems in place. I would be grateful if the Minister addressed a few of my questions when she responds.

3.59 pm

Neil Parish (Tiverton and Honiton) (Con): I welcome the Minister to her new position. She is my neighbour and was a great member of the Select Committee on Environment, Food and Rural Affairs. I look forward to great work from her.

I echo what the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) said: there are trees out there, waiting for us to collect them. I too have collected an oak tree. Let us see if the soil in Tiverton is better than the soil in Plymouth. We will see how fast the trees grow and how much carbon they capture.

As the Minister will know, ash dieback—I am not as good at Latin as the shadow Minister—was introduced to this country after seed was taken to the Netherlands and grown into trees, which were brought back here. We can make Britain a bastion of trees that are not diseased. We should do everything we can to make sure that trees we import are healthy, and to grow many more of our own. There could be a real benefit from this statutory instrument, but let us make sure that we get it right. Again, I welcome the Minister to her new role.

4 pm

John Mc Nally (Falkirk) (SNP): I, too, welcome the Minister to her Front-Bench position. I absolutely acknowledge her in-depth knowledge of the subject. She will know that the Scottish National party and the Scottish Government have made plant health a priority. I would be grateful if the UK Government stated fully and frankly which standards, if any, they intend to alter, and whether plant health is to be targeted.

Plant health is at the heart of Scotland's thriving natural environment, our rural economy and our wellbeing. However, there are increasing pest and disease threats to our plant health, particularly through increased globalisation of trade and other factors such as climate change. The aim of the Scottish plant health strategy is to safeguard agriculture, horticulture, forestry and the wider environment from plant pests from 2016 to 2021 and beyond.

The strategy requires an integrated approach to ensure effective collaboration between all interested parties. That approach builds on work already undertaken by the Scottish plant health service, but recognises that Government alone cannot tackle current and future plant health challenges, and so has a focus on working in partnership with others to build and strengthen relationships. It sets out how together we can protect crops, trees and other plants from new and existing pests and diseases. That underpins the development of the economic potential of the Scottish agriculture, horticulture, forestry, rural land use and food and drink

[John Mc Nally]

sectors, which in turn enhances production efficiency, protects the natural environment, including amenity sites and gardens, and maintains wholesome environments for rest and relaxation.

It is my job, and that of my fellow SNP Members, to make sure that powers devolved to Scotland are protected, and not taken back by Westminster, as that would prevent us from meeting the ambitions that we share. Scotland's rich and diverse natural environment is a valuable national asset. Its continued health and enhancement is vital for the health and wellbeing of all, and for sustainable economic growth.

In Scotland, we have the largest green space project in Europe—the central Scotland green network. It receives and welcomes some 25 million tourist visits per year, which generate around £63 million for the Scottish economy. In my constituency of Falkirk, I witness local people enjoying the results of the Scottish Government's ambition to enable and deliver a happier, more active lifestyle, particularly through the active travel hub plan; through encouraging walking and cycling, which everybody seems to enjoy in the area; and through connecting the magnificent Kelpies to the Falkirk stadium. There are also the canal paths to the world-famous Falkirk wheel, and of course there is the Antonine wall, a world heritage site. Local people, and people from all over Scotland and the rest of the UK, walk, cycle and use the canal boats, alongside visitors from all over the world, including Europe, all enjoying each other's company. Long may this continue.

For your information, Mr Deputy Speaker, Scotland was the first country in Europe to implement a land use strategy. That allows our strategic approach to land use to account for the full range of benefits that our land resources provide. For example, Scotland created 73% of all new woodland in the UK in 2016-17. Furthermore, Scotland's new target of 15,000 hectares per year from 2024-25 is both ambitious and achievable. The Scottish Government's 2017-18 programme for government was described by no less a person than Richard Dixon of Friends of the Earth Scotland as "the greenest" in the history of the Scottish Parliament.

The EU has provided significant funding for Scotland's biodiversity. The EU's nature policy and legislation are effective, ambitious, far-reaching, robust, consistent and well enforced. EU-wide implementation allows it to function on a supranational scale, thereby acknowledging that nature does not observe national boundaries and recognising the importance of promoting habitat connectivity, which allows biodiversity to thrive and adapt in response to anthropogenic pressures such as habitat fragmentation and climate change.

Regulations on animal and plant health and food safety remain essential for Scotland's reputation to access EU and other international markets. These regulations are vital to ensure certainty of policy for Scotland's future and must be respected and remain in the Scottish Government's powers.

4.6 pm

Rebecca Pow: I thank all Members who have contributed to the debate. There were a great many more interventions than one might have expected, and I am heartened to

hear that so many people are interested in plants and our biosecurity, which is extremely important to all of us in so many ways. I particularly want to thank the shadow Minister, the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard), for kindly welcoming me to my place—we are going to be a south-west stronghold. I am delighted that he is supporting the regulations. I also thank the Chairman of the Environment, Food and Rural Affairs Committee, my hon. Friend the Member for Tiverton and Honiton (Neil Parish), for his kind words, and the hon. Member for Falkirk (John Mc Nally), with whom I had many enjoyable times on the Environmental Audit Committee. Working together on these things is important.

In order to prepare for the UK leaving the EU, it is essential that we have the right legislation in place to continue to protect plant biosecurity, while facilitating the trade and movement of plants and plant material around the world. We have a great many plants coming into the UK, but equally we export a great many plants. That must continue, but it must be safe, and we must be sure that any diseases or pests are under a tight microscope.

I take slight issue with the shadow Minister, because I do not believe that this statutory instrument has been rushed. Importantly, as I mentioned—I am sure he was listening—these regulations update legislation to include the particular biodiversity threats posed by the rosette virus and the oak processionary moth. Those threats have come to light since 31 March, and it was essential that we included them in the regulations. That demonstrates that we are on the ball and will not let things pass under the radar. I hope that the shadow Minister agrees.

A number of points were raised, and I will whizz through a few of them. The hon. Member for Strangford (Jim Shannon) asked what we are doing about alien species. As I said, we work with evidence to develop a risk-based and proportionate approach to plant health measures. We have in the past introduced precautionary national measures to protect the UK against threats that we see arising elsewhere in the EU and beyond. A good example is the stronger national legislation we put in place against *Xylella fastidiosa* in response to the situation elsewhere in the EU. We are now introducing national legislation to protect against the oak processionary moth and a potato pest called *Epitrix*.

The hon. Member for Clwyd South (Susan Elan Jones) raised a question about material in transit from third countries. Regulated material will transit in sealed conditions through the EU with a phytosanitary certificate. Material entering England via the roll-on roll-off ports will need to transit to a point of first arrival in England, where plant health inspectors will carry out plant health checks. A very definite system is set in place, and people exporting and importing plant material have all had notification of this, so it is quite clear what is going to happen. Such material must be pre-notified to the APHA, which will inspect it before releasing it, and direct third-country imports, sea and air freight will be checked at the border, as currently.

Luke Pollard: Briefly on that point, in an SI Committee in which we talked about checking air freight, a Minister mentioned containerisation, but did not mention any containers coming via a rail link. Given what the Minister has said today, can she say whether that includes any freight that comes via rail?

Rebecca Pow: Well spotted. I am glad that the shadow Minister is on his toes. Yes, that will also include rail freight. I am glad we have cleared that one up.

Early warning systems for new threats were raised in the debate. As I think I suggested, pest, plant and disease experts in DEFRA, the APHA, the Forestry Commission and the devolved Administrations all work together already, providing an exceptional capability to protect plant biodiversity in the UK. All those bodies will continue to function and collaborate as we leave the EU.

Global warning threats were mentioned. Again, specialists will continue to work with pest and disease specialists in UK universities to inform our understanding of the risks. That is really important, and it is absolutely on the radar—for example, there is modelling of trade pathways for pests to arrive in the UK and the potential spread of outbreaks. Specialists will continue to collaborate with industry and stakeholder groups, and to develop citizen science capabilities and systems so that the public can help identify and report pest risks. Such citizen engagement is actually very useful in these areas.

I will move on to some of the points raised by the shadow Minister. He raised the issue of potential errors, given the number of changes being made and the errors being corrected. Our intention to retain relevant EU legislation has inevitably meant that it was not possible to include everything in earlier SIs, as EU legislation is updated frequently, especially in this kind of area. The purpose of this instrument is to introduce certain provisions that could not be included in earlier EU exit SIs, principally because they concern recent changes in plant health legislation. These changes are necessary to ensure that all deficiencies have been fully addressed. I hope he is happy with that answer.

The shadow Minister also asked whether we can be confident about the accuracy of other EU exit SIs. As I am sure he knows, such instruments go through the normal checking processes for draft SIs, including second and third pairs of eyes, and checks with DEFRA and other Government lawyers. They are also scrutinised by the Joint Committee on Statutory Instruments. The principal focus of this instrument concerns operability, and the need to make technical changes and introduce certain provisions developed and agreed subsequent to earlier SIs.

The shadow Minister asked what consultation or impact assessment has been carried out, with whom and when. No separate formal consultation with stakeholders or impact assessment was undertaken because this instrument, as I have mentioned, makes many technical amendments, the purpose of which is to preserve biosecurity protections and assurances when the UK leaves the EU. It is not intended to change substantive policy.

The database for sharing information on biosecurity threats was mentioned. There is some precedent for third-country access to EU notification systems, and we

will seek to negotiate such access with the EU. However, DEFRA has developed fallback positions for the eventuality of our losing access to EU notification systems. We are developing our own database to capture details of interceptions and incursions from day one to inform our decision making. All EU systems have publicly available elements that the UK will continue to access after exit. Our dedicated UK-wide risk and horizon-scanning team will continue to gather intelligence on plant health risks, including from other organisations, agencies and networks, and by increasing bilateral relationships with key trading partners and our nearest neighbours. Functionality has been added to the UK-owned plant portal to replace some EU notification systems. It is something that we take incredibly seriously, so under no circumstances would the Government let any of that slip, because it is crucial for all of us.

I shall touch quickly on a couple of points made by the Scottish National party spokesman. On the right for Scotland to make its own arrangements, plant health unfortunately is devolved, and Scottish Ministers have made the decision that they will deal with technical deficiencies relating to plant health legislation in Scotland, which will arise when the UK leaves the EU, by introducing their own EU exit SIs in Scotland. We are working closely with the Scottish Government, as ever, and the other devolved Administrations on a UK framework for plant health, including governance to minimise the risk of divergence, while respecting the devolved settlement, as the hon. Member for Falkirk will know. We will always work together closely.

The hon. Gentleman asked about protecting against future threats in the plant health regime. Policies in our EU plant health EU exit instruments are risk-based and proportionate, and will apply temporarily from day one until we develop our future plant regime. That will include consideration of the new plant health and official control regulation that will apply in EU member states from December 2019. In future, the Department will seek to take advantage of available technologies to facilitate as frictionless trade as possible while continuing our risk-based and proportionate approach to maintaining high standards of biosecurity. Again, DEFRA and the Food Standards Agency are working together closely to develop proposals on that.

I hope that hon. Members fully understand the need for the regulations, which has been made quite clear today. As I have outlined, they correct technical deficiencies and ensure that existing regimes for safeguarding UK biosecurity will continue to operate effectively from day one after exit. They ensure that newly regulated pests, plants and other material continue to be regulated after exit and provide for an internal market in plant material. I thank everyone for their input, and I very much look forward to collecting my tree. It is protecting such trees that the SI is all about.

Question put and agreed to.

Exiting the European Union (Environmental Protection)

4.18 pm

The Minister of State, Department for Environment, Food and Rural Affairs (Zac Goldsmith): I beg to move,

That the draft Environment and Wildlife (Legislative Functions) (EU Exit) (Amendment) Regulations 2019, which were laid before this House on 24 July, be approved.

The convention on international trade in endangered species—CITES—provides protection for more than 35,000 species of endangered animals and plants, from pangolins to parrots, through to guitars made from rosewood. By regulating international trade in live animals and plants and in parts such as fur, feathers and seeds, the convention aims to reduce the threat to those species in the wild. The UK is completely committed to supporting the work of CITES. At the recent CITES conference of parties in August, the UK used its world-leading scientific and technical expertise to play a pivotal role in proceedings. As a result of those interventions, 93 new species, including giraffes, mako sharks, sea cucumbers and several species of otter, lizard, spider and box turtle have enhanced protection under the convention.

Mr Jim Cunningham (Coventry South) (Lab): I congratulate the hon. Gentleman. This is the first time I have taken part in a debate when he has been at the Dispatch Box. There have been reports about some of this country's traditional species either disappearing or dropping in number. What are we doing to encourage the growth of those species, given climate change? They are naturally species for the climate of this country.

Zac Goldsmith: The hon. Gentleman is right to point to the collapse in biodiversity in this country, which is mirrored across the world. The purpose of the regulations is to deal with CITES specifically in relation to the import and export of endangered species from abroad, but he is absolutely right to raise the issue. We are completely committed to bringing in an environment Bill—we hope in a matter of weeks—which will set us on a course to reversing the biodiversity loss we are experiencing in this country. We could debate for hours what that involves. I do not think that this is the time for that, but it has my commitment—I am sure my colleague on the Front Bench, the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Taunton Deane (Rebecca Pow), would make the same commitment—to do everything we can, for as long as we are in the Government, to play our role in turning around the extinction crisis we are experiencing in this country.

Sir John Hayes (South Holland and The Deepings) (Con): While the Minister is on this subject and while you are allowing us to go into these areas, Mr Deputy Speaker, it is critically important that we plant more native species for exactly the reasons offered. Ash dieback is a good example, there is the disease affecting oak trees, and we know that horse chestnuts have suffered too in recent years, yet Network Rail and local authorities continue to decimate our tree population. To compensate for just that, the Government need a planting scheme of unprecedented proportions. I want millions more trees planted and there is no better Minister than this one,

who has been such a champion of the environment throughout his political career, to be the spearhead to take that forward.

Zac Goldsmith: I thank my right hon. Friend very much for his kind words and his intervention. He is absolutely right. We need a hugely ambitious tree planting programme for this country. We do have an ambitious tree planting programme, but my view is that we need to step it up even further. We are certainly planning to do so and there will be, I can tell him tantalisingly, some announcements soon to that effect. It is not just about planting trees; it is also about ecosystems and encouraging wildlife in all its forms. As he knows, one of the advantages of leaving the European Union is that we can change the common agricultural policy to a system that, instead of paying people simply for owning land—effectively, simply for being wealthy—we will be paying them subsidies in return for providing public goods like improving biodiversity, flood prevention and so on. This is one of the great Brexit bonuses that I am looking forward to.

Neil Parish (Tiverton and Honiton) (Con): I welcome my hon. Friend to his new position. Further to his answer to my right hon. Friend the Member for South Holland and The Deepings (Sir John Hayes), we now have an opportunity, with a new agricultural policy, to plant the right kind of trees. We need the right advice to plant trees in the right place so they do not get diseases and are not destroyed later. We have a real opportunity to make practical changes, moving on from the common agricultural policy, that work in different parts of the country. Different trees may need to be planted in different climatic conditions.

Zac Goldsmith: I thank my hon. Friend for his intervention and all the work he has done on these and associated issues. I could not agree with him more. I look forward to the publication of our tree strategy in a couple of months. From what I have seen so far, it will address those concerns head-on.

Andrew Percy (Brigg and Goole) (Con): The Minister will be aware that my constituency will be included in the northern forest, which we are very excited about. I know he is very busy, but I invite him to come to North Lincolnshire where, in a couple of weeks' time, North Lincolnshire Council will be launching its own new environmental strategy to ensure that the resources it has, be they grass verges or open green spaces, are better utilised to increase the amount of habitat available. We will be launching that very shortly and he is welcome to visit at any time.

Zac Goldsmith: I thank my hon. Friend very much. I have heard a bit about what his council is doing and it does sound inspired. I would love to take him up on his very kind invitation. We will talk later. Now I am going to make some progress.

The Government's support for CITES is just one part of a much bigger and wider commitment to tackling the catastrophic loss of biodiversity we are now facing. At the UN General Assembly a couple of weeks ago, the Prime Minister announced a new £220 million international biodiversity fund to protect and restore biodiversity. The new fund will provide support for, among other things, a new biodiverse landscapes initiative, substantial

uplifts to the world-renowned Darwin fund, and work to combat the illegal wildlife trade, including for the IWT Challenge Fund. He also announced a doubling of international climate finance to £11.6 billion. That will provide for a massive scaling up of nature-based solutions to climate change, which are vital if we are serious about averting the threat not only of mass extinctions, but of climate change. The proposed legislation makes sure that after we leave the European Union, the regulations implementing CITES will work in the UK.

CITES is currently implemented in the EU through a number of regulations known as the EU wildlife trade regulations. Those EU regulations will become retained EU law on exit day. We have already made various EU exit regulations to make the legislation work in the UK. This statutory instrument corrects the drafting in one of the previous EU exit instruments.

The EU regulations put in place a system of permits and certificates for cross-border movement of specimens of endangered species. The main EU regulation, No. 338/97, contains a number of derogations—exceptions—from the permitting regime. Further detailed provisions on derogations are then set out in a subsidiary, implementing regulation, No. 865/2006. The main regulation gives the European Commission powers to legislate and set out these rules in subsidiary legislation.

We are talking here about specific provisions. The main regulation contains derogations in articles 7(1) to 7(3). These relate to specimens of species born and bred in captivity or artificially propagated, specimens in transit, and specimens that are personal and household effects. Article 7 currently gives the European Commission legislative powers to make further detailed provisions on these derogations, and that has been done in subsidiary legislation—EU regulation No. 865/2006.

These derogations cover, for example, the process by which someone may be able to import certain artificially propagated orchid hybrids without the normally required CITES paperwork and checks, recognising the low conservation risk that that trade has. They also govern how someone might be able to move a piece of rosewood furniture when a family moves from one country to another.

This SI ensures that the Secretary of State has the necessary legislative powers to amend detailed provisions on key derogations in retained EU law. It corrects the drafting in a previous SI, the Environment and Wildlife (Legislative Functions) (EU Exit) Regulations 2019—henceforth referred to as SI 2019/473—which will in turn amend CITES-related retained EU law on exit day. SI 2019/473 provides for the Secretary of State to carry out functions currently performed by the European Commission and for her to set out the detailed provisions on the relevant article 7 derogations “in writing”.

This proposed SI makes two amendments. The first corrects a drafting error, so that the Secretary of State can set out the regulatory detail of the derogations “in regulations”, as opposed to “in writing”. That will ensure that the Secretary of State has the legislative power to amend the retained EU law provisions after exit. This ensures that we can, for example, amend the detailed derogation provisions to strengthen the controls that we have in line with our oft-stated policy aims. The second amendment provides that regulations made by the Secretary of State in respect of these derogations will be subject to parliamentary scrutiny under the negative resolution procedure.

The Government have made it clear that the intention is to raise the bar for environmental standards when we leave the European Union. This includes our efforts to protect endangered species and our commitment to CITES.

Jim Shannon (Strangford) (DUP): When Ministers are outlining what is going to happen in the House, it is also important that the regional devolved Administrations, whether they are in Northern Ireland, Scotland or Wales, are under the same rules and regulations. Will the Minister confirm that that is the case—that what he is bringing before the House tonight on environmental protection will also apply to Northern Ireland, which I represent?

Zac Goldsmith: I thank the hon. Gentleman for his intervention. This instrument deals with entirely reserved matters. A draft of it has been shared with the devolved Administrations, but for information, the answer is that it will apply across the board.

These changes have been made because they are necessary to make it clear that the Secretary of State has the power not simply to take administrative action, but to legislate and amend retained EU law in respect of these key derogations. This will ensure that retained EU law is operable on exit.

In conclusion, I reiterate that this instrument will ensure that the Secretary of State can amend detailed provisions on key derogations in the regime implementing CITES. It provides for regulations made by the Secretary of State in respect of those derogations to be subject to parliamentary scrutiny under the negative resolution procedure. This instrument is thus necessary to ensure the full operability of retained EU law after we leave the EU. For those reasons, I commend this legislation to the House.

4.29 pm

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I am afraid we are here again, for the second SI in a row, correcting mistakes in previous statutory instruments that the Government rushed through. Just as before, the Opposition will not oppose this SI, because there was a mistake in a previous SI that the Government pushed through, but we did at the time highlight that there could be errors, given the speed.

I welcome the new Minister to his place in the main Chamber, having already done so in a debate in Westminster Hall. I am grateful to him for setting out that this SI corrects the drafting in a previous SI. The rest of his speech was very nice, but it concerned an SI we have already passed. The only thing this SI does is allow the Minister to make regulations. In error, the previous SI said he could only make them in writing, which meant administrative actions which do not carry the same weight as regulatory actions in relation to CITES and other wildlife protection legislation.

There is cross-party agreement that that legislation is very important, and some of the interventions the Minister took were on topics that were also very important, if nothing to do with the SI. The only thing this SI does is correct the mistake of the Minister's predecessor. I do feel for him a wee bit in that respect because he had to say a lot of nice words before he got to the meat of it, which was: “Here's another mistake we've made, and we're going to correct it.”

[Luke Pollard]

I am grateful to the Whips for putting this in the main Chamber, rather than a Committee. Had it been in Committee, no one would have known that the Government had yet again made a mistake in their statutory instruments. Instead, they have given us a platform for all the countless people who like watching SIs on parliamentlive.tv to watch one in the Chamber.

I have high hopes for the Minister. I hope that his insurgent and provocative manner on the Back Benches to drive change from the Government on animal welfare in particular will pay dividends. In the past, we have had lots of soundbites, promises and consultations, but very little action—[*Interruption.*] And many Ministers, as my hon. Friend the Member for Ipswich (Sandy Martin) says. I have high hopes that he will not accept the rum deal that his predecessors were putting out.

As with the Minister in the previous debate, I know that this Minister will be robust in this regard, and I hope this will be the last time that either has to come to the House to correct an SI that has been pushed through too fast without proper scrutiny or work. I suspect other errors will be found, however, particularly in the surge of SIs around February and March. This is not the first, the second or the third time the House has had to correct a drafting error in an SI.

I politely say to the Minister that a piece of work could usefully be done by DEFRA officials, who, to be fair, have had the most SIs to get through. Though no blame is being attached to them, the speed at which the SIs were reviewed will inevitably have let through some gremlins, such as this one. This was an important one to catch because the powers in article 7 that he set out are important. We need to make sure the Secretary of State has the ability to correct and make regulations, rather than just make administrative pronouncements.

I encourage the Minister not to accept any such errors and to make sure there is a robust process in place, because I suspect that this will not be the last time he has to stand at the Dispatch Box to correct an SI that has gone wrong. That said, I also encourage him to carry on fighting the good fight, because there is lots to be done on animal welfare and climate change in his Department. The Opposition wish him well in that. There is cross-party support for more robust animal welfare action, and, as we have seen from the protesters outside, more robust action on climate change.

4.33 pm

John Mc Nally (Falkirk) (SNP): I, too, welcome the Minister to his position and acknowledge his understanding of the subject. It has just occurred to me that the Environmental Audit Committee has been a magnificent educator of MPs. The hon. Member for Wakefield (Mary Creagh), who is not in her place, is to be congratulated on her drive. Maybe I will assume a similar role some time in an independent Scotland.

We in the SNP, regardless of our opposition in principle and in its entirety to the UK's withdrawal from the EU, fully understand that continuity is important and that SIs are necessary to preserve the framework around the status quo. The UK Government have now stated their intention to diverge from current EU regulation in a range of areas, including environmental standards. That is a backward step towards the UK's once again becoming known as the dirty man of Europe.

How ridiculous it is that Chamber time is again being taken up by discussion of what are largely technical amendments. It is simply a demonstration of how chaotic the Government have become and of the crippling ongoing uncertainty that the Tory party has caused across the UK to individuals, families, small and medium-sized enterprises and larger businesses alike. This is a shameful state of affairs.

Let me say, as a member of the very effective Environmental Audit Committee, that our eyes were opened to the variety and the range of invasive species from which we are at risk. One of the greatest threats to biodiversity worldwide is posed by invasive non-native species, and that threat is particularly pronounced in relation to fragile island ecosystems.

Scotland has led the way in the UK and is often praised at our Committee meetings. Indeed, no less a person than the Chancellor of the Duchy of Lancaster, the former Secretary of State for Environment, Food and Rural Affairs, said:

"I have to be honest, there are things that both the Scottish and Welsh Administrations have done that have been admirable and in advance of what has been done in England, so they have set the standard for the UK."

Is it any wonder therefore that Scotland takes the environment very seriously and that we as a country remain concerned about any power grab back to Westminster and the threat of any deterioration in standards?

The EU created a statutory framework to prevent the introduction and spread of non-native species. The European Union's 2015 regulation to address the problem on an EU scale will help to protect the British Isles from the introduction of invasive species, including those from mainland Europe, and will thus contribute to our efforts to adhere to the internationally adopted approach to non-native species, which prioritises the prevention of introduction over intervention post-introduction. It is very much a case of an ounce of prevention being better than a pound of cure.

Imposing a UK-wide framework for the environment risks undermining the significant progress that Scotland has made. We have grave concerns about the UK Government's Brexit power grab, particularly in relation to environmental protections. We are not opposed to UK-wide frameworks when they are in Scotland's interests, but they must be agreed and not imposed. That must also happen in a manner that respects and recognises devolution. The First Minister has made it clear that any threat to Scotland's distinctive and ambitious approach to environmental standards and climate change is completely unacceptable.

Imposing UK frameworks could do substantial damage to work done by the Scottish Government. For instance, we used EU rules to ban genetically modified crops in Scotland to protect our environment and to support Scottish agriculture. There is no such ban in England. A UK-wide framework could see the ban lifted, threatening Scotland's clean, green brand and placing the future of its £14 billion food and drink sector under a needless and avoidable threat.

Scotland has gained international recognition for our work on climate change and the circular economy, and make no mistake: that worldwide recognition will be protected by Scottish National party MPs. Scotland has already halved emissions. Net zero emissions will require different and more difficult choices than have been

made to date, but we will make those difficult decisions and have those difficult conversations. Furthermore, in direct response to the Paris agreement, the Scottish Government's climate change Bill will maintain our legislation as the most stringent in the world.

It seems appropriate for me to end by quoting what was said by a Minister in the Scottish Government about frameworks. We should be mindful of her words. She said:

“Imposing a UK-wide framework for the environment risks undermining the significant progress Scotland has made, which has seen us win international recognition for our work on climate change and the circular economy.

We are not opposed in principle to UK-wide frameworks in certain areas but this must be through agreement—not imposition.

Protecting devolution will allow us to drive forward our ambitious work to reduce greenhouse gas emissions, enhance environmental standards and create a cleaner, greener Scotland for everyone.”

4.40 pm

Sir John Hayes (South Holland and The Deepings) (Con): I had not intended to contribute to this brief debate until I heard the contribution from the hon. Member for Falkirk (John Mc Nally). I simply wish to point out, partly for his benefit and partly for the House's edification, the two fundamental contradictions in his argument. The first was that he felt that this matter should not be debated on the Floor of the House. Yet, time and again, we hear Opposition speakers argue—the shadow Minister, the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard), was happy enough to acknowledge this—that we should be debating things on the Floor of the House, that they should not be debated upstairs in a Committee Room and that they should be debated in a way that allows as many Members as possible to participate.

The second irony at the heart of the hon. Gentleman's argument was that he made a case for devolution of power to Scotland on the grounds of particularity, yet he does not seem to want devolution from the European Union to here, which is what these regulations are about. The regulations are clear that they transfer powers currently held by the European Commission to this House, allowing us to make more sensitive decisions in tune with the needs of this kingdom—this country. I thought it extraordinarily ironic that the hon. Gentleman should make a case for the very particularity that these regulations afford this House and this Government.

My brief contribution was designed to help the hon. Gentleman to refine his future contributions. I know that he will welcome that help.

4.41 pm

Zac Goldsmith: I will be quick, because there is an important debate coming up.

I thank right hon. and hon. Members who have contributed to this afternoon's debate. I particularly thank the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) for the tone of his contribution. I have no doubt—indeed, I know—that he is very serious about taking on the challenges that we have been discussing today. I appreciate the manner in which he engages on this issue. I note his comments and absolutely accept his challenge. The insurgency will continue.

I also thank the hon. Member for Falkirk (John Mc Nally). I believe that his concerns about standards dropping after Brexit are unfounded. With every week that passes and every piece of legislation that the Government introduce, we will demonstrate that he is wrong. No doubt, he will be happy to be proven wrong on that point.

The UK remains committed to effectively regulating trade in endangered species to ensure that that trade does not threaten the survival of those species in the wild. These regulations will ensure the operability of retained EU law implementing CITES after we leave the EU, specifically by ensuring that detailed provisions on key derogations can be amended by the Secretary of State.

Question put and agreed to.

BUSINESS OF THE HOUSE (PROROGATION)

Resolved,

That, at this day's sitting, the Speaker shall not adjourn the House until a message has been received from the Lords Commissioners.—
(*Colin Clark.*)

Andrew Percy (Brigg and Goole) (Con): On a point of order, Madam Deputy Speaker. We have just agreed to a Prorogation, which will take place later this evening. I wonder whether you could give us some assurance that, this time when we prorogue, Government Members will not be subjected to the sort of abuse that we were subjected to at the last Prorogation ceremony. I sat here, but in the end walked out, so disgusted was I to see Opposition Members on their feet screaming, “Shame!” at hon. Members, pointing, jabbing their fingers and making some awful hand gestures in the direction of Black Rod as she approached, and to hear foul language besides. Perhaps people will not have had quite so much to drink this time—it will not be at 1 o'clock in the morning—but we were offered no protection on that day from the Chair. Can you assure us, however, that if we see the same sort of bullying and hectoring behaviour this evening, we will be protected by the Chair this time?

Madam Deputy Speaker (Dame Rosie Winterton): I thank the hon. Gentleman for that point of order.

Valerie Vaz (Walsall South) (Lab): Further to that point of order, Madam Deputy Speaker. The previous Prorogation was unlawful. This Prorogation is not unlawful.

Madam Deputy Speaker: I thank the hon. Lady for that point of order. I hope that, in this House, we will all respect each other and that we can conduct proceedings in a polite and respectful manner. The hon. Gentleman has put his feelings on the record, as has the hon. Lady. I suggest that we now move on.

Martin Vickers (Cleethorpes) (Con): Further to that point of order, Madam Deputy Speaker.

Madam Deputy Speaker: I hope that this will not be too prolonged.

Martin Vickers: Following the ruling of the Supreme Court, Parliament returned early from Prorogation, and we have spent a fortnight now in effect going through action replays of what has already taken place.

[Martin Vickers]

Has any assessment been made of the cost to the taxpayer of Parliament being here and serving no useful purpose?

Madam Deputy Speaker: I thank the hon. Gentleman for that point of order. Perhaps I should point out, however, that I am sure we would all agree that the debates that take place in our Parliament are always worth while, that the debates over the past few weeks were conducted in the proper fashion on excellent subjects and that all Members who spoke made marvellous contributions. We should now move on to the general debate on baby loss awareness.

Baby Loss Awareness Week

4.46 pm

The Minister for Care (Caroline Dinanage): I beg to move,

That this House has considered baby loss awareness week.

This is the fourth Baby Loss Awareness Week debate, and it is incredibly heartening to see how this has become an annual event in the House. It helps to send a clear signal outside this place about the importance of this subject in the Chamber, in the Department of Health and Social Care and in the national health service.

Over the years, many Members of Parliament have been brave enough to share their personal and painful accounts of baby loss, which, while heartbreaking to hear, have done so much to raise the profile of this important issue and to start vital conversations about it. It is absolutely right and fundamentally important that we continue to raise awareness of both the devastating impact of baby loss and the support that bereaved parents need through the grieving process to help them adjust to their loss. I do not think people ever fully heal or get over the loss of a much loved and much wanted child, but with the right care and support they might be able slowly to move forward with their lives.

Mr Jim Cunningham (Coventry South) (Lab): I identify with everything the Minister has said so far. One point about these debates for members of the public who have not experienced baby loss, and for some Members here, is what we learn about the heartbreak and, in some instances, the lack of support. In general terms, it has been very good to have these debates—even if we do have them annually—because they educate the public about an issue that has too often been shoved under the carpet, for want of a better term. It is better that people now understand what other people go through in life, so I do appreciate the Minister's opening remarks.

Caroline Dinanage: I thank the hon. Gentleman so much for that intervention. He is absolutely right. In this place, we have a unique opportunity to raise subjects that people find it difficult to talk about out there. In doing so, we shine a light on those subjects, and we are able to really begin to move the dial and to change practice.

With that in mind, I would like to pay tribute to the hon. Member for Eddisbury (Antoinette Sandbach) and my hon. Friend the Member for Colchester (Will Quince), who is desperate to speak, although, being a Minister, he is prevented from doing so, so we will have to restrain him. However, in a late-night Adjournment debate back in 2015, they began to raise awareness of the variation in care for families bereaved by baby loss. It was an incredibly moving debate—I remember listening to it at the time—and it really made such a magnificent difference. It was followed by the Baby Loss Awareness Week 2016 debate, which was about bringing the subject to light and challenging the idea that baby loss is an uncomfortable topic that we do not like to talk about. I am grateful to the Members from across this House who shared their personal experiences on that day back in 2016 and have done since.

International Baby Loss Awareness Week begins tomorrow and finishes next Tuesday. This year, the focus is on the need for specialist psychological support for bereaved parents who need it. The Baby Loss Awareness Alliance group of charities will be publishing a report highlighting that some parents need that kind of support as part of their bereavement care.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I wholeheartedly support the thrust of this debate and what the Minister is saying. I am not going to make a speech today—I did that last year—but when a child is lost, which as Members know has affected my family, counselling and gynaecological advice are hugely important. However, my constituents are over 100 miles from the nearest hospital where someone can give birth. I just want to put it on the record that a 200-mile round trip from Caithness to Inverness makes getting the counselling and gynaecological advice so difficult. My constituents are losing out on that front, and I wish that Caithness general hospital in Wick could be used for such purposes.

Caroline Dinanage: I am grateful to the hon. Gentleman for raising that. The situation is particularly difficult in rural communities where people live a very long way from services. As we set out in the NHS long-term plan, maternity outreach clinics are going to start to integrate maternity, reproductive health and psychological therapy for women experiencing mental health difficulties arising from or related to maternity experience, and we must keep in mind those living in very remote communities when we talk about those outreach facilities.

Andrew Percy (Brigg and Goole) (Con): This is such an important topic. While the Minister is on the subject of outreach clinics, may I also emphasise to her the need for maternity bereavement suites within maternity suites? I am proud to have helped secure £22,500 for the new facility at Scunthorpe hospital that opened over the summer, and I pay tribute to the Health Tree Foundation for securing that £175,000 project. It took years but we now have a bereavement suite where parents who have had a stillbirth can spend time with their other children and with their baby on the ward in that maternity suite, just as other young mums and dads do. It is a really important part of the healing process. Frankly, that should be the norm throughout all our maternity suites. As we mark Baby Loss Awareness Week, perhaps the Government could consider such a system for the country as a whole.

Caroline Dinanage: I am grateful to my hon. Friend for raising that point. He is absolutely right that we need to give that area a lot more attention. Having that ability to spend time together will be an incredibly valuable and important part of the process of grieving and coming to terms with the unbelievably tragic death of a baby.

Tim Loughton (East Worthing and Shoreham) (Con): On the question of raising awareness, a job that was so ably started by my hon. Friends, the Minister will be aware of my Civil Partnerships, Marriages and Deaths (Registration etc) Act 2019, which became law in May, two parts of which relate to stillbirth. One gives the Secretary of State the power to have coroners investigate stillbirths and the other sets up a review by the Secretary

of State to look into the registration of pre-24-week stillbirths. That review body has not met for over a year, so can the Minister update us on when the legislation will be laid so that, for the first time, coroners will have the power and ability to investigate stillbirths where they see fit to do so?

Caroline Dinanage: I am grateful to my hon. Friend for raising that matter, because he brought forward a really important private Member's Bill. The consultation concluded on 18 June after receiving over 350 responses. Officials are currently analysing all those responses and will report as soon as possible.

Much has been achieved since 2015 to improve the quality of bereavement care for parents, and I put on record the efforts of the all-party parliamentary group on baby loss, ably led by my hon. Friend the Member for Eddisbury with support from Members on both sides of the House. I will speak more about developments in bereavement care in a moment, but first I would like to talk about some of the progress made by the NHS on improving safety and reducing baby loss in maternity and neonatal services.

I cannot continue any further without putting on record my enormous thanks and gratitude to my right hon. Friend the Member for South West Surrey (Mr Hunt), who has done more than anybody to further the cause of patient safety and to investigate the untimely deaths of babies, and across the NHS. I thank him from all of us for his incredible work in that space.

Members will be aware of the Government's ambition to halve the rates of stillbirths and neonatal deaths by 2025, with an interim ambition to achieve a 20% reduction in those rates by 2020. The ambition includes similar reductions in maternal mortality and serious brain injuries in babies during or soon after birth, and a 25% reduction in the pre-term birth rate from the current 8% to 6% by 2025.

This ambition was set in November 2015, when the *Lancet* stillbirth series ranked the UK 33rd out of 35 high-income countries for stillbirths. Case reviews of stillbirths and neonatal deaths suggest that many such deaths might have been prevented by better clinical care, and the Morecambe Bay investigation report made 44 recommendations for improving the safety of maternity services.

In 2016-17, the Department of Health launched a range of initiatives that are being delivered by the NHS under the auspices of the maternity transformation programme, and I would like to mention a few of those achievements. Every NHS trust with maternity services now has a board that includes obstetric and midwifery safety champions to lead the development of an organisational safety culture. Every trust has received a share of the £8.1 million maternity safety training fund, and 30,945 training places for multidisciplinary teams were delivered in 2018-19, with courses focusing on training for childbirth emergencies in labour wards and in the community, as well as on leadership, communication and resilience.

Evaluation of the "Saving Babies' Lives" care bundle found that clinical improvements such as better monitoring of a baby's growth and movement in pregnancy, as well as better monitoring in labour, mean that maternity staff have helped to save more than 160 babies' lives

[Caroline Dinenage]

across 19 maternity units. An estimated 600 stillbirths could be prevented annually if all maternity units adopted national best practice. A revised version of the care bundle is currently being rolled out across England, and it includes elements to reduce the number of pre-term births and to optimise care where pre-term delivery cannot be prevented.

Andrew Jones (Harrogate and Knaresborough) (Con): I associate myself with the Minister's positive words about my right hon. Friend the Member for South West Surrey (Mr Hunt) and all he did to improve patient safety in the NHS. It was a fantastic piece of work.

Mr and Mrs Pickup of Knaresborough have suffered significant personal loss but are seeking to drive change to ensure that no other family have to face the same tragedy. The issue is with the automatic sharing of medical records between trusts. The process used within the NHS to ensure that that happens has not always worked very smoothly, so will my hon. Friend please consider this matter as she works to improve patient safety across the NHS?

Caroline Dinenage: My hon. Friend is right to raise that matter. When a tragedy could have been avoided by something as simple as sharing patient records, there is no option but to embrace the technology we need to make that a reality. Both the previous and the current Secretary of State for Health and Social Care are in favour of that.

Every trust is now using the perinatal mortality review tool to review stillbirths and neonatal deaths to make sure lessons are learned so that other families do not have to suffer in the same way. The first annual PMRT report is due for publication later this week, and it will provide an analysis of the first 1,500 cases. Overall, a review has been completed on 96% of stillbirths and 86% of neonatal deaths since the tool was launched.

Jamie Stone: The Minister talks about safety advice and safety good practice, so may I ask her and the UK Government to share that advice with NHS Highland and indeed the Scottish Government, who have never in my two years or so here given me a straight answer on the safety of pregnant women? Some of those women, who might be in labour, are being transported more than 100 miles from Caithness to Raigmore Hospital in Inverness, in the middle of winter, when the A9 can be blocked. I think lives are in danger.

Caroline Dinenage: The hon. Gentleman has put his thoughts clearly on the record, and if there is anything we can ever do to share best practice with colleagues across the devolved nations and around the rest of the world, we are always happy to do that.

The Healthcare Safety Investigation Branch is another remarkable innovation. It commenced investigations in April 2018 and has been operational in the 130 trusts providing maternity services since the end of March 2019. By the end of August, the HSIB had completed 88 investigations, with 169 draft reports looking into maternity and neonatal deaths currently with trusts and families.

NHS Resolution recently published a report on the first year of its early notification scheme for potential birth brain injuries. The scheme requires all births at NHS trusts in England from 1 April 2017 meeting qualifying criteria to be reported to NHS Resolution within 30 days for investigation, so families with a baby affected by a severe brain injury attributable to substandard care can receive significantly earlier answers to their questions. This approach means that they do not have to resort to full court proceedings and can receive financial support with their care and other needs at a much earlier stage. In the first year, 746 incidents were eligible for the scheme. There have been early admissions of liability for 24 families, who have been provided with detailed explanations, admissions of liability and, very importantly, an apology. Families have been provided with financial support for early access to additional care, respite and, where needed, psychological support and counselling.

I am happy to report that this summer the Office for National Statistics reported that the stillbirth rate in England had decreased from 5.1 stillbirths per 1,000 births in 2010 to four stillbirths per 1,000 births in 2018. That represents a 21% reduction in stillbirths two years ahead of our ambitious plan.

Neil Parish (Tiverton and Honiton) (Con): I thank the Minister for Baby Loss Awareness Week and for her statement. Let me reiterate that many mothers want to have a natural childbirth, and it is essential that they can do so if possible, but we also need to make sure that the facilities are there in all of our maternity units to be able to act if a natural birth does not take place, so that we can deliver the baby without any brain injury.

Caroline Dinenage: My hon. Friend is right, and so much of what the Government have been working on in recent years is about making sure we have the right facilities, skills and knowledge right across our NHS estate.

Let me reiterate what I mentioned a moment ago, which is that we have seen a 21% reduction in stillbirths two years ahead of our ambitious plans. Of course every stillbirth is a tragedy, but I am sure the House will want to join me in paying tribute to midwives, obstetricians and other members of multi-disciplinary maternity and neonatal teams across the NHS for embracing the maternity safety ambition that we set, and for their incredible hard work in achieving this milestone two years ahead of target—that is remarkable. However, there is no room for any complacency, because there is so much more to do.

Many Members will be aware that the neonatal mortality rate in 2017 was only 4.6% lower than it was in 2010, and that headline figure hides the fact that the ONS data show that the number of live births at very low gestational ages, most of whom die soon after birth, increased significantly between 2014 and 2017. In fact, the neonatal mortality rate in babies born at term—that is, after at least 37 weeks' gestation—decreased by 19% and the stillbirth rate in term babies decreased by 31.6% between 2010 and 2018. The pre-term birth rate remains 8%. Clearly, the achievement of our ambition depends significantly on reducing those pre-term births.

Gareth Thomas (Harrow West) (Lab/Co-op): I apologise to the Minister and to the House for missing the early part of her remarks. On the statistics she has just

commented on, is it not the case that we are going backwards in our progress on neonatal deaths? Is it not also true that there is a marked difference in more socially deprived areas since 2014? Does that not suggest that significantly more investment in this policy area is needed urgently, particularly in those areas where social deprivation is most stark?

Caroline Dinanage: The hon. Gentleman is right. We are still going forwards, although nowhere near as quickly as we would want to be going, but there have been some backward steps along the way. A lot of the changes that we have introduced have not yet had the opportunity to take full effect, and I am hopeful that as we move forward we will begin to see neonatal death rates reduce. As I just mentioned, when babies are born at or close to full term, the rate has dropped significantly. It is pre-term births that are causing a lot of concern for us, which is why we are putting continued effort into this issue.

In the long-term plan that was published in January, the NHS committed to accelerate action to achieve the national maternity safety ambition. Maternity services will be supported to implement fully an expanded “Saving Babies’ Lives” care bundle across every maternity unit in England by 2020. The development of specialist pre-term birth clinics will be encouraged in England, which should help very much.

NHS England and NHS Improvement will continue to work with midwives, mothers and families to implement the continuity of carer model, so that by March 2021 most women will have a named individual caring for them during pregnancy and birth and postnatally. That will help to reduce pre-term births, hospital admissions and the need for intervention during labour. It will also improve women’s experience of care.

Let me return to bereavement care. Members will be aware that for three years the Department of Health and Social Care has provided funding to the charity Sands for it to work collaboratively with other baby loss charities and the NHS to develop and pilot the roll-out of a standardised national bereavement care pathway for parents who have experienced baby loss, whether through miscarriage, termination after receiving a diagnosis of foetal abnormality, stillbirth, neonatal death or, indeed, sudden infant death. The pathway sets out nine standards for good bereavement care and has so far been adopted by 40 trusts. I hope that many more will follow.

Sarah Champion (Rotherham) (Lab): I was contacted by one of my constituents, whose baby died in July at 26 days. She still, now, has been unable to get counselling support. Will the Minister look into giving clear guidance to clinical commissioning groups to make sure that the National Institute for Health and Care Excellence guidance on bereavement is there for everyone?

Caroline Dinanage: Yes. That guidance is there. My heart goes out to the hon. Lady’s constituent. If she wants to get in touch with us about any lack of access to care and support, we will almost certainly be able to help and look into it for her.

Bereaved parents need time to grieve. I take this opportunity to congratulate my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake)—I do not think he is present—who last year had a fantastic private Member’s Bill. As a result, from 2020 the Parental

Bereavement (Leave and Pay) Act 2018 will give all employed parents a day-one right to two weeks’ leave if they lose a child who is under the age of 18 or suffer a stillbirth from 24 weeks of pregnancy.

Finally, the NHS commits in the long-term plan to improve access to and the quality of perinatal mental healthcare for mothers, their partners and children, by increasing access to evidence-based care for women with moderate to severe perinatal mental health difficulties and personality disorder diagnosis. We also want to increase access to evidence-based psychological support and therapy, including digital options in a maternity setting; the development of maternity outreach clinics, as I have already mentioned, that will integrate maternity and reproductive health; and psychological therapy for women experiencing mental health difficulties directly arising from or related to their maternity experience.

In conclusion, the Government and NHS are fully committed to reducing the number of babies who die during pregnancy or in the neonatal period, and to providing that absolutely fundamental and much-needed support for bereaved families.

5.10 pm

Julie Cooper (Burnley) (Lab): It is a privilege to have the opportunity to speak in this debate, which marks the 18th UK Baby Loss Awareness Week and the fourth debate in this place on the subject. I join the Minister in hoping that this will continue to be an annual event, as this is a really important subject on which we need to focus. I also welcome her comments on efforts to focus on prevention, to share examples of good practice and to learn from mistakes. I also want to put on record my thanks to midwives and obstetricians across the country, who do so much to deliver safe babies.

As a mum and a grandma, I can say that anyone who has ever known the joy of conceiving and giving birth to a child and the joy of watching that child grow and thrive knows how precious it is, and the very thought of losing that is something too painful even to contemplate. The fact is that, every single day, there are 650 miscarriages in the UK, which means that every single day, 650 women and their partners and families experience the most devastating loss. Every day in the UK, nine babies are stillborn, which means that 3,168 mums-to-be a year never get to keep the child that they have carried and loved for nine months. For every 1,000 babies born, between two and three will die before they are 28 days old. That is the equivalent of 2,131 babies every year. Somehow those parents have to find a way to go on. Baby Loss Awareness Week is about raising awareness of their suffering, and it is so important. It is also about finding ways to provide support and about highlighting the need for good care following a bereavement or miscarriage.

This week, bereaved parents and their families and friends will unite with each other and others across the world to commemorate the lives of babies who died during pregnancy, at or soon after birth and in infancy. I want to pay tribute to members of the Baby Loss Awareness Alliance. There are too many to mention individually, but those incredible charities and organisations are working together for change and tangible improvements in policy, research, bereavement care and support for anyone affected by the death of a baby at any stage.

[Julie Cooper]

I want to thank them for the work that they do, and for reminding us that, first and foremost, this week is about remembrance.

The campaign to break the silence is crucial because miscarriage, stillbirth and infant death must not somehow become a guilty secret never to be told. The memories are painful, but precious, and the sharing of experiences with others is important. Many parents affected describe feelings of isolation, extreme sadness, anger and sometimes guilt. They need their experience to be listened to and acknowledged, because a loss of life matters and will always matter.

This week is also about raising awareness about pregnancy and baby loss in the UK and, crucially, it is a call for action. I want to commend the excellent “Out of Sight, Out of Mind” report published today. It is a call for mental health care for bereaved parents. Too often, they fall through the gaps in provision. The report illustrates a system that is at best insensitive and at worst totally inadequate. It is really hard to believe that anyone could ever think that it was appropriate for psychological support to be offered to a parent who has lost a baby on a neonatal ward with other people’s babies present. I was staggered to read also in the report of a bereaved parent turned away from bereavement counselling because they had not lost a loved one. We must do better.

A survey carried out this year found that 60% of bereaved parents felt they needed specialist psychological support for their mental health, but were not able to access it on the NHS. It has long been recognised that women who experience a stillbirth or neonatal death are four times more likely to have depression and seven times more likely to have post-traumatic stress disorder, yet currently, while there are pockets of good practice, provision is too often inadequate and reliant on a postcode lottery, and parents in need are falling through the gaps. This report is a call for the UK Government to act to ensure that all parents who experience pregnancy and baby loss and who need specialist psychological support can access it at a time and place that is right for them—free of charge, wherever they live.

I thank Members on both sides of the House who have on other occasions shared their very personal and painful experiences of loss. I also recognise the sterling work of the all-party parliamentary group on baby loss. Finally, but by no means least, I thank my hon. Friend the Member for Swansea East (Carolyn Harris) for her powerful campaign that led to the establishment of the children’s funeral fund.

I hope that Members on both sides of the House can together acknowledge today that we have heard the call for action and that, most importantly, we guarantee that we will act. In 2020, I want to be standing here and thanking the Government for their achievements in this field.

5.15 pm

Mr Jeremy Hunt (South West Surrey) (Con): It is a great privilege to speak from the Back Benches for the first time in over a decade following two extremely powerful speeches from both Front Benches. I thank the Minister of State and the shadow Minister for two

extremely compassionate and understanding speeches in which they spoke about the sheer pain felt by so many families up and down the country.

I also thank the many hon. Members on all sides—my hon. Friends the Members for Eddisbury (Antoinette Sandbach), for Colchester (Will Quince) and for Banbury (Victoria Prentis), the hon. Member for Washington and Sunderland West (Mrs Hodgson) and many others—who have spoken so powerfully on this matter. I cannot possibly compete with the power of their words because there is nothing that anyone can suffer more than the loss of a child. I just want to make one observation from my many years—some would say too many—as Health Secretary with respect to this issue, and that observation is about the impact on professionals.

When you go around hospitals up and down the country, and ask the doctors, nurses and midwives, “What is the most traumatic thing that has ever happened to you in your professional career?”, almost invariably they will say that it is when they lose a baby. We often talk about the trauma for the families, who of course are the primary victims in this situation, but we must never forget the people who are sometimes called the second victims: the doctors, nurses, midwives and other professionals who have to go home, worrying that if they had done something differently that baby might still be alive, and who have to come back to work the next day and struggle on, dealing with that incredible trauma.

In that situation, those professionals want nothing more than to be completely open, transparent and honest with the families and with their colleagues about what happened to ensure that lessons are learned and that that tragedy is never repeated again. But in the NHS today, we make that practically impossible. People are terrified of the Nursing and Midwifery Council, the General Medical Council, the Care Quality Commission and their trust. They are worried about being fired and they are worried about all sorts of consequences, so the one thing that should happen—the one thing that everyone in that situation wants to happen more than anything else, which is that lessons are learned from that tragedy—is often the one thing that never happens at all.

Let us remember that there are 1,400 neonatal deaths every year, as the shadow Minister said. That is about four every single day across the NHS. The great tragedy—not just in the NHS but in hospitals all over the world—is the fact that a tragedy can happen in Blackpool one day, and a month later exactly the same tragedy can happen in Cornwall. There has not been enough effort to try to share the learnings from such tragedies. I commend the efforts of the Government and my successor Ministers for doing everything they possibly can to put this right and to ensure that we really do become a learning organisation. In truth, though, this is a big job that will take a long time, because it is about changing culture.

The NHS needs to look at other industries that have successfully changed from having a blame culture to having a learning culture. The airline industry is the most famous example, but there are also the nuclear and oil industries. That job of changing culture will be our central responsibility if we are to reduce the agony for parents and the professionals involved in the care of babies. The most powerful way to change culture is to shout out loud and clear those human stories of the terrible loss involved, because that is what promotes change.

I finish by commending everyone involved in Baby Loss Awareness Week—the brave Members of this House who have spoken out, and given many others hope that they are not alone; the many brave members of the public who have relived their own tragedies over and over again to try to promote change in this area; and the Ministers concerned, who have a heavy responsibility when it comes to this agenda, and who I know take that responsibility with the utmost seriousness.

5.20 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): I begin by thanking the hon. Member for Eddisbury (Antoinette Sandbach) for bringing forward this debate. She and I and other Members of the House share a particular interest in this issue. I can hardly believe that another year has passed and we are once again reflecting on Baby Loss Awareness Week, which culminates in Baby Loss Awareness Day on 15 October. Once again, I wish to say that that day is particularly special to me, not just because it is international Baby Loss Awareness Day, but because it was on that day that my son was born stillborn at full term in 2009. He would now have been 10—a baby no more. I think of him every day; in that respect, I am no different from any other parent who has gone through this terrible trauma.

Every single bereaved parent who has lost a baby feels exactly the same about their baby whose life was ended before it could properly begin. That is why I have used my position as an MP, as far as I can, to raise awareness of this issue and help break the taboo around this awful experience. Many Members across this House have done the same. Baby Loss Awareness Day and this week are important. Sadly, every year more people are drawn into the appalling statistics of those who have lost their baby in whatever circumstances.

The theme of this year's reflection is access to mental health support for those who need it in the wake of baby loss. Who could argue with that? Indeed, only last week some of us were in this very Chamber discussing women's mental health. Access to mental health support in the wake of baby loss is important not just for mums, but for dads, too, and indeed extended family members struggling with the loss of a baby whom they had expected to be welcoming to the family. Today, more families will have suffered a stillbirth and will somehow have to try to cope with this appalling trauma.

Mental health support is very important for bereaved parents who need it, not just from a compassionate or moral point of view, although those are important, but from a practical, social and economic point of view. In past debates on the issue, I and others have spoken about the fog of grief that comes from having to bury your baby—the bewildering sense of the world being turned completely on its head. While 50% of marriages end in divorce, parents who suffer the loss of a child are eight times more likely again to separate and divorce, heaping heartbreak on top of heartache. Easier and more prompt access to the correct mental health support could help mitigate that awful statistic, and perhaps help parents who are struggling with grief to stay married, return to the world of work, and remain economically active, which can in time prevent the isolation that grief brings with it too often.

Sarah Champion (Rotherham) (Lab): Before this job, I ran a children's hospice. We were able to provide wraparound care to the whole family. We worked with hundreds of families in my time there, and I am really proud to say that because of that care, not one family separated.

Patricia Gibson: I thank the hon. Lady for her intervention. That is the kind of support we need to put in place, and I am about to talk about wraparound care.

We know that bereaved parents are more likely to develop depression and other mental health issues, perhaps turning to drink or other forms of self-medication, because we know that those who experience stillbirth or baby loss are at a higher risk of mental health challenges. Given what we know, there is really no excuse not to have measures in place in this awful eventuality for those affected by baby loss. The aftermath of baby loss is no more or less traumatic for those affected than living through the immediate experience and the years following it.

Gareth Thomas: I thank the hon. Lady for giving way. She is making a powerful speech, and I strongly support her call for better access to mental health support. I think of the difference that the four-hour target made to quality of care and access to accident and emergency doctors and nurses where needed, and I wonder whether we need a similar target in place, to ensure that trusts and the NHS in general can be accountable for whether access to mental health support is given quickly enough to people who are bereaved in these circumstances.

Patricia Gibson: I thank the hon. Gentleman for his intervention. The point I am trying to make is that because we know that these mental health challenges very often arise following baby loss, there is no reason why the infrastructure should not be in place for when these issues arise. Sometimes the demand is immediate, and sometimes it is months or years after. Sometimes people will choose not to call on these services, but the infrastructure needs to be there to ensure that people have access to it in a timely fashion.

Someone pointed out to me today a comment on social media from a chap who spoke about “awareness day fatigue”, but he also acknowledged the importance of those with lived experience feeling able and willing to speak about their experience of baby loss, because this can encourage others to talk of their own loss and perhaps seek the support and help they need. We with lived experience who choose to talk about it can also prevent others from going through the awful experience we had by raising that awareness, to stop other people joining the terrible club of which no one would ever wish to be a member.

Raising awareness is very important. It is not and must not ever become some trite stock phrase, although it may sometimes sound so. It is important because every day I wish to God that I had had some more awareness of pre-eclampsia and HELLP syndrome. I may then have been in a better position—I am sure many mothers would say the same—to articulate what was happening to me, instead of being told by the Southern General Hospital that I was wasting their time when I turned up on the day I was due to deliver my baby and that the terrible pain I was in was normal.

[Patricia Gibson]

What did I expect? It wasn't labour—go home and lie down. Could I not see they were busy? Had I known more about pre-eclampsia, I would have been able to ask to be checked specifically for that condition, because I was not tested for it. I would have been more assertive, instead of being made to feel like an hysterical older expectant mother.

Raising awareness really does matter. Information matters because it can make a difference between life and death. We know that, too often, mothers are not listened to. Raising awareness cannot be seen as a trite phrase or a box-ticking exercise, and I know that many who have lived with the loss of their baby would say exactly the same.

The chap commenting on these matters on social media is right to say that the lack of mental health support must be addressed. We cannot be discharging mums to send them home to their partners and families and leave them to get on with it. They must have the mental health support they need to help them navigate as best they can the biggest loss and the most appalling experience it is possible for them to have.

We have, over the years, come a distance in the realms of baby loss. We have, with some success, shone a light on it and worked to remove the taboo, but we still need to do more to ensure that the isolation of grief does not swallow up those affected by this loss, which goes against everything that nature would suggest. We need to continue to work to break down the isolation, and we can do that with the proper mental health support to help those affected to find their way back to some semblance of normality and find a path through their fog of grief, so that they can rebuild their lives, albeit around the loss that they have suffered.

It is shocking to learn that the majority of bereaved parents who need help cannot access it in an appropriate place and at an appropriate time. This is because perinatal mental health services are focused on women who are pregnant or have a live baby. Last week in the debate on women's mental health, many of us spoke about new mums needing mental health support—and that is true: they do—but this need not mean and must not mean that those mums whose babies have died are forgotten. They must not be forgotten; they must be given the support they need because we know that they are at risk of developing mental health challenges. We need to do more to ensure that the mental health infrastructure they need is in place to support them. Women who have experienced stillbirth, miscarriage or ectopic pregnancy are at a higher risk of post-traumatic stress disorder, anxiety and depression than those who have not. They also display clinically significant levels of post-traumatic stress symptoms from five to 18 years after stillbirth.

As I was reading some of the testimony from the Lullaby Trust in preparation for this debate, from women who had suffered stillbirth and described walking out of the hospital with no further contact about the support they might need, I recognised that because that, too, was my experience. I did not feel able to discuss my experience or participate in counselling, but that was just as well because it was never offered. In my case, the hospital was trying to dodge questions and withhold information about how my baby died.

In response to the point made by the hon. Member for East Worthing and Shoreham (Tim Loughton), who is no longer in his place, the demand for coroners' inquests—or, in Scotland, fatal accident inquiries—into stillbirths, where they are deemed to be in the public interest, has risen only because of hospital trusts and health boards pulling down the shutters when things go wrong. That is where that demand comes from, and that has to stop: it has to change. Parents do not want to consult a lawyer when their baby dies; they just want to know what went wrong and how it can be avoided. That is something health boards and health trusts really need to do more to get their head around.

I am pleased that in Scotland there has been new investment in perinatal mental health to ensure that there is support for bereaved parents prior to discharge and that there is appropriate signposting to third sector services that can provide bereavement and other mental health support. We can no longer turn a blind eye to or overlook those who fall through the gaps in our health system. There must be psychological support for those affected by the death of a baby if they need it.

Alison Thewliss (Glasgow Central) (SNP): My hon. Friend is making an excellent speech, and I commend her bravery in speaking up on this again; I know how hard that is for her. Does she agree with me that there needs to be support for women entering a subsequent pregnancy after that as well? That could be quite retraumatising for some women and quite challenging to deal with, and they need special support for that as well.

Patricia Gibson: I thank my hon. Friend, and I think she has made an excellent point. The shadow of a stillbirth will hang over any subsequent pregnancy, should it take place, and we need to be mindful of that.

Carolyn Harris (Swansea East) (Lab): Will the hon. Lady join me in this poignant debate in saying how dreadfully sorry we all are that, on 27 September in Bronzefield women's prison, a baby was born and died? We know no more than that at the moment, but it seems appropriate in this debate that we pay our respects to that baby and their mam.

Patricia Gibson: Absolutely. I absolutely share the hon. Lady's sentiments. I think the important thing for all the people affected by that terrible loss is that they get the answers they need. We cannot turn back time, but what parents want are answers and explanations. To know that their baby mattered and that their loss is not going to be swept under the carpet is extremely important at those times.

I know there might be awareness day fatigue, but this particular awareness day does matter to those affected by baby loss. It is a week of remembrance, culminating in International Baby Loss Remembrance Day on 15 October. It is a space—a day—where we can collectively remember our babies, comforted by the knowledge that others have also experienced this indescribable loss and can understand the pain we feel. When you have experienced this, it really is easy to feel that no one could ever comprehend the scale of such a loss, but of course others who have gone through it do.

This day is not just about remembrance of our lost babies, although that is extremely important; it is a reminder that those who live with this are not on their own.

Sadly, thousands of people in the UK and millions worldwide have suffered this loss. There are many who do understand, and more and more of us are willing to speak out. If we can take some of the isolation out of the grief for our lost babies and if we can give better aftercare to the parents who have suffered this loss, perhaps we could all have better mental health, despite suffering a loss of such huge magnitude in our lives.

5.34 pm

Antoinette Sandbach (Eddisbury) (Ind): It is always a pleasure to follow the hon. Member for North Ayrshire and Arran (Patricia Gibson), who has been a real support on the all-party parliamentary group on baby loss and who always speaks incredibly powerfully not only about her own experiences but about what needs to change. I am grateful, too, to the Leader of the House, who provided time for this debate, and to the hon. Member for Banbury (Victoria Prentis), who helped with a pincer movement to encourage him to table the debate.

I thank the hon. Member for Colchester (Will Quince), who used to co-chair the APPG with me, and I give thanks particularly to the right hon. Member for South West Surrey (Mr Hunt), whose support for this issue when he was Health Secretary provided the political will to drive through the change that we have seen in the past few years, which has been incredibly important. It is an important testament and legacy that he has left, particularly given the reduction in numbers. There is a need for cultural change, and there is a need, too, for cultural change around mental health support, as seeking such support often had a stigma attached to it.

The right hon. Member for Runnymede and Weybridge (Mr Hammond), the former Chancellor, allocated £1.4 million of LIBOR funding to Alder Hey Children's Hospital so that it could build a brand-new bereavement counselling centre. I recently went to see that centre, and it will be an exceptional resource in the north-west. Any parent who has lost a child, no matter how long ago, can go to Alder Hey and receive free support and counselling. I would like to make sure that people are aware of that. Alder Hey also operates a hotline that can signpost parents towards help. The Government can be really proud of the steps that they have taken to tackle some of the deep-rooted issues in maternity provision, stillbirth rates and neonatal deaths.

Progress achieved on the national bereavement care pathway should be celebrated. An alliance between the third sector and the national health service has achieved real change. Evaluation of the pathway showed that 92% of parents who had been on the pathway felt that they had been treated with respect; 89% felt that they had been communicated with sensitively; and 87% were offered access to ongoing emotional support after they left hospital. Trusts that have taken up the pathway have seen a real improvement in the care that has been offered to parents.

Further to the point made by the right hon. Member for South West Surrey, clinicians using the national bereavement care pathway felt that they were better prepared to communicate with bereaved parents, and the proportion had increased to 92%. The proportion of professionals who felt capable of discussing bad news with bereaved parents increased from 66% to 72%. There are other excellent results from the evaluation, but I will not go into them here.

Sarah Champion: Does the hon. Lady share my concern that that is not the case across all health trusts and that we need to make statutory provision?

Antoinette Sandbach: I absolutely do, and I shall come on to that. Having been through the system in Wales, where absolutely no bereavement care at all was offered to me—a charity set up by a former Member of Parliament paid for me to have counselling from Alder Hey—I am as aware as anyone of the issues around access to support. Some 130 NHS trusts have expressed an interest in using the bereavement care pathway, and they should be encouraged to take up best practice.

It is not all good news, however. The reality is that while many hospital trusts are now putting that support in place, the gap in provision comes when parents go back into the community. It is there that the issues need to be tackled. The information gathered by the Baby Loss Awareness Alliance showed that there was a clear need for specialist psychological support for parents. A freedom of information request sent out by Sands in July 2019 painted a picture of very patchy support, with commissioners in over 86% of areas across the UK telling us that they do not commission specialist therapies to support bereaved parents. That is quite scandalous when we look at the good progress that has been made in the acute sector. That is where the gap is present.

Less than 40% of commissioners said that that support was available for both parents, so when it was available, it was only available for one parent. That is completely wrong, for all the reasons my hon. Friend the Member for Colchester has outlined. It should not matter whether someone is a mum or dad; they should be able to access specialist psychological support if it is needed. Why is that important? Some 60% of bereaved parents said that, in the end, they did feel that they needed psychological support. Certainly, I did not want to talk to a load of volunteers; I wanted to talk to a professional who could give me the tools and the understanding to cope with the loss of my daughter and to be able to go back to work and start functioning in a normal way.

It is right to acknowledge that women who experience stillbirth, miscarriage or ectopic pregnancy are at high risk of post-traumatic stress disorder, anxiety and depression. I remember giving a speech to a City law firm, where I was told that it was extremely common that mothers never went back to work having lost a child, because of the impact of that loss on them. By investing in that support, we encourage the family to stay together and to get to a place where it is possible to live with loss and still contribute to society.

Where there has been a sudden or unexpected death, 39% of women three months after suffering an early pregnancy loss met the criteria for probable to moderate post-traumatic stress disorder. Some 68% of mothers and 44% of partners reported four or more negative psychological symptoms at 10 days. The important Bill brought forward by my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake), which allowed some paid bereavement leave for parents, allows some time for parents to come to terms with the issues they face and, very importantly, to find the services that will help them to deal with the loss they have suffered.

I encourage Ministers to read the “Life after Loss” report, which was published last week by the Centre for Mental Health. I support the Minister in the ambition

[Antoinette Sandbach]

to roll out national centres that will permit parents to access support locally, working with commissioners and the third sector, which can very often have expertise in this area. Support can be commissioned locally without the need for infrastructure, because there is already a third sector organisation. I am thinking of the Petals Charity, for example, which provides counselling. However, its services are not provided all over the UK.

There is another really good example in Wales: 2 Wish Upon A Star. This charity is proactive and not reactive in its approach. It contacts parents within hours of them leaving hospital to discuss their loss and to see what support they need. It can then put a counsellor in a car and on the way to the bereaved parents within hours, rather than them having to wait weeks or months for a referral. If we could roll out that kind of service, delivered by the third sector but supported by the national health service, in areas where there are gaps in provision, that would make a huge difference to parents' lives.

As chair of the all-party group on baby loss, I said that I would not only celebrate success but hold feet to the fire, so I ask the Government to undertake a review of the current provision, including the evaluation of the models of best practice involving parents and professionals, and to develop quality standards and national guidance to support those planning, funding and delivering specialist psychological support—that must be delivered at CCG level. Acute hospitals are really beginning to deal with this, but the provision at a local level needs to be addressed. I also ask the Government to provide guidance to support local services to effectively assess the psychological support needs of bereaved parents and develop pathways to meet those needs.

It is a real pleasure that we can speak in this debate—an advantage of not proroguing—at the beginning of Baby Loss Awareness Week. It shows the valuable work that is done in this House and that is achieved through cross-party working with a Government who have been really committed to pushing forward this agenda. However, there is more work to do, and with the previous commitment to try to put mental health services on a par with physical health services, this is an area that needs addressing so that that support is put in place.

5.46 pm

Justin Madders (Ellesmere Port and Neston) (Lab): It is a privilege to follow the hon. Member for Eddisbury (Antoinette Sandbach), who speaks from personal experience on this matter. Every year, she identifies the main issues that we still need to improve on. She is absolutely right to talk about the evaluation that shows where things are getting better, but it is also fair to say that the good practice is not consistently felt across the board, and that is what we need to aim for. She also spoke about the need to change the culture, which is really important. The right hon. Member for South West Surrey (Mr Hunt) also referred to that, and I welcome him to the Back Benches—I know that we had our disagreements as Front Benchers, but on this issue, there was a great deal of unanimity, and that is the spirit that we should carry forward. Both spoke about the need to change the culture and the length of time that that will take, but that is absolutely the right approach,

because with all tragedies in the health service, most of the time people just want to know why something happened and how it can be stopped from happening again. The more that we can move away from the blame culture and get into a proper analysis of why things have happened and how we can prevent them from happening in future, the better the experience will be for everyone.

When I first spoke in a baby loss awareness debate back in 2016, I expressed the hope that this would become an annual fixture, and I am pleased to see that we have managed to do that despite the unpredictable timing of Parliament at the moment. This gives us a real opportunity to take stock of where we are and hopefully to set some benchmarks for future progress, because, as we know, every year there are thousands of tragedies. Tommy's estimates that a quarter of pregnancies end in miscarriage. The Ectopic Pregnancy Trust tells us that one in 80 pregnancies is ectopic and Sands tells us, as we have heard, that 15 babies are stillborn or die shortly after birth every day. Those charities are just some of the 60-plus charities that collaborate to support this extremely important week. I echo the comments of hon. Members who have praised their work in this vital area, not just how they support people who have experienced their own personal tragedies, but how they work across the board to secure better outcomes for everyone. They not only raise awareness of baby loss, but work with health professionals to improve services and bereavement care and, critically, to reduce the number of preventable deaths.

Like others, I want to focus on bereaved parents and mental health support. As we all know from meeting bereaved parents, the feelings of loss and isolation are understandably overwhelming, and nothing can take away from that, but that does not mean that we cannot do more to ensure that the right care and support are in place at the right time so that those people can come to terms with their loss as best they can. We know from the evidence that good bereavement care can make a difference to parents and families and their experiences at this tragic time.

The sooner we can support more healthcare professionals in delivering good-quality care, the better. I welcome the roll-out of the pathway, but I urge the Government to redouble their efforts to ensure that all trusts and health boards adopt the pathway and ensure that all our healthcare professionals feel properly equipped to deal with bereaved parents, so that everyone across the board gets the correct and best level of support, which is what they truly deserve.

Not all bereaved parents will develop a mental health problem, but we must ensure that those who do can access specialist psychological support, that they can access it as soon as possible and at a time and place that is right for them, and of course that it is freely available to them. Sadly, as we know, not all parents can do that at the moment. Parents have told me that they are often not aware of the services available. Many leave hospital with no information about where they can seek support. Some are given information but then find that the support is not available for them at the time they need it—because of course there is a waiting list.

A survey by Sands earlier this year found that nearly two thirds of bereaved parents felt that, although they needed specialist psychological services, they could not

access them on the NHS. This is equally a challenge for those who seek bereavement counselling for adult deaths, urgent referrals for which can take up to six months to process, which is far too long, I think we would all agree. In the words of one mother who contacted me:

“we weren’t offered any specialist help in terms of bereavement support. I visited my GP on a number of occasions and was advised I could see a counsellor but there was a waiting list. I was prescribed antidepressants which I refused to take as I was grieving, I wasn’t depressed”.

Many listening to this debate will recognise that experience. I hope we can learn that it is vital that the right support and treatments are available at the right time.

A new report from the Baby Loss Awareness Alliance reveals that nearly nine out of 10 clinical commissioning groups do not commission talking therapies specifically for parents, and where the services do exist, they are mostly for mothers only, meaning that the needs of fathers are often overlooked, as the hon. Member for Colchester (Will Quince) has spoken about in the past.

There is of course much good practice out there, but it is sometimes reliant on charitable grants and third parties, meaning that the provision is patchy and at risk from wider funding decisions. I therefore support a call for a review of the current provision, including an evaluation of the models of best practice, involving parents and professionals in those conversations. We know that the need for psychological support following pregnancy loss and stillbirth is recognised in the NICE guidance and that the “Better Births” report, the maternity transformation programme and the NHS long-term plan all highlight the need to improve perinatal mental health care. These plans must translate into action to ensure that the needs of bereaved parents are explicitly addressed in quality standards and national guidance, in the training for the relevant healthcare professionals and in guidance and support for local services.

Beyond the major transformational strategies we have been talking about, we can also make simple, small changes that will make a difference to parents’ experiences. In the words of another constituent after her own bereavement:

“That moment, I know myself, stays with you as much as the birth and most of us end up bumping into other new parents carrying their bundles home on the way out. I feel a support worker or midwife could do with walking the parents out, helping the transition into the hands of family or friends go more smoothly would be extremely beneficial. Most of us are left with not even so much as a leaflet of where to turn to in crisis. Most of us haven’t had a follow up with a midwife or healthcare professional even though we have given birth and these unfortunate administrative errors occur far too often. I suppose support is the key issue.”

Those comments show that some simple, straightforward things can be done that need not cost the earth or require massive national strategies, but actually just need a bit more thought and organisation. I think we can all recognise the difficulty that that mother must have experienced.

Having participated in debates on this subject over the last three years, I know that Members have shown a great deal of personal courage by speaking about their own experiences. Three years on, we have shown that the message is going out to people that they are not alone. I pay tribute to my hon. Friends the Members for Lewisham, Deptford (Vicky Foxcroft) and for Washington and Sunderland West (Mrs Hodgson), and to the hon. Members for Eddisbury, for Colchester and for Banbury

(Victoria Prentis), for their work and for the way in which they have spoken about their own experiences. That contributes greatly to increasing awareness of Baby Loss Awareness Week, which has itself led to some local groups getting together. Next Tuesday my constituents will take part in the Wave of Light outside Ellesmere Port civic hall, which I think is a very good way of encouraging more people to come and talk about what they have been through. The more people who engage in that dialogue, the better.

I should like to be with those constituents next week, but I suspect that I shall be here, although my thoughts will be with them. I think that what we can show them today is that when the House puts its mind to it, we can work across parties and make things better for our constituents. Anyone who has heard the debate today will understand why it is so important that we do that.

5.56 pm

Andrew Percy (Brigg and Goole) (Con): I obviously associate myself with many of the comments that have been made today, particularly those of my hon. Friend the Member for Eddisbury (Antoinette Sandbach) and the hon. Member for North Ayrshire and Arran (Patricia Gibson), who talked very movingly about their personal experiences.

I suppose that not many of us necessarily think about this issue if we have not experienced it, or think about the support that is available. I must confess that I had not considered the issue in any great depth, because I had had no personal family experience of it, and of course one assumes that all the services will be there to support people at this most vulnerable of times. It was not until someone came to talk to me about the project that I described in an intervention on the Minister’s speech—at that early stage, I was not sure whether I would have an opportunity to speak myself—that I gave any thought to the experience of bereaved parents in a maternity suite.

That brilliant project was initiated by the Health Tree Foundation in north Lincolnshire, which is the hospital charity for the North Lincolnshire and Goole NHS Foundation Trust. I pay particular tribute to the member of my staff who raised the subject with me, Julie Reed, who is my community support manager. She tasks herself with going out and supporting local good causes, and as a result has managed to write funding bids and bring in more than £1 million. This was a cause that she took up on my behalf, and, through her brilliant ability to write funding bids, she helped to secure £22,500 towards the £175,000 project. A lot of people did a lot of work, particularly, as I have said, the Health Tree Foundation, and the maternity suite itself.

Let me say a little about what the suite does and what it means. It opened in July, and is known as the Cherished suite. When the experience was described to me of being in a maternity suite and being bereaved, it struck me that there were two things that a bereaved parent might not want to do. First, they might not want to go home very quickly, and secondly, they might want to be in the suite, but not necessarily surrounded by people whose children are being delivered and who are experiencing that most joyous of moments. The brilliant job that the midwives and all the professional staff do to support those parents was not in doubt. Rather, it was about the ability of bereaved parents to have a safe and quiet

[Andrew Percy]

private space on the maternity suite, like every other parent, where they can enjoy that important time with their baby and bring their family in; a space where they will not be rushed out, but where they can stay for as long as they require. That is exactly what the Cherished suite, which is now open at Scunthorpe central maternity suite, is providing. It is on the maternity suite, but in a private, quiet area.

I want to quote the experience of one set of parents, who sadly lost their daughter Alicia in 2017, before the suite was opened, who have talked about what it would have meant for them:

“When we lost our daughter, we were in the middle of the delivery suite, surrounded by people doing their jobs and delivering newborn babies. Other couples were walking out with babies and it felt like we had been stabbed in the heart.”

Other parents who have experienced the same have described to me how they felt that they had in some way failed, which is a terrible thing to hear. Those parents continued:

“We didn’t have the opportunity to use a place like this to heal and recover from the heartbreak. It would have helped tremendously—it’s quiet and you couldn’t hear anyone outside the room”—

a safe space for them to spend that time with their baby.

I am so proud that the Health Tree Foundation has been able to deliver that service for our area, because the suite is a place where parents can spend time with baby, but also where memories are made. The Health Tree Foundation provides memory makers, who do prints of baby’s hands, and even casts of legs and arms, and make teddy bears from the clothes that the babies would have worn. I hope that we can look at that idea, whether in the design of new maternity suites or in providing support for existing maternity suites, to ensure a place where bereaved parents can spend time with baby in privacy on the maternity suite, with the support of every other parent there, but in a way that is sensitive to their particular needs.

I should add that the suite of course provides all the necessary support and information that is so often required for ongoing mental health needs. I particularly associate myself with the comments of the hon. Member for Ellesmere Port and Neston (Justin Madders) about the vital role that can be played by talking therapies, which is something that I have more personal experience of. Talking therapies are so undervalued. They can be used in so many ways, but this is one area where parents need to have absolutely guaranteed access to them.

I do not want to say anything more, other than to thank the health foundation in northern Lincolnshire and Goole for providing that service. I also thank the maternity staff, who were doing a brilliant job anyway in supporting bereaved parents, but who have got behind the project so enthusiastically and now have a special private place, as people walk into the suite, where they can do even more to support bereaved parents. We are of course not the only place where something like that happens, but I found it striking that it does not happen automatically and that there is not such a space everywhere. I agree with so much that has been said today and pay tribute to all those who have done so much in this area, both here and outside this place.

6.3 pm

Anna Soubry (Broxtowe) (IGC): It is a real pleasure to follow the hon. Member for Brigg and Goole (Andrew Percy). My contribution to the debate will touch on a lot of what he said about the situation, which is undoubtedly true. It struck me again because of two constituents in particular who came to see me. I had my children at the Queen’s Medical Centre in Nottingham. My constituents went in there expecting, as most of us do when we go into hospital to give birth, that they would be taking their baby home after a safe delivery. Emily was their second child, and she died—she was a stillborn baby. That was at the end of 2013.

Until I met Richard and Michelle Daniels, I had not appreciated some of the issues we are talking about. When I gave birth to my babies, I had two wonderful deliveries, although they were very painful. However, I do not talk too much about the great pleasure, joy and magic I experienced in becoming a mother on those two occasions. I felt real shock when Richard and Michelle came to tell me that, although they got the most terrific care, love and support from the remarkable staff at the QMC when Emily was born dead, there was no facility at all, as the hon. Member for Brigg and Goole described.

It is true that there is nothing worse that could happen to any of us than to lose a child, but it must be even more heartbreaking to lose a child and then to be surrounded by people experiencing all the wonderful joy and celebration of a new birth and of having a new member of their family, but not to have somewhere to be able to say goodbye properly or to have quiet time. People also need the opportunity to bring in other members of the family so that they, too, can say goodbye. I was just blown away in my shock and horror when I heard that, in Nottingham, we had no such suite at all in the QMC or the City Hospital. That had been going on for many years, and one can only imagine how many people have suffered in that way, given all the touching speeches that hon. Members have made.

In early 2014, Richard and Michelle Daniels set up a charity called Forever Stars. They poured all their remarkable energy and dedication into making a great success of it, and they have raised over £400,000. Their first project was to install a serenity suite at the QMC—a place where a couple can go in the event of an unsuccessful delivery and the loss of a child. They can say goodbye properly, in the way that has been described, and siblings and other members of the family can come along. In due course, there was another serenity suite, at the City Hospital in Nottingham—again thanks to the Forever Stars charity that Richard and Michelle set up. That is now in operation.

By a remarkable coincidence, the hon. Members for Eddisbury (Antoinette Sandbach) and for Colchester (Will Quince) set up their all-party group in this place in 2015, and we had that first debate. I remember it distinctly. There were so many appalling stories that there was not a dry eye in this place, and that included your good self, Madam Deputy Speaker. All us were filled with a mixture of grief, horror and disbelief that so many people suffered baby loss with none of the proper facilities that they should have.

It is full credit to the Government of the time and to the former Secretary of State for Health, the right hon. Member for South West Surrey (Mr Hunt), that they did not mess about. They took up the campaign, and

huge progress has undoubtedly been made. It is thanks to a lot of cross-party working and the considerable efforts of the former Secretary of State and his team, as well as those two hon. Members and others, that we have seen such marked progress.

The work of Forever Stars continues. As you can see, Madam Deputy Speaker, I am wearing pink and blue. That was not necessarily my first choice to put on this morning. It was a bit of a bet with Mr Richard Daniels that I would do it. However, I wanted to do it because Forever Stars is painting Nottingham, and indeed Broxtowe, pink and blue. Like so many other charities that have come out of so much tragedy and that are doing great work, Forever Stars is raising awareness, on top of the other work that it does. We have heard why that is so important.

I, too, join the calls in the report that the Baby Loss Awareness Alliance put out today—"Out of Sight, Out of Mind"—for specific work to be done to make sure we cater for grieving parents, siblings and other members of the family. I may one day be a grandparent, and it must be terrible for grandparents to see their own child and son-in-law or daughter-in-law suffer in the way that we know people do. We also know the effect these things have on siblings; we often forget them and how one explains things to them, and they often need support.

Forever Stars tells me that, in just the last 24 hours, it has had four calls from parents who have suffered a baby loss and who would very much like to be referred to the counselling or the psychological, and sometimes psychiatric, services that they desperately need. It is really important to ensure that those services are in place. I am told not only that 60% of parents surveyed want those services, but that nine out of 10 CCGs do not commission the talking therapies that the hon. Member for Ellesmere Port and Neston (Justin Madders) rightly spoke about.

Forever Stars continues in its great work and is now raising funds to create a serenity garden for parents in Nottingham. There will be a service every quarter when parents and, of course, other family members can go along to say goodbye again to a child or baby they have lost.

It is really important to recognise that this place does some terrific work when it comes together in this way. The APPG has done that terrific work on a cross-party basis. It is all too easy in the current political climate for people to criticise Parliament and set it up against the people, but that would be wrong in many ways. This is an example of why that is just not true, because this place can do genuinely great work that touches the lives of real people.

Madam Deputy Speaker (Dame Eleanor Laing): The right hon. Lady is absolutely correct. When this House comes together and works properly, we do achieve what those who send us here expect us to achieve and hope that we will achieve. It is just such a pity that more people do not watch the proceedings on days like this instead of on days when the Chamber is crowded.

6.11 pm

Victoria Prentis (Banbury) (Con): As ever, I am grateful to be called to speak, Madam Deputy Speaker, although I was not anticipating it because I was not here at the beginning of the debate. I can only apologise for that, but I was elsewhere on unavoidable duties.

This is a debate in which we love to hate participating. It is not a pleasurable experience for anyone who has lost a child, and I know that some Members across the House feel exactly as I do when speaking in this debate. Nevertheless, I am grateful for the opportunity to lay my annual asks on the table.

First, I must give an enormous amount of thanks to the previous Secretary of State for Health and Social Care, my right hon. Friend the Member for South West Surrey (Mr Hunt), whose speech I am really looking forward to watching on catch-up tonight. I am immensely grateful, as are all of us who have been involved in this area for many years, for all that he did. It must be counted as one of his major achievements as Secretary of State that there has been a 19% reduction in stillbirths and an 8% reduction in maternal mortality since 2010. Those are really good figures, and I hope that he will look back on his career in many years when he retires—

Mr Hunt: I can retire now. [*Laughter.*]

Victoria Prentis: I hope that my right hon. Friend will count that among his most important achievements. I expect that he said, as did the hon. Member for Ellesmere Port and Neston (Justin Madders), that blame is probably not the way to go, and that we need a cultural shift in the NHS, so my ask this year is that we should make maternal death a never event. Luckily, maternal deaths are rare—I was almost one of them myself—but making them a never event, with the definition and the muscle that that provides, would be very helpful.

With my prison service background, I should add that a child or, indeed, a mother dying in custody should also probably be a never event, with all the chain of investigations that should flow from that. I know that the recent death in custody is being very well investigated, and there is no need to comment further on that case now. The never event definition is helpful, because it sets in train a course of investigations that need not be blamed-filled but which are helpful for learning.

Sadly, the situation elsewhere is not as helpful as in this country. A baby dies every 11 seconds worldwide, and many maternal deaths are completely preventable. I am pleased that the Secretary of State for International Development has chosen to make maternity a priority for the Department for International Trade. He wrote an excellent article about it in *The Times* last week, and I encourage hon. Members to read that article.

The Secretary of State for International Development is helping members of the Royal College of Midwives to provide training in rural Bangladesh, and he is resourcing organisations that work with women who have had female genital mutilation performed on them and who have dreadful maternal complications as a result. He is working to provide vaccinations, which are so helpful in preventing the death of newborn babies. Across the board, the fact that maternity is now a priority for DFID is really helpful.

I close by thanking you, Madam Deputy Speaker, for your support in this area and for allowing me to say a few brief words this afternoon, and by advertising the baby loss service at St Mary's, Banbury at 6 o'clock this Sunday. It is an extraordinary event, and we have been doing it for only a few years. People came to that church in the first year who had never talked about their loss, and it is overwhelming.

[Victoria Prentis]

Such services are taking place all over the country, as the hon. Member for Ellesmere Port and Neston said. Unfortunately we have not organised one in Parliament this year, as we normally do, because we are not sitting, but I am sure we will organise one in future years. I thank everybody who has taken part in this debate, which I think is now annual. I am thrilled that we have Government time, and I hope we have it again in future.

6.16 pm

Sarah Champion (Rotherham) (Lab): I have a couple of points for the Minister. First, there is a lack of trained paediatric nurses, particularly in palliative care, and anything she can do to encourage people to train in that vital specialism would be hugely appreciated.

The other point is that children's hospices are wonderful, remarkable places, but virtually all their money comes from the public through fundraising. Again, if there is anything the Minister can do to give them just a base coverage of funding on a statutory basis, year in, year out, that would make such a difference to their being able to commit to those services.

Finally, drawing on my privileged experience of running a children's hospice and meeting hundreds of families, the one thing that strikes me most is that all those families say that what they liked best about and what they got most from the hospice was being able to talk about their child who had passed. I had not realised that most people out there do not do that. They said that friends would cross the street to avoid talking to them, not because they were being mean but because they did not want to burden them. They did not want them to cry or to crumble. Actually, the one thing those families want more than anything is to talk about their child, because that is what keeps them alive in their heart.

This debate is so important to everybody involved, and I make this plea to everyone watching: please, just talk to that person and celebrate their child. However brief their life was, it was an important life that we need to recognise.

6.18 pm

Jim Shannon (Strangford) (DUP): I thank the Minister for Care, the hon. Member for Gosport (Caroline Dinenage), in her absence, for moving the motion. It is always a pleasure to follow the hon. Member for Rotherham (Sarah Champion).

We have heard some marvellous speeches today about personal experiences, and every one of them has been very poignant and has encapsulated what this is all about. I have spoken to previous motions on baby loss, and I am happy to continue doing so in remembrance of those little lives lost.

The fact of the matter is that, since last year, more hearts have been broken, more arms have been left empty and more grief has entered homes throughout the United Kingdom of Great Britain and Northern Ireland. That deserves recognition in the House this year and every year, as the hon. Member for Banbury (Victoria Prentis) said.

This does not take away from anyone else who has contributed to the debate, but I would particularly like to mention the hon. Members for Thirsk and Malton (Kevin Hollinrake), for Eddisbury (Antoinette Sandbach)

and for Colchester (Will Quince). In our debates in this House they have told us their personal stories and have helped us to understand exactly what it means to lose a child. One thing that came out of those Adjournment debates and those contributions in this House was the need to have a separate room in hospital where people can grieve and have privacy, and the hon. Member for Brigg and Goole (Andrew Percy) talked about the one in his constituency. [Interruption.] I hope Members excuse me; I have a bit of a chest infection and am trying to keep it off if I can.

I mentioned the next thing to the hon. Member for Colchester and he can probably remember it: the importance of having faith involved, as people can use that to help get to the other side of the grieving process. Where there are rooms where people can have privacy, it is important that they can call upon someone of faith to come to give support. The hon. Member for Rotherham spoke about how important it is to have someone to speak to, relate to and understand.

Most miscarriages happen in the first 12 weeks, which is known as "early pregnancy", and an estimated one in four pregnancies ends in miscarriage—it is one in five if we only count women who realise and report the miscarriage. About 11 in 1,000 pregnancies are ectopic. About one in 100 women in the UK experience recurrent miscarriages—three or more in a row—and more than six in 10 women who have a recurrent miscarriage go on to have a successful pregnancy. The risk of miscarriage greatly reduces in the second trimester—miscarriages then are called "late miscarriage". My mother miscarried on three occasions, and seven in our family have had this happen; my sister also miscarried on three occasions. The girl who is, in effect, my Parliamentary Private Secretary and writes my speeches in this House—she is a very busy girl, as people would understand, given the contributions that are made—has also had two miscarriages.

Paul Girvan (South Antrim) (DUP): On the number of people who have had difficulties, the problem we have perhaps relates to the level of focus on care, aftercare and counselling. I am not saying this is inevitable and will always be the case, but we do not have the necessary focus on counselling for the individuals and families who have gone through this traumatic experience. Unfortunately the fear of what they have been through sometimes means that they do not want to have another child and go through this again, so they are denied the opportunity to have a family because of what they have experienced; a lack of counselling means that that can sometimes be a fear.

Jim Shannon: I thank my hon. Friend for that intervention and I can relate it to my constituency and the people I have spoken to. The thing that sustained my sister, my mother and my PPS was their faith, which is why I come back to the importance of having faith, as I said to the hon. Member for Colchester. In the past year, I have known of two women in my constituency who knew that their baby would not live for more than a couple of hours after the birth yet they carried their baby to its full nine months and enjoyed those few hours together. I am a member of many organisations, one of which is the Royal Black Preceptory. We helped the father of a young child who was lost with a charity event at the bowling club in Ballywater to raise money for this issue, and we raised some £1,000.

I wanted to say all that because it is important, as everyone deals with things in their own way. About one to two in 100 women have a miscarriage in the second trimester. According to one study, once a pregnancy gets past six to seven weeks and there is a heartbeat, the risk of having a miscarriage drops to about 10%. Those are the facts and they are worthy of noting, but they cannot begin to deal with the process of grief that is suffered. It may sound comforting for people to understand that one in four pregnancies ends in a loss and so they are not alone, but, as one lady said, “I don’t want to be the one in four, I want to be the three who live their life as normal and don’t have this emptiness inside.”

It is important to note the facts, but it is more important to acknowledge the grief and the right to grieve. Long gone are the days of, “Just don’t talk about your loss.” We have learned that for those who wish to express themselves it is healing to do so. Some people need to talk about it, but some decide that they may not. Of course many women will never talk of their loss, and that too is part of their process and is to be respected. For others, the symbolism of a balloon release or the lighting of a candle is a way of acknowledging a life that did not blossom but was most definitely there.

We do not understand why many miscarriages take place, but with an NHS under such pressure—I say that really gently, because we have a wonderful NHS that does great work—we do not investigate until the third miscarriage. That in itself is incredibly difficult. I know of one lady whose parents, after encouragement by the midwife after her second miscarriage, paid for private care and for private tests and all the rest, to learn that taking baby aspirin would increase her chance of keeping the next little one. A baby aspirin once a day saw her have a beautiful baby girl. There could well have been another miscarriage had she not been able to seek private advice. When it comes to that example of how that lady dealt with a miscarriage and then had a child, I wonder whether the necessary advice is there in the system and throughout the process. I have said it before and I shall say it again: three miscarriages but no investigation is too much. I sincerely urge change in the NHS procedure. Perhaps the Minister will be able to respond to that point or give me some idea of where we are.

This debate cannot solve the issue of baby loss and grief, but it can validate the fact that a miscarriage was a loss. It happened and should be remembered, and we as a nation should mourn. The fact that a death certificate cannot be issued until 24 weeks must be reviewed. I find that quite incredible. It does not mean that it is not widely understood that someone has suffered through a death. And it is not simply the mother who suffers, but the father and the would-be grandparents, too. The hon. Member for Eddisbury referred to it, and although the hon. Member for Colchester has not spoken today, I remember his previous contributions. The wider family suffer as well. It is like throwing a stone into a pond: the ripples go right to the edge—they touch everyone in the family circle and all the friends. Everyone should remember that.

We must do more to recognise and support those who suffer from a miscarriage. A pamphlet in a cold, sterile procedure room is not enough. I read a little quote that touched my heart. This lady said:

“I carried you for every second of your life—and I will love you for every second of mine...Let sweet Jesus hold you until mummy and daddy can hold you”—[*Interruption.*]

Anna Soubry: Does the hon. Gentleman accept that it is very important and powerful when people are able to stand up in this place and talk with the experience and the big heart with which he is talking?

Hon. Members: Hear, hear!

Jim Shannon: I thank the right hon. Lady for that intervention.

Let me read those words again:

“I carried you for every second of your life—and I will love you for every second of mine...Let sweet Jesus hold you until mummy and daddy can hold you—you have just reached heaven before I do.”

Madam Deputy Speaker (Dame Eleanor Laing): I thank the hon. Gentleman for his excellent speech. The whole Chamber agrees with every word that he has just said and appreciates the way in which he said them.

6.28 pm

Paula Sherriff (Dewsbury) (Lab): Today’s debate has been incredibly moving and I am humbled to respond on behalf of the Opposition. It of course coincides with Baby Loss Awareness Week, which is an important opportunity for us all to unite with bereaved parents, and their families and friends, to commemorate the lives of babies who died during, before or shortly after birth.

I congratulate every Member who has had the courage to speak today about something as personal and devastating as baby loss. Drawing from our own personal experiences will undoubtedly help and bring comfort to the thousands of others who have been affected by this important subject. As you said earlier, Madam Deputy Speaker, today’s debate has once again shown Parliament at its best. I wish to reflect on some of the moving contributions we have heard.

Let me start by thanking the hon. Members for Colchester (Will Quince) and for Eddisbury (Antoinette Sandbach). The hon. Member for Colchester could not speak in this debate as he is now a Minister, but his bravery in bringing this issue to the House was remarkable. Collectively, we thank both Members for their incredibly hard work and great courage. On behalf of the official Opposition, I thank you both from the bottom of my heart.

The hon. Member for Banbury (Victoria Prentis) spoke very knowledgeably about the work being done by the Department for International Development in developing countries, which was very heartening. My hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) spoke very powerfully about how important it is that we support bereaved parents—I will go on to talk a bit more about that in a moment.

The hon. Member for Brigg and Goole (Andrew Percy) talked about bereavement suites in hospitals. That is an incredibly important issue and, indeed, it is something that I will take back and discuss with my own trust. My hon. Friend the Member for Rotherham (Sarah Champion) discussed both counselling and family support. The right hon. Member for South West Surrey (Mr Hunt) spoke very knowledgeably about the impact on health professionals and how it must simply be one of the worst things that they ever have to deal with.

[Paula Sherriff]

The hon. Member for North Ayrshire and Arran (Patricia Gibson) spoke so powerfully about her own experience and, once again, showed great bravery. She also discussed how important it is that we are all aware of, and that we empower others to learn about, pre-eclampsia. We also heard from the hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone) and from the hon. Member for Strangford (Jim Shannon) who gave us a very, very moving speech. I thank him very much once again for his incredible bravery.

All the charities that come together to collaborate on this commemorative event do amazing work supporting bereaved families. There are now more than 60 charities involved, and they have a huge impact on raising awareness nationally, and each organisation should be incredibly proud of everything they do and everything they have achieved in driving this agenda forward.

As well as using today's debate to raise awareness, this is an opportunity to reassess the progress that is being made and to highlight the fact that, although excellent care is available in the country, it is not available to everyone everywhere. Every year, thousands of people experience the loss of a baby in pregnancy, at or soon after birth, and in infancy.

Unfortunately, it is not a rare event, and, as too many of us here know, it can happen to anyone. The Miscarriage Association has invited women to share their experiences, and the bravery of these women in sharing their stories is commendable. Angela has spoken about how her mental health deteriorated after her second and third miscarriages. She said:

"My mental health deteriorated after those two losses. I needed medication to get through my periods when they returned. I couldn't go to the GP or the hospital without having a panic attack. I had horrible flashbacks of the miscarriages themselves. And although these subsided over time, I can still have a panic attack at the GPs without warning. It also started to affect me at work and in my personal life, because my self-esteem and self-confidence plummeted and I lost the ability to believe that I could do anything right. It was almost like when I lost the babies, I also lost some of myself."

She has also spoken of the difficulty in talking about miscarriage and mental health, but the importance of doing so. She went on:

"I have also confided in a few close friends and that helps too. I still struggle asking for help, it is not something that comes easily to me, but I when I do, I am always grateful that I tried. It's hard to break the silence around miscarriage and even harder to break it around mental health and miscarriage combined but I think we should try. Even if it just helps one person feel a little less alone."

Unfortunately, there remains a tremendous taboo around baby loss, and many women report that their family and friends do not want to talk about their loss, and that can lead to an isolation and a disconnection from others, which means that parents can end up trapped by their own grief.

There is work to be done to break down the unacceptable stigma and, too often, feelings of shame that can surround baby loss. Whatever the circumstances around the loss of a baby, every single woman deserves respectful and dignified care that acknowledges her loss, supports her mental health and empowers her to make future decisions about having a child.

The care that bereaved families receive from health and other professionals following pregnancy loss or the death of their baby can have long-lasting effects. Good

care cannot remove parents' pain and grief, but it can help them through such a devastating time. In contrast, poor care can significantly add to their distress. Unfortunately, the standard of care in the UK varies between regions and even within settings, depending on the stage at which a loss occurs—from early pregnancy through to infancy. Although there is excellent care available in this country, it is not available to everyone. In England alone, there is still a 25% variation in the stillbirths rate and, as a result, many parents do not receive the good-quality bereavement support that they so desperately need after pregnancy or baby loss, and we have heard this afternoon what a difference that that can make.

We need to ensure that there is learning from every single miscarriage and stillbirth. Although we can rightly say that we are beginning to improve the approach to those dealing with the consequences of baby loss, it seems like we still have a way to go in understanding and really tackling its causes. According to *The Lancet*, the annual rate of stillbirth reduction in the UK has been slower than in the vast majority of comparable high-income countries.

It is also important that all parents who experience pregnancy and baby loss and need specialist psychological support can access it and can do so in a timely fashion. Too often, people who experience a psychiatric illness after their loss do not receive the support they need. I am proud that Labour supported this year's Parental Bereavement (Leave and Pay) Act 2018. However, I know that many parents and caregivers entitled to bereavement support do not have access to appropriate mental health support. Right now, most mental health support is only available to mothers, and is focused on women who are pregnant or who already have a baby. This support often takes place in neonatal units, which understandably—as we heard earlier from the hon. Member for Brigg and Goole—can add to trauma.

Mental health support for those who have lost a baby must take place in appropriate places and must be available for the entire family unit including fathers, siblings, grandparents and so on. Coping with grief over the loss of a baby is something that all family members will need time and space for. Men and women may grieve differently, and it needs to be acknowledged that fathers can be forgotten in this experience, particularly as they may express less emotion, which can be misunderstood as indifference to the loss of their baby. Dad Keith has talked to the charity Tommy's about the stillbirth of his second born, a son named Owen. He said:

"I had to go back to work straight away. It was a good distraction. I ran a lot and I kept doing that. I signed up for marathons. Running got me away for a few hours at a time and gave me a way to switch off. I wasn't right for at least six months after. I was functioning but I was on autopilot. I wasn't myself. People might not have noticed too much."

I urge the Government to develop a national standard with guidance to support the planning, funding and delivery of specialist services with psychological support for those going through the loss of a baby. It is also important that bereavement-trained midwives or gynaecological counsellors are available in every hospital—not part-time, but full-time—whenever parents need them. Let us not forget that many stillbirths and neonatal deaths are sudden and unexpected. It is a hugely traumatic experience and people need support immediately, so trained individuals are so important.

I would like to end by saying a few words about the national bereavement care pathway. The final independent evaluation of the national bereavement care pathway wave of two pilot sites was published in May 2019 and provides evidence that the NBCP has improved bereavement care received by parents after the loss of a baby. It is commendable that both the former Prime Minister and the former Health Minister, the hon. Member for Thurrock (Jackie Doyle-Price), both endorsed the roll-out of the programme. The NBCP is increasingly attracting interest from NHS trusts across the country, and I hope that many more adopt this approach.

In conclusion, the debates that we have had over the past few years and again this evening underline the importance of the work undertaken by hon. Members and the many charities in this sector. It means that the silence that Members have spoken about today is now beginning to end. I cannot overstate how courageous those who have spoken out about their personal experiences are, or how influential those interventions are proving to be. I hope that those who have spoken out continue to have the courage to talk about what we need to do to improve care and support for bereaved families.

6.38 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Ms Nadine Dorries): What an important debate this has been, and that is of course thanks to the efforts of my hon. Friend the Member for Eddisbury (Antoinette Sandbach) and the Under-Secretary of State for Work and Pensions, my hon. Friend the Member for Colchester (Will Quince), who has been sitting next to me throughout the debate. In fact, I believe that my hon. Friend the Member for Eddisbury still chairs the APPG on baby loss. This is the fourth year that the House has had this debate, and I hope that my hon. Friends continue to push for it to be held every year, forever. It is such an important time not only to focus on the areas that people feel we should be concentrating on, but also to focus on the achievements and to hear stories from so many people.

In the 10 minutes that I have, I would like to respond to some of the points made. I begin with my right hon. Friend the Member for South West Surrey (Mr Hunt), the former Secretary of State, who, in his usual modest way, omitted to mention the incredible contribution he has made in this area. He spoke passionately about changing from a culture of blame to one of learning; he brought that about in the NHS through his own efforts when, while in the Department of Health and Social Care, he introduced the Healthcare Safety Investigation Branch. He instructed it to undertake, I believe, 1,000 maternity investigations a year, including into stillbirths and other mortality issues.

My right hon. Friend asked how we will share lessons learned between trusts and improve patient safety. HSIB has established a process for doing that. The perinatal mortality review annual report will be published on Thursday, as I think he may know. The HSIB annual report will be published in due course. Both reports will begin to share some of the learning from more than 1,500 cases. We are doing more to share information when things go wrong, and as a result of the former Secretary of State's initiative, when something goes wrong in one trust, we will ensure that it does not go wrong in another. We all hope that will be the outcome

of HSIB. We cannot thank him enough, and I am sure we will be mentioning his efforts for many years to come.

The hon. Member for North Ayrshire and Arran (Patricia Gibson) spoke powerfully about her loss. One of the themes of the debate has been mental health and the support that those who have lost a baby, including fathers and others in the family, need at a time of loss. She moved me to tears. She spoke about testing for pre-eclampsia. In April, NHS England announced that it will make the placental growth factor blood test available across the country, in the light of evidence that the test speeds up the diagnosis of pre-eclampsia. I urge her to push for parity in Scotland, so that the same test given to mothers in England is made available to mothers in Scotland. I am sure that other Members will call for that in this place. I know that other Members in this House have suffered loss through pre-eclampsia. It is a dreadful condition. Our objective should be to do all we can to ensure that no mother has to go through that.

Stephen Gethins (North East Fife) (SNP): The Minister makes a very good point. I pay enormous tribute to my hon. Friend the Member for North Ayrshire and Arran (Patricia Gibson), who has done phenomenal work in bringing her experiences to the Chamber. I thank the Minister for her remarks. We may not always see eye to eye, but on this issue, it would be great if her Department and the Scottish Government worked closely together.

Ms Dorries: I have already sent a message to my team asking why the test is not being done in Scotland and what we can do to ensure that it is rolled out across the UK. If I can have those conversations with the devolved Administration, I certainly will, and I will certainly push that from my end and in my Department.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): I share the sentiments of the hon. Member for North East Fife (Stephen Gethins): collaboration is critical. One of my constituents raised with me concerns about the fact that there was no peer-to-peer support provided by the medical profession. She was dealing with her GP, but she relied for support on the charity SiMBA—Simpson's Memory Box Appeal—a friend having referred her. Maximum co-operation and support are critical. Hopefully, we can share as much information as possible, so that we avoid people feeling that they are alone, or not being given the support that they need. I was shocked to hear what happened to my constituent. I would be keen to ensure co-operation and to promote it as much as I can.

Ms Dorries: I thank the hon. Gentleman for his contribution, but I only have a few minutes left, so I have to move on.

My hon. Friend the Member for Eddisbury asked what we are doing to eliminate the stigma around mental health. As the Minister for Mental Health, I can say that we are doing a huge amount. I do not know whether anybody in the Chamber has managed to see it yet, but a campaign video was released this week called "Every Mind Matters", which the royals kindly voiced over. It was written by Richard Curtis and features many celebrities, including Davina McCall. It is all about people who everybody knows and recognises

[*Ms Dorries*]

talking about their own mental health issues, to break down the stigma. That is just one of the many campaigns that are taking place.

As I said in the debate on women's mental health last week, when somebody breaks their leg, we put a plaster cast on the leg, and that is fine. When someone has a mental health issue, they do not want to talk about it. I hope that the stigma is reducing and that there is parity and equality between mental health and physical health. Campaigns like "Every Mind Matters" are getting us there.

Antoinette Sandbach: I am grateful to the Minister for giving way. The really good evidence that was disclosed in the debate about the way in which maternal loss of babies can cause PTSD shows that there needs to be concrete mental health support for parents who have gone through this experience.

Ms Dorries: What I will say to my hon. Friend in response is that, in the long-term plan, the NHS commits to

"improve access to and the quality of perinatal mental health care for mothers, their partners and children".

We have committed in the long-term plan that an additional 24,000 women will have access to specialist perinatal mental health support, including more support for fathers and partners. That is part of the £2.3 billion investment in mental health that this Government recently announced. I will say it again: £2.3 billion. That is over half the annual prisons budget. Of course, some of that money has to be directed towards mothers in this situation.

My hon. Friend the Member for Banbury (Victoria Prentis) made an important point about infant mortality in other countries around the world. The Secretary of State for International Development announced a £600 million reproductive health supplies programme to help end preventable deaths of mothers, newborn babies and children in the developing world by 2030. It will give 20 million women and girls access to family planning, prevent 5 million unintended pregnancies each year up to 2025 and focus on the most vulnerable women, including FGM survivors. We are committed to working with Gavi, the Vaccines Alliance, to vaccinate a further 300 million children in the world's poorest countries by 2025.

My hon. Friend also talked about making maternal mortality a never event. I am not sure that that will be an achievable objective, but NHS England is supporting the establishment of maternal medicine networks, which ensure that women with acute and chronic medical problems have timely access to special advice and care at all stages of their pregnancy.

The hon. Member for Ellesmere Port and Neston (Justin Madders) spoke about grief. Grief, for me, is the last taboo; it is the one thing that people still do not talk about. People still do not talk about how grief affects them, and I hope that some of the investment we are putting into mental health services and community services will help people to address grief.

My hon. Friend the Member for Brigg and Goole (Andrew Percy) spoke about somebody who works in his office who has raised funds for the Cherished suite, and the right hon. Member for Broxtowe (Anna Soubry)

spoke about the serenity suite. Over 50% of hospitals now have such suites, which are so important. I do not want to reiterate what anybody has said, but the fact that babies are born in a part of a hospital that is traditionally filled with joy is incredibly difficult. My hon. Friend the Member for Colchester has told me that it makes such a difference if people have somewhere to go and even to stay overnight with their baby, and where the family can go. Over 50% of hospitals in the UK have these suites, and I am going to ask that these suites are made available in the maternity areas at all the 40 new hospitals that are being built. [HON. MEMBERS: "Hear, hear."] I will ask; I will certainly push.

I want to continue with the points raised, and please pull me up if I miss anybody out. The hon. Member for Strangford (Jim Shannon) spoke so passionately—thank you. I know he has spoken in every baby loss debate we have had, and he has also spoken in the past about the important role that chaplains play in such situations. I would like to thank him for his incredible contribution. He asked about the pregnancy loss review. It is currently working with key partners to make recommendations to the Government about improving the care and support that women and families receive when experiencing a pre-24 week gestation baby loss. We are hoping the report will be published in due course and not too long from now.

I would like to speak about an area that I have particularly focused on, which is group B strep support. I have spoken about this many times, and I had my own Adjournment debate on it before I was a Minister. When I arrived in the Department, I set five key priorities, and this is No. 1 in the key priority areas because this in itself will prevent infant mortality. Group B strep is a leading cause of bacterial infection in newborn babies—just to put that on the record. I fully support the review that is taking place, and I hope that it has some further information so that we can make progress on this in, I hope, the not-too-distant future.

The hon. Member for Rotherham (Sarah Champion) spoke about hospices. I have Keech Hospice in my own constituency. I think hospices and their role is slightly outside the debate, bearing in mind the level of investment that we are putting into mental health services and counselling services. Somebody mentioned improving access to psychological therapies and the importance of talking therapies. I hope that any mother or family who needs mental health counselling as a result of baby loss will in future be able to access those services. I will write to her about the role of hospices in this particular area.

I appreciate the support from Members on both sides of the House in relation to the maternity safety ambition. I echo your words, Madam Deputy Speaker, about the tone of this House in such important debates. One of the most important things to come out of the debate today is the importance of learning for improvement and what we are beginning to learn through the perinatal mortality review tool and the Healthcare Safety Investigation Branch, which I have mentioned, that was introduced by the former Secretary of State.

I would like to remind Members that the NHS is still—and the NHS in the UK is still—the safest place in the world to have a baby: 0.7% of all births result in a stillbirth or a neonatal death. Having said that, on a day like today, 12 babies in England and 15 across the UK will be stillborn or die soon after birth, and many more families will lose a baby through miscarriage, ectopic

pregnancy and other causes. We are, however, making progress: in 2015, the figure was 17 babies a day. Maternity and neonatal safety initiatives are beginning to improve outcomes, with most of the anticipated impacts still to be realised, as safety improvements are embedded in maternity and neonatal services and as we learn more from research and investigations about which babies die and why.

Finally, as we have discussed, the theme of Baby Loss Awareness Week 2019 is psychological support for those bereaved parents who need it. I understand that a working group is being convened to support the development of maternity outreach clinics that will integrate maternity reproductive health and psychological therapy for women experiencing mental health difficulties arising from and directly related to the maternity experience. I will undertake to ask this working group if it could consider extending the maternity experience to those who have lost a child in pregnancy, during labour and childbirth in the neonatal period.

I would like to finish by thanking all the midwives, doctors and healthcare support workers who do such a fantastic job in delivering more than 600,000 babies successfully every year and in helping the parents who, sadly, do not experience the happiness of a healthy baby.

Madam Deputy Speaker (Dame Eleanor Laing): Thank you. What an excellent, calm and constructive debate.

Question put and agreed to.

Resolved,

That this House has considered baby loss awareness week.

Business without Debate

JOINT COMMITTEE ON STATUTORY INSTRUMENTS

Ordered,

That Julia Lopez be discharged from the Joint Committee on Statutory Instruments and Maria Caulfield be added.—(*Bill Wiggan, on behalf of the Selection Committee.*)

Madam Deputy Speaker (Dame Eleanor Laing): The sitting is now suspended until approximately 7.30 pm. The annunciator will carry further information about the likely timing at which the sitting will resume. Shortly before it does so, Mr Speaker shall cause the Division bells to be sounded.

6.55 pm

Sitting suspended (Order, this day).

MESSAGE TO ATTEND THE LORDS COMMISSIONERS

8.2 pm

Message to attend the Lords Commissioners delivered by the Lady Usher of the Black Rod.

The Speaker, with the House, went up to hear Her Majesty's Commission; on their return, the Speaker sat in the Clerk's place at the Table.

ROYAL ASSENT

Mr Speaker: I have to acquaint the House that the House has been to the House of Peers, where a Commission under the Great Seal was read, authorising the Royal Assent to the following Acts:

Parliamentary Buildings (Restoration and Renewal) Act 2019

Census (Return Particulars and Removal of Penalties) Act 2019

Her Majesty's Most Gracious Speech

Mr Speaker: I have further to acquaint the House that the Leader of the House of Lords, one of the Lords Commissioners, delivered Her Majesty's most gracious speech to both Houses of Parliament, in pursuance of Her Majesty's Command. For greater accuracy, I have obtained a copy and also directed that the terms of the speech be printed in the *Journal* of this House. Copies are being made available in the Vote Office.

The Speech was as follows:

My Lords and Members of the House of Commons

My Government's legislative programme has laid the foundations for the United Kingdom's departure from the European Union while pursuing wide-ranging domestic reform.

Landmark legislation was passed, and has now been commenced, to repeal the European Communities Act. Other laws are in place to enable the United Kingdom's smooth exit from the European Union, establishing new arrangements on international sanctions, nuclear safeguards, customs, and reciprocal healthcare arrangements. Over 600 Statutory Instruments have been made to ensure a functioning statute book following the United Kingdom's departure from the European Union.

The stability and strength of the union that joins England, Scotland, Wales and Northern Ireland has been at the forefront of my Government's agenda. Preserving and promoting the social, economic and cultural bonds that unite this nation remains of the utmost importance to my Government. My Government continues to work to ensure that locally-accountable politicians can take decisions in Northern Ireland at the earliest opportunity.

It has been an enduring focus of my Government to strengthen the economy to support the creation of jobs and to generate the tax revenues needed to invest in the National Health Service, schools and other public services. Improving public finances, while keeping taxes low, has been a priority for my Government. Legislation passed this session has provided one hundred per cent relief from business rates for agricultural nurseries and, for a period of five years from April 2017, properties used for the purpose of new fibre infrastructure.

My Government has set out a programme of work to improve productivity and help businesses create high quality, well paid jobs across the United Kingdom. In 2019, more than a million workers benefited from the largest increase to the National Living Wage since it was first introduced. My ministers have worked to attract investment in infrastructure to support economic growth. Legislation has been passed to ensure that the United Kingdom remains a world leader in new industries, including electric cars and commercial satellites.

My Government has continued to support international action against climate change, including implementation of the Paris agreement. Recognising the need for bold steps to protect the planet, a commitment to reach net zero carbon emissions by 2050 was enshrined in law, making the United Kingdom the first major economy to do so.

Draft legislation was published which will establish a new body to ensure the United Kingdom's high environmental standards are maintained and to protect and improve the environment for future generations. My Government has

legislated to protect animals, including bans on the sale of ivory, puppies and kittens by commercial third parties and the use of wild animals in travelling circuses in England.

Voyeurism offences have been recognised as the crimes that they are and legislation has been passed to ensure the courts have powers to take swift action to protect children who are identified as at risk of female genital mutilation.

In presenting the long-term plan for the National Health Service in England, my Government strengthened its commitment to ensuring there is a world-class health system that supports everyone from birth, through the challenges that life brings, and into old age. My Government is committed to ensuring mental health support is available to all who need it and to protecting the fundamental human rights of the most vulnerable in society. Legislation enacted this session will increase access to protections and put in place robust safeguards for those who are deprived of their liberty.

In recognition of the need to make renting fairer and more affordable, and to promote fairness and transparency in the housing market, legislation has been enacted to reduce costs at the outset of, and throughout a tenancy, by banning most letting fees paid by tenants in England.

My Government has taken steps to ensure fairer markets and to protect consumers from unfair practices and financial losses. Legislation has been passed to ensure people have access to free and impartial financial guidance and debt advice and to introduce a ban on nuisance calls in relation to pensions. Measures have been enacted to reduce insurance costs for motorists by tackling the high number and cost of whiplash claims.

The security of the nation and its citizens remains of the highest importance to my Government. In this session, legislation has been passed to ensure the police and security services have the powers they need to keep the population safe in the face of evolving threats of terrorism.

Legislation passed this session marks a significant step towards my Government's commitment to tackle serious violence on the streets of the United Kingdom. Laws are now in place to prevent young people from purchasing dangerous weapons and to prosecute those who possess such items, or sell them without imposing rigorous age verification.

The defence of the Realm remains an utmost priority for my Government, which it has supported through investment in our gallant Armed Forces.

As a leading member of the international coalition against Daesh, the United Kingdom played a critical role in the military defeat of Daesh's so-called caliphate in March of this year. While the Middle East continues to suffer from serious conflict, my Government has played a leading role in de-escalating regional tensions. My Government has also played a key role in international efforts to protect the United Kingdom and its allies from hostile threats, including in response to the chemical weapon attack in Salisbury.

As a permanent member of the United Nations Security Council, my Government has provided political and diplomatic support to peace efforts in Yemen, Libya and Syria, as well as mitigating the human cost of these tragedies through the provision of substantial humanitarian assistance.

Prince Philip and I were pleased to welcome Their Majesties King Felipe and Queen Letizia of Spain and we also welcomed King Willem-Alexander and Queen Maxima

of the Kingdom of the Netherlands, and the President and First Lady of the United States of America, on State Visits.

Prince Charles and I were delighted to attend a national commemorative event to honour and remember the heroism, courage and sacrifice of the many servicemen and women who participated in the D-Day Landings.

Members Of The House Of Commons

I thank you for the provisions which you have made for the work and dignity of the Crown and for the public services.

My Lords And Members Of The House Of Commons

I pray that the blessing of Almighty God may rest upon your counsels.

PROROGATION

Mr Speaker: The Commission was also read for proroguing this present Parliament, and the Leader of the House of Lords said:

“My Lords and Members of the House of Commons:

By virtue of Her Majesty's Commission which has now been read, we do, in Her Majesty's name, and in obedience to Her Majesty's Commands, prorogue this Parliament to Monday the fourteenth day of this October to be then here holden, and this Parliament is accordingly prorogued to Monday the fourteenth day of October.”

End of the First Session (opened on 13 June 2017) of the Fifty-Seventh Parliament of the United Kingdom of Great Britain and Northern Ireland in the Sixty-Eighth Year of the Reign of Her Majesty Queen Elizabeth the Second.

Westminster Hall

Tuesday 8 October 2019

[JAMES GRAY *in the Chair*]

Government Plan for Net Zero Emissions

9.30 am

Sarah Newton (Truro and Falmouth) (Con): I beg to move,

That this House has considered the Government plan to reach net zero by 2050.

It is a pleasure to serve under your chairmanship, Mr Gray. I am grateful to the huge number of Members from all parts of the House who have come along to Westminster Hall this morning. It really underlines the absolute priority that this House and the Government give to tackling the huge challenge facing us all.

There is no doubt that the UK leads the world on tackling climate change. We have decarbonised faster than any other major economy, reducing our emissions by 38% since 1990, but we all know that we need to go further and faster, which is why Parliament supported the world-leading net zero target, making the UK the first major economy to do so. The Government must now outline a strategy, with concrete policies and a road map showing how we will get there.

Climate change and the decline of nature is the most serious threat we face. Unchecked, it will lead to more extreme weather events such as floods and droughts, damage precious natural habitats, and cause sea levels to rise. The impacts could be irreversible. The response must be similarly comprehensive, and action must be taken across the whole of our economy. I am confident that we can do that, because there is concern and support for action not just in the streets outside, but in every home, every business and every community across our country. We are an imaginative, creative and innovative nation, and I think we have what it takes to rise to this challenge. It is an opportunity to grow our economy more sustainably. What is good for nature is good for human health and wellbeing.

Every week, like all hon. Members, I meet people from a wide range of organisations—local councils, students, schools, local businesses, and environmental activists—all of whom are fully invested in ensuring that we achieve our net zero target. In every meeting, there is agreement on what the challenge is and why we need to act, and the conversation moves on to how and when they can play their part. If we are to harness that enthusiasm and expertise, we need first and foremost to provide more information about the Government's plans.

In this debate, we will hear lots of ideas for new policies to help reach net zero, and I hope that the Minister will take them on board. I will highlight just one: my recent ten-minute rule Bill, which makes the compelling case for the Government to set out a plan to retrofit energy efficiency measures in homes across the country. That Bill asks the Government to publish a plan for meeting the domestic energy efficiency targets in the clean growth strategy, to make provision for monitoring performance against milestones in the plan,

and to establish an advisory body for the implementation of the plan. As we prorogue tonight, the Bill will fall, so I ask the Minister to take its provisions forward into the next Session. The Committee on Climate Change says that that action should be a priority, and the National Infrastructure Commission has also made it a priority.

The technologies required to enable decarbonisation of the building stock and energy systems are largely available today. Industry body representatives have set out clear plans, as have leading charities such as National Energy Action. Taking action on energy efficiency has the dual benefit of reducing carbon emissions and saving people money.

Matt Western (Warwick and Leamington) (Lab): I congratulate the hon. Lady on securing this debate, and commend her for her Bill. On housing and the Government's performance, does she agree that it is regrettable that the ambition to achieve zero carbon homes by 2016 was torn up in the 2011 Budget? We would have made much greater progress had that not been done and we had pursued that ambition for 2016.

Sarah Newton: I would rather use today's debate to show the collective will and determination of hon. Members to support the Government in reaching the new target, rather than engaging in a tit-for-tat about which Government could have or should have done what in the past. Let us focus on the future and on what we can all do as Members of Parliament to support the Government in reaching the target that the whole of Parliament supports.

Tackling fuel poverty will end a lot of preventable human misery, as well as save the taxpayer a great deal of money in the NHS, in social care and in the Department for Work and Pensions. Evidence clearly shows that when people live in a warm home, their health improves, children do better at school, and people are more likely to be in work. I know that Cornwall would very much love to be the area of the country to pilot the whole house retrofit.

Having pitched my Bill, I will focus my remarks on the main theme of this debate, which is the importance of making readily available to everybody in our society digestible information on what we are doing to reach net zero. That is really important, because not everyone will be able to read the 277-page net zero report by the Committee on Climate Change, or the 630-page report by the Intergovernmental Panel on Climate Change, which are difficult for many people to understand. Day in, day out, there is a barrage of announcements from Government Departments about what they are doing to tackle this challenge.

Luke Graham (Ochil and South Perthshire) (Con): My hon. Friend is making a powerful point about setting targets. As the United Kingdom, we have a target of 2050, while devolved Administrations across the UK are setting different targets. In Scotland, the target has been set at 2045, which is dependent on the entire United Kingdom hitting the 2050 target. How can we share information through different tiers of Government right across the UK so that all our citizens benefit and all our targets are met?

Sarah Newton: My hon. Friend makes a really important point about how different nations in the United Kingdom will need to set different targets. Scotland has an abundance of natural resources for hydroelectricity among other things, so it will be easier for it to reach net zero than for England.

Some industries, such as the water industry, have already committed to decarbonise by 2030, while the National Farmers Union has recently produced a plan. It is vital to make it easy for citizens, businesses and public sector organisations to see a road map showing exactly how we will reach our targets and the contribution that everyone in society is making to enable us to reach that goal.

Caroline Nokes (Romsey and Southampton North) (Ind): I congratulate my hon. Friend on securing this debate. Does she agree that in providing better information to citizens and businesses, we must also seek to bring them with us? If people understand the issue and are made to feel part of the solution, they are much more likely to engage and take the individual actions that we need them to take.

Sarah Newton: My right hon. Friend makes a very important point: the changes needed are substantial and it is really important that people understand why we need to do what we need to and that we take people with us. We can do that largely by providing information not only about the why, but about the how. In my experience, most people are waiting for that information, because they understand the challenge and want to play their part.

Caroline Lucas (Brighton, Pavilion) (Green): I congratulate the hon. Lady on securing this important debate and on her Bill. Many of us believe that 2050 is not soon enough and would like to go further and faster, but irrespective of the target and the speed, does she agree that, precisely to bring people along with us, there is a role to be played by citizens' assemblies? This is an opportunity for people to come together and work together to identify how best to make the transition.

Sarah Newton: I am glad that the hon. Lady has mentioned the target. The groundbreaking Climate Change Act 2008, which is unique to our country in having all-party support, set up the independent Committee on Climate Change. All Governments depend on evidence and the best science to show what we can do. The independent Committee on Climate Change says that the 2050 target is the right target: it is ambitious but feasible, whereas the 2030 target is not necessary and not deliverable. We risk undermining the very independence of the Committee on Climate Change and the evidence-based policy-making approach that we must take if we start to pluck numbers out of thin air for political gain.

Louise Haigh (Sheffield, Heeley) (Lab): The hon. Lady makes some powerful points. Listening to experts is crucial, so I hope she shares my concern—I hope the Minister is listening—about the Government's decision to overturn the advice of their own Planning Inspectorate, given on climate change grounds, regarding the new Drax gas-powered turbines at Selby. They would undermine the target that she is pushing.

Sarah Newton: I think the hon. Lady's intervention is directed more at the Minister than at me.

To return to the theme of my debate, I believe the Government can provide a lot more information. They can share data and expertise on the smartest way to get to work and school and to travel, on what local British food is in season and sustainably grown, and on the suppliers of the cleanest forms of electricity and heating. That information could be provided in one place, where any individual, councillor, business or student can find out all they need to know to reduce their carbon footprint. Information for business and public sector organisations about how to support innovation could also be made more widely available.

Dr Sarah Wollaston (Totnes) (LD): We have some of that information already, such as that last year we spent £26 billion on transport, but only £400 million of that was spent on active walking and cycling. Does the hon. Lady think that we need a shift of priorities so we are investing in green forms of transport that will also improve health?

Sarah Newton: The hon. Lady is absolutely right about the need to invest in cycling and walking infrastructure. Both of us, with many colleagues, participated in a debate in this Chamber on that very subject. The Government asked the Committee on Climate Change to consider what plans they need to put in place to enable us to reach that target; they are actively considering those plans and the Treasury is looking at the cost.

I have every confidence that the Government will produce detailed plans on how we are to reach the 2050 target, but I want them to set out clear milestones for the intervening period. Judging by conversations this morning with protestors, people think we will wait until 2050 to take any action, but we have already taken significant action, and the ambition is there to go further and faster. To give people hope and clarity, we need to set out the plans and milestones in detail so that people can see what is going on.

Mr Philip Dunne (Ludlow) (Con): This country has the opportunity, through the COP 26 conference next year, to take the lead internationally on setting out actions that people and communities can take. Does my hon. Friend agree that there is a role for people across this country, in the run-up to COP 26, to identify practical steps that communities and industry sectors can take, to bring those to COP 26 and to highlight them around the world?

James Gray (in the Chair): Order. This is a busy debate, so interventions must be brief—one sentence at the most.

Sarah Newton: We will bear that in mind, Mr Gray. My right hon. Friend makes a good point: COP 26 is a great opportunity, as he so well articulated. Some sort of roadshow would be a good idea, as it would harness the great work going on and give the Government an opportunity to communicate to communities the sort of innovation funding and support plans available, so people can engage.

Richard Benyon (Newbury) (Ind): I will be very quick. There is an opportunity for Members of this House to take a lead in our constituencies. Does my hon. Friend agree that a good way would be to have local assemblies, where we inform people of what is going on, they can inform us and we can feed that through?

Sarah Newton: My right hon. Friend makes an incredibly important point. We are leaders in our communities and we have agency, as he describes, to make a positive difference.

This country also has world-leading universities and tech companies. I would like the Government to set up an ecotech innovation fund, so we can harness expertise to create user-friendly, accessible apps and websites that seamlessly compile impartial and accurate data and explain what people can do and how they can access support.

Several hon. Members *rose*—

Sarah Newton: I am going to make a bit of progress because so many Members want to speak and I want them to be able to do so.

Businesses have an important role to play, and it has been great to see businesses come forward with their own net zero targets. The water industry, for example, has committed to carbon neutrality by 2030. To give hope to the citizens who are so worried about climate change, that information should be captured so that people can see what all sectors of our society are doing. To level up the expectation on all businesses to take action, the Government should require goods for sale to include climate impact on their labelling. That requirement could cover food, electronic goods, and so on. It would help consumers to make smarter choices when shopping and ensure that companies measure the carbon footprint of individual products. It will add a cost to business, but that is why we must create a level playing field by insisting on the provision of that information. We do not want businesses who do the right thing to be undercut by those who do not. Information is power and it will enable every workplace and home to make smarter choices.

To co-ordinate that activity I want the Chancellor of the Duchy of Lancaster to be given overall responsibility for net zero in the Cabinet Office. We should raise the status of the Environment and Clean Growth Inter-ministerial Group to a Cabinet Sub-Committee. The Treasury could introduce a new net zero test for every Budget and spending review, to ensure that all new Government spending and investment is aligned with the target, or at least is not harming decarbonisation efforts. The Government could ask the Office for Budget Responsibility to scrutinise whether the targets are being met.

Bill Esterson (Sefton Central) (Lab): In the Liverpool city region, the combined authority and the Mayor, Steve Rotherham, are doing exactly what is needed to take people with us to hit that net zero carbon target. That includes plans for an ambitious tidal barrage on the Mersey, hydrogen trains—hopefully built by Alstom in Widnes—and an offshore wind array. They also oppose fracking. Is that not the way to hit the net zero carbon targets?

Sarah Newton: There are regional industrial strategies in the modern industrial strategy. The Government are clear about going for clean and inclusive growth in our economy, and I absolutely support that. I welcome the fact that local enterprise partnerships all over the country, including in Cornwall, are coming together to produce plans for us to meet our net zero targets while growing our economy sustainably. I commend any region of the country working with the Government to enable us to do that.

All the businesses I speak with want clarity and certainty about what the Government want them to do, so that they can start pricing in the changes they will need to make. Many see this as an opportunity not just to do the right thing but to innovate and reach new markets. Government Departments and their arms-length bodies should lead by example by making their buildings more energy efficient and switching to low-emission transport. That will save money as well as carbon.

Stephanie Peacock (Barnsley East) (Lab): The hon. Lady is being very generous with her time. Does she agree that we should call on local authorities, which have huge purchasing power and local influence, to take action? Last month, Barnsley Council declared a climate change emergency.

Sarah Newton: I welcome the fact that Barnsley has declared a climate emergency. Cornwall Council has done the same, as have most of the parish councils in my constituency. People want to play their part. The Government have recently brought in some very helpful new regulations that will help councils. For example, most councils sit on huge pension funds; the new regulations, which came into force last week, make councils think about the impact of their decisions on reaching that net zero target. There are many contributors to enabling people, councils and businesses to make changes so that we can meet the target.

As was mentioned, the climate change movement will fail if we fail to take people with us. As we saw in France, we must be clear about why action to tackle climate change matters, and ensure people are not left behind as we transition to new, cleaner industries. It cannot just be about distant international summits with acronyms that few people understand. When the UK hosts the UN climate change summit in Glasgow next year, we must ensure that every sector of society is involved in the conversation. With an issue as big as climate change, we need everyone's collective brainpower to find the right solutions, and we must have everyone on board if we hope to implement those solutions.

Mr Mark Harper (Forest of Dean) (Con): In the light of my hon. Friend's comments about Britain's world-leading efforts on climate change, and all the interventions talking about the action already being taken, would not efforts to take people with us be more effective if campaigners stopped insisting that nothing has happened in the past 30 years, which is simply not true?

Sarah Newton: I absolutely agree. There is a lot of scaremongering and misinformation. Most of the people that I meet are genuine and sincere, but there is no doubt that there are people who have seen the popular support and concern about what is happening to our climate and nature and are deliberately infiltrating and organising in a way intended to create chaos, and

[Sarah Newton]

fundamentally to bring down our whole way of life. We must guard against that. In any democracy that enjoys as much freedom as we do—it is fantastic that we have those freedoms—we must guard against extreme elements in our society, which will always want to undermine and bring down our whole way of life. My right hon. Friend makes a very good point.

Wera Hobhouse (Bath) (LD): I believe that the biggest danger we face is not climate change deniers, but climate change delayers—those people who think we are doing okay. It is an emergency. The guys are out there because we have not done enough. Does the hon. Lady agree that we should all take note of that?

Sarah Newton: I gently ask the hon. Lady: how can she claim to speak for everyone outside? A little bit of humility in all of us does not go amiss. Everyone in this room is 100% committed to getting to net zero. It is clear from Parliament's actions that we want to do that. That is why I wanted to focus this debate on ensuring that we have clear plans and communications and measures are reported in an open and transparent way, so that people cannot make cheap party political points, which damage people's wellbeing and how they feel about this issue.

Let us be honest: in post-Brexit Britain, we will need a unifying cause. We will need something to bring the whole country together, and this is it. People from all walks of life, all backgrounds and all ages want us to work together, to tackle this huge challenge, which I believe is also a huge opportunity. In this debate we should show our unity of purpose in supporting the Government to take those actions, and that we are truly a United Kingdom that everyone can be proud of.

James Gray (in the Chair): It will not have escaped colleagues' notice that many people wish to speak. While I do not intend to impose a formal time limit, which I believe to be bad for debate, I leave it to the conscience of individuals to recognise that they should speak for two or perhaps three minutes, because if they go on longer than that, they will be squeezing out their colleagues. To save a bit of time, let me say that I am delighted to be your Chairman; you do not need to say so.

9.53 am

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): This debate, secured by the hon. Member for Truro and Falmouth (Sarah Newton), is timely. We need to restate that climate change is real and that the climate emergency, which Parliament has declared, means we must do things differently.

The climate emergency declaration that this House passed is not just a statement of intent, but a challenge to business, Government, society and individuals, and it comes with a basic question: "Now that Parliament has declared a climate emergency, what are you doing differently?" If the answer is nothing, that is not good enough. If the answer is that which I have heard from many corporates, that is, the same insufficient amount as they were doing before but with more topspin, that is not good enough. If the answer is that we will park the action many decades away so that we do not have to take action now, that is not good enough.

More spin will not do it. More of the same will not do. We need bold and determined action, which means being more ambitious and swifter in our action, and more honest with the people about the massive changes to the way we live, work, travel and consume that will be required to hit net zero, by 2050 or any other date. It also means that we need the Government to put as much effort into the climate emergency as they put into Brexit. Will the Minister pass on to his Treasury colleagues that the autumn Budget must be a climate emergency Budget as much as it is a pre-election Budget or a Brexit Budget? It must cut through on every single aspect of addressing the climate emergency; nothing less will do.

That also means that as MPs we need to readjust our own campaigns. My campaign to see the M5 extended from Exeter to Plymouth means that we must bring forward the date of getting rid of diesel and petrol engines, to ensure that only electric cars use that extended road. The campaign to reopen Plymouth airport means that rather than having planes using aviation fuel landing there, we must have electric aviation.

Those are big challenges that require big and bold investment by Government. We need that investment now, because pushing it down the line will only make achieving net zero by 2050—or by 2030, as I would like, and as the Labour party has proposed, with the brilliant green new deal motion passed at our conference—harder to achieve. Let us have swifter action now and more honesty from Ministers about how much change is required to get there.

9.56 am

Damian Hinds (East Hampshire) (Con): I congratulate my hon. Friend the Member for Truro and Falmouth (Sarah Newton) on securing this important debate. We all know the scale of the challenge and the imperative it entails. Declaring an emergency comes easy and "net zero" trips off the tongue, but in reality, these things are difficult. To achieve that requires a per annum reduction in our emissions 30% greater than we have achieved on average since 1990. That is why the Committee on Climate Change said that a 2050 target was the latest that our country could credibly maintain our status as a climate leader at the same time as being the earliest at which it would be credibly deliverable alongside other Government objectives.

I have asks of the Government, which I will come to in a moment, but, first, I have asks of the wider sector—everyone who has an interest in this vital subject. First, we must acknowledge progress. My right hon. Friend the Member for Forest of Dean (Mr Harper) touched on this. There is a difference between saying that more must be done and saying that nothing has been done. It can become debilitating to think that no progress has been made and nothing has been achieved.

I first came across that when I was a junior Minister at the Treasury and I would meet Finance Ministers from other countries, and we would talk about climate change. They would say, "Of course, you in the UK are leaders," and I would say, "We are? That's not what I keep reading." Other countries do look to us, starting with our framework of the independent Committee on Climate Change, the periodic carbon budgets and the rest of it.

In international studies we are ranked among the top 10 nations for our performance on tackling climate change. We have made huge progress on renewables, specifically offshore wind, where we are a world leader, if not the world leader. We have also set an end date for unabated coal. Our role at COP 21 was pivotal, as was our role in showing leadership in setting the net zero target. Our international work on climate finance through the Department for International Development is pivotal, too.

The second ask is that we prioritise and triage, because we cannot just tell people that everything must change at the same time. Some things must be prioritised. My hon. Friend the Member for Truro and Falmouth mentioned retrofitting homes. The two biggest things alongside that are energy generation and transport, particularly domestic transport. Those two massive areas are dependent on the development of batteries.

The third ask is that we go with the grain of people's lives. It is a hard sell to tell people that they cannot go on holiday, they will be cold when they are sitting at home and they must become vegan. It is a much easier sell to say that the electric car is now as high-performance a vehicle as a petrol car, and that we can be warmer at home and it can be cheaper to heat our homes than it was in the past.

That becomes even more important when talking about developing nations. We have had our industrial revolution and we have all reaped the benefits. It is natural that other countries want that development too, and we must help them to have clean growth.

We need a bipartisan approach. That has been a great strength of the approach to tackling climate change in this country. It is tempting to say we must always do more and we must do it sooner. As with international aid, there are two aspects to this: first, what we do ourselves; and secondly, how we can leverage our position internationally. However, leveraging our leadership is helpful only if what we say is credible—if we say not only that we are going to do something but that we absolutely will do it. If we are going to say we must do this bigger, better and faster, we must be honest with people about the implications of that. I sometimes hear people talking about change for them versus system change, as if system change has no effect on individual families and companies, but it does: it affects the rate of economic growth, which in turn affects jobs and wages, and of course it affects the taxes people pay.

We must focus in particular on what can be done, especially in transport with electric vehicles. I join others in paying tribute to those who are doing great work locally. In my area, that includes the climate action network and the work the council is doing to plant a large number of trees. This is a global problem, and every nation must play its part, but we, in our individual communities, can make a difference.

10.1 am

Tim Farron (Westmorland and Lonsdale) (LD): I pay tribute to the hon. Member for Truro and Falmouth (Sarah Newton) for securing this important debate. Undoubtedly, climate change is a bigger challenge and a bigger crisis than even Brexit. It is important that we put it in that context, but given that I do not have all that much time, let me focus on Cumbria.

Cumbria receives 42 million visitors each year, and we are delighted to see them. We just wish that fewer would come by car, which is how 83% of our visitors currently arrive. That is a serious problem in our fight to achieve net zero carbon emissions, and I am sure what is true in my patch applies in many other places across the country. Therefore, in the moment or two I have, I want to address public transport, which is an enormous part of achieving net zero. Not only does the use of diesel and petrol-powered cars have a devastating impact on the environment, but the Government's failure to invest in public transport prevents people from choosing better options.

Bus provision is a colossal problem in our communities in the Lake district. In the past 10 years, we have lost 888 bus routes in the north-west of England. To their absolute credit, communities have not just stood by; in places such as Sedbergh and Dent, they have established community bus services, which are a lifeline for people who would otherwise be isolated from the communities around them. I am massively grateful to the volunteers who make those services possible. However, with the closure just this month of bus services 552 between Arnside and Kendal and 530 between Cartmel, Levens and Kendal, the decline appears to be accelerating.

I am of course fighting those cuts along with the community but, more broadly, I ask the Minister to make provision of a comprehensive, affordable and reliable rural bus service in Cumbria a key plank in the northern powerhouse. From a rural Cumbrian perspective, the northern powerhouse does not look much like a powerhouse, and it is not even very northern.

The main public transport route into the Lake district is the Lakes line. Back in 2017, the Government shelved their planned electrification of the Lakes line on the basis of completely inaccurate projected costs. Electrification of the Lakes line is the easiest electrification project in the country. The 12-mile route carries hundreds of thousands of passengers each year, but it could carry four times as many if we introduced a passing loop at Burneside so we could run half-hourly services. If the Government are serious about tackling climate change, they need to speed up their electrification project, especially for the railway line that is responsible for taking people into Britain's second biggest visitor destination after London.

The impacts of climate change are real, and they are being felt right now. My constituency in the lakes and the dales has been devastated by catastrophic floods. In the past nine years, we have experienced three flood events classified as one-in-200-year events, with one-in-100-year and one-in-50-year events filling the gaps. At this rate, we absolutely will need to revise the classifications. In 2015 alone, Storm Desmond caused 7,500 properties and more than 1,000 businesses to be flooded. The impact has been heartbreaking.

I want us to mitigate the consequences of our failure to tackle climate change in time to protect my communities from further flooding, but I am also determined that the Government must make the big strategic decisions to fight climate change. That requires a revolution in renewables and a push for energy self-sufficiency, especially in hydro, tidal and marine, for which 95% of the supply chain, including Gilkes in my constituency, is British. That would protect our environment, boost our economy and give us vital energy security. Just a few weeks ago, I

[Tim Farron]

was with students in Kendal protesting against inaction on climate change. That was a reminder that the coming generation will not let us get away with it, and they are absolutely right not to.

The reality is that we are too late to stop climate change and have perhaps a dozen years left to avoid a major climate catastrophe. Tackling this global disaster will take change in every community and lots of steps that add up to a bigger picture. Clearly, public transport is an element of that. Will the Minister therefore agree to meet me and others so we can put together a comprehensive rural bus service under the umbrella of the northern powerhouse, and a plan for the electrification and expansion of the Lakes line? In order to succeed globally, we in the lakes are determined to act locally.

10.5 am

Stephen Kerr (Stirling) (Con): Let me begin by paying tribute to my constituents, who are highly engaged on this topic. The young people in the high schools in Stirling are especially on the ball, and they are taking a lead that I am glad to be able to follow.

We owe it to the British people to talk plainly about the implications of Parliament's commitment to get to net zero by 2050. My right hon. Friend the Member for Forest of Dean (Mr Harper) is right that that will not be easy to achieve. We need to spell out the options clearly, in a grown-up way—a way that I think our young grasp. If I have learned anything about the House since arriving here, it is that if we unite and work across parties on this issue, we can get the job done.

We have an obligation to the present, but we have a bigger obligation to the generations that follow. We have both a special responsibility and an opportunity. As has already been laid out, we have a responsibility because our country led the world into the first industrial revolution, but we have an opportunity to lead the world again in the development of new clean growth technologies and industries. There is a first-mover advantage to be had, and I urge the Government to be bold and take a lead.

In the interests of time, I will talk about one area in which the Government can take a lead and send a signal to private investors, who will then calibrate their calculation of risk and move into the sector. That area is carbon capture, usage and storage. I have the privilege of serving on the Business, Energy and Industrial Strategy Committee. We published a report on CCUS, the first recommendation of which was that the Government should

“view CCUS primarily as a tool for decarbonisation, rather than as an extra cost on power generation. Deployment should be prioritised because CCUS presents an opportunity to reduce the overall cost of meeting the UK's emissions reduction targets.”

The report went on:

“Our view is that the Government should be both ambitious and clear. We recommend the Government sets a specific target to store 10 million tonnes of carbon by 2030, and 20 million by 2035, to keep the UK on track to meet its 2050 climate change targets, as recommended by the CCC.”

However, once the Committee had received the Government's response to its report, the Chair felt the need to write, with our support, to the Minister, stating that we were

“disappointed by the response's content: it barely engages with the arguments made in our report, but instead appears largely to repeat previous policy statements.”

The Chair continued:

“Please could you explain why you have not committed to supporting CCUS where and whilst it remains the cheapest route to decarbonisation.”

May I use this opportunity to ask the Minister for his response to the Select Committee's positive encouragement to make a positive decision on that very important element of our work towards 2050 and the decarbonisation of our economy?

10.8 am

Melanie Onn (Great Grimsby) (Lab): A net zero target is right, but we must be aware in our battle to tackle the climate emergency that time is fleeting. The greenhouse element of carbon dioxide is not a tap we can turn off. Approximately a fifth of the carbon dioxide emitted in the past year will remain in the atmosphere for thousands of years. The damage we cause now will not go away if we decide to start acting responsibly in, say, 31 years' time; it will become a feature of human life for millennia. The cumulative nature of climate change means that the more radical we are now, the less radical future generations will have to be to stop even more catastrophic change and fix the damage we have already caused.

The climate emergency has climbed up the agenda over the past months, but it is far from a new issue. The previous synthesis report by the Intergovernmental Panel on Climate Change came out more than five years ago, and the Government have had plenty of time to digest its findings and implement the drastic policies that we need to tackle climate change. Sadly, however, that is not what we have seen.

We have seen the end of the White Rose carbon capture and storage project, and the end of solar subsidies and support for biomass. The Green Investment Bank has been sold, and we have given up on zero carbon homes. The Swansea tidal lagoon has been stopped, and the green tax target cancelled. Fracking continues despite local opinion in different areas of the country and an increase in ground tremors, and still the Government stubbornly refuse to lift their ban on cheap and green onshore wind. Indeed, we are led by a Prime Minister who said that wind farms could not

“pull the skin off a rice pudding”.

Action on climate change is not just necessary to protect our future; it can also provide future-proofed and sustainable jobs for many of our communities. We have seen glimpses of that prosperity already through the wonderful work of companies such as Ørsted in Great Grimsby. I was pleased to open its new £14 million east coast hub, and it also works with local schools and colleges to train the next generation of workers to be ready for a green economy. However, we seem to have a Prime Minister and Government who are genetically opposed to taking sensible decisions to protect the planet, and if we are to avoid even more catastrophic damage to our planet, we need a drastic change in governance.

10.11 am

Alex Chalk (Cheltenham) (Con): I pay tribute to my hon. Friend the Member for Truro and Falmouth (Sarah Newton) for her brilliant speech. I take pride in the fact that the United Kingdom is the first developed nation

to commit to net zero emissions, and wherever we in this House sit on the political spectrum, we can take a measure of quiet pride in that achievement. It is critical to show leadership, because although in this place we rightly focus on what we do as a nation, it is what happens in other parts of the world—particularly China—that will make or break global efforts on this issue.

Consider the Paris climate accord. Emissions in the UK peaked in 1990 and are now 42% lower, but China's emissions are forecast to peak in 2030. That matters because China produces something like 25 times more emissions than the United Kingdom. We must show leadership so that we can try to impress on nations such as China—it produces more emissions than the United States and Europe combined—that it is in its interests to take those critical steps as responsible global citizens.

What should we do? First, there is new technology, and secondly there is old technology. On the former, if the Minister has not read it already, I commend to him the “Mission Possible” report, which considers how technology can help with those hard-to-abate sectors. That includes specific technological solutions, such as electric drivetrains for heavy transport, or reducing the cost of electrolysis so that we can produce hydrogen at an industrial level. There are already solutions on the shelf that we should consider.

The Government are getting behind other technologies. They have invested around £400 million in charging infrastructure, and there is onshore wind, carbon capture and storage and so on, but let us not neglect old technology. The best piece of technology, which absorbs carbon in a way that is inoffensive and off the shelf is, of course, the tree. Let us therefore take the opportunity to plant trees and lean into our targets.

The hon. Member for Totnes (Dr Wollaston) made a point about cycling and walking. After the second world war, there was a similar situation in the Netherlands with roads that crowded out cycles. In the 1970s a decision was taken to reverse that—there is no unwritten rule that people in the Netherlands should all cycle; that decision was made by the Government. We could do similar things in this country, certainly in places such as Cheltenham, which is flat and easy to cycle around. We must lean into such suggestions and ensure that we have sustainable transport. With old technologies, new technologies, and global leadership we can get this done.

10.14 am

Gavin Newlands (Paisley and Renfrewshire North) (SNP): I am delighted that we are having this debate, because the Scottish Government have been leading the way on our transition to a net zero emissions society. While UK energy policy seems fixated on nuclear power, with its massive costs and technical challenges, Scotland has charted a course for a 100% renewable society, and it is on course to achieve that.

There is action on the ground and out at sea to transition our society to net zero emissions. Such actions are required to meet the statutory targets that were set out in legislation last week by the Scottish Parliament, and to move Scotland forward to having net zero emissions by 2045, and to be carbon neutral by 2040. Our infrastructure is being renewed and repurposed as a key pillar of moving to carbon neutral and net zero emissions.

Our rail network will be decarbonised by 2035, with electrification across Scotland progressing at a rate not seen in 30 years. Half a billion pounds have been invested in bus infrastructure, and the foundation of the Scottish National Investment Bank will provide a financial backbone and the capital needed to transform our nation. We are building the UK's first electric highway along the A9—the spine of Scotland—and investing more than ever before in the installation of charging points for the growing fleet of electric cars on the roads.

Those actions, and many more, are some of the practical steps being taken right now to reduce our dependence on fossil fuels, and to leave a long-lasting and sustainable legacy for our zero carbon future. All that action is being taken by the Scottish Government, but although they have cross-party support in the Scottish Parliament, they have one hand tied behind their back. Scotland could go further and faster if it had the energy levers that remain reserved to this place—powers that, as we have heard, are not being used appropriately. Such actions include cutting subsidies to onshore wind, removing support for solar energy, cancelling carbon capture and storage at Peterhead, and imposing unfair electricity transmission costs that disincentivise renewable development in remote areas—hardly a record to be proud of.

I will conclude with some thoughts from a 1981 *National Geographic* energy special that I picked up in a charity shop in the constituency of my hon. Friend the Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry). It is entitled, “Facing up to the problems, getting down to solutions”, and 40 years later, although we have come a long way, in many ways that title still resonates.

The biggest takeaway is that the environment is given nary a mention. For example, environmental concerns are mentioned as one of the last drawbacks of coal energy production. One quote that resonated with me came from an agriculturalist called Steven C Wilson:

“With our bigger-is-better disposable non-renewable energy past, I wonder if, in squandering fuel, we have not also subverted self-reliance, neighbourly concern, the active appreciation of balance and harmony. I think confronting this legacy of too much, too soon would be the proper response to the energy crisis.”

Forty years on, that still means something. It shows that we must all play a part in this, because it is not just an issue for Governments.

10.17 am

Derek Thomas (St Ives) (Con): I thank my hon. Friend the Member for Truro and Falmouth (Sarah Newton) for her excellent opening remarks, and for putting this subject back on the agenda. I also commend my constituents, hundreds of whom have spoken to me this year about their concerns in a way that has been constructive and productive, and that has helped me to understand my role as a local MP in bringing about change. We must do all we can to accelerate our charge to reach net zero emissions, as that is the right thing to do. The opportunity to improve people's lives is significant, and much can be done straightaway. What is not to like?

We can improve and deliver cheaper-to-run homes and transport. Getting that right will lead to improved and sustainable farming and food production, improved and healthier natural environments, and improved skills and pay, particularly in vocational jobs. In places such

[Derek Thomas]

as St Ives, Cornwall and the Isles of Scilly, vocational jobs in construction and renewable energy are a way of creating and spreading wealth.

This is a great opportunity for a progressive Government, and we need leadership. If we want to bring forward plans to ban the production of cars powered by dirty fuel—and I think we should—we must find a way to step up the production of electric vehicles and support low-income families to purchase them. We must properly roll out smart meters so that we use energy when it is available, and we must help households to generate and store energy. To achieve a significant reduction in carbon emissions, the Government can introduce helpful, exciting and ambitious legislation to bring those things together and help families to use better and cheaper transport.

My hon. Friend the Member for Truro and Falmouth talked about the opportunity to reduce emissions from our homes. As has been said, homes and transport contribute an enormous chunk of our carbon emissions. We can quickly accelerate the reduction of carbon emissions by addressing those things. With my background in the building trade, I know that it can be done. It is right to accelerate policy to make all new homes carbon neutral, and to look at providing interest-free loans to improve the efficiency of businesses and homes. However, as the draft environment Bill comes forward, we should quickly seize on the idea of having the most ambitious nature recovery network to benefit every corner of the country.

10.20 am

Geraint Davies (Swansea West) (Lab/Co-op): Climate change is not an inconvenient truth, as Al Gore put it. It is a global emergency. That is why thousands of people outside this place and millions across the world are saying, “Act now.” They know we are essentially smoking ourselves to death with fossil fuels. We are guzzling gasoline as if there is no tomorrow. They know, as we should, that that will force migration, war, famine, water shortages and loss of insects—the list goes on. We sit around here saying, “We played a great game in Britain,” but the reason carbon emissions have gone down in Britain is that we closed our coal mines and exported our industry to China. Now we are bringing it over in ships, using more carbon. We sit here talking about 2050 as if it is a great achievement, when it is not. The latest prediction, given by *Nature* last year, was 1.5° change by 2030, not 2040. That is why we need to up our game to 2030 ourselves.

The Government go ahead with fracking, which generates 5% of methane emissions. Methane is 83 times worse than CO₂ for global warming, making it worse than coal. We should stop fracking now. The Government stopped onshore wind because of a few nimbies. We want wind. We want waves in Swansea lagoon. We want solar. Everyone is going on about nuclear, but the biggest nuclear opportunity is the sun itself. We should have networks—we have got Africa linked into southern Europe—and work together for change.

The Committee on Climate Change says we have done woefully badly on insulation in homes. We could combat fuel poverty and reduce emissions. We need a new clear air Act. We need to bring forward the banning

of the sale of all cars that run on fossil fuels—diesel and petrol—to 2030 instead of 2042. We need to tax. We need a fiscal strategy to drive people’s expectations and interest towards carbon neutrality and carbon negativity, but we are not doing that because we want to please the motorist, and we keep a freeze on diesel. We want a tax on plastics as well.

We also need to think about our trade. Why are we, with the whole process of Brexit, turning away from our nearest market to markets further afield? There should be a carbon charge on our trade, and we should think carefully about Brexit. Why is it that we can all fly to Spain for 50 quid, when it costs £100 to go by train to Swansea? That is not sustainable. Why do we not act? It is because we are frightened of people. What about fossil fuel subsidies? We are subsidising fossil fuels by £12 billion a year, compared with £8 billion for renewables.

The reality is that if it is not painful now it will be agony later. We need to take the tough action now and stop messing around patting ourselves on the back pretending we are solving the problem when in fact we are part of it. Those who will not act should shift to one side and let someone who will do it.

10.23 am

Mr Mark Harper (Forest of Dean) (Con): Someone once said:

“It is mankind and his activities that are changing the environment of our planet in damaging and dangerous ways”,
adding:

“It is no good squabbling over who is responsible or who should pay...we shall only succeed in dealing with the problems through a vast international, co-operative effort.”

In her address to the United Nations in 1989, as on so many things, Margaret Thatcher was right and was demonstrating far-sighted global leadership. That is what Governments of both parties in this country have done. The Climate Change Act 2008 was passed with all-party support in this House; it set the original target to reduce our emissions by 80%—at the time, an ambitious target. It was with cross-party support in this House that we set a more ambitious target to hit net zero by 2050. That cross-party effort is helpful because it gives business and consumers the confidence to invest and plan ahead, knowing that the policies will continue regardless of who is in government.

It is worth reiterating that we have made considerable progress—but not because we want to pat ourselves on the back, as the hon. Member for Swansea West (Geraint Davies) suggests. It is worth reiterating it for two reasons. The first is to demonstrate to people that the issue is one that legislators take seriously and have acted on. Britain has one of the most impressive records globally, and we have demonstrated the global leadership that my hon. Friends the Members for Truro and Falmouth (Sarah Newton) and for Cheltenham (Alex Chalk) spoke of. That enables us to keep up global pressure on countries that emit far more carbon than we do, which will be critical in hitting the target. The other reason is to demonstrate to the younger generation that people in this place take the matter seriously. We can debate—I am happy to—how much we are doing and how fast we are going, but anyone who says nothing has happened in the past 30 years is being dishonest and disingenuous. It is simply not true. [Interruption.] I am sorry, but that

is exactly what I heard a number of Extinction Rebellion demonstrators say when they were interviewed on “Sophy Ridge on Sunday” on Sky. They said over and over that nothing had happened in the last 30 years, which is simply not true. I do not think that it helps the debate if people perpetuate untruths.

It is worth mentioning some of the considerable achievements that the Committee on Climate Change set out in its report, including massive reductions in emissions from power, waste and buildings. We have made considerable progress. However, I am the first to acknowledge that there are considerable challenges, and the Committee on Climate Change sets out areas where we need to make ambitious changes, such as in transport and housing—issues that Opposition Members raised.

There is a challenge for the Government, now that we have legislated for the target. My hon. Friend the Member for Cheltenham brought in a ten-minute rule Bill, the Climate Change (Net Zero UK Carbon Account) Bill, before the Government moved in that direction, and he should be commended for that. The challenge is to respond now with detailed policy work, because it is through such work that we will get the achievements. If we are to deliver the changes while improving the population’s living standards, the challenge is to deliver the technology and innovation to reduce carbon emissions while raising living standards for all our people.

10.27 am

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): I have always thought that one of the most empowering sentences ever to be uttered was “Be the change you wish to see in the world,” and in Hull we are living it. At present, forests store up to 45% of land carbon. In Hull we want to increase that. We are launching our ambition to become a butterfly city through the mass planting of more than 3,000 alder buckthorns at the end of the year. The aim is that it will be a continuing project to create the UK’s and, as far as I know, the world’s first true butterfly city. We are beginning with the adoption of the beautiful sulphur-yellow brimstone butterfly.

The project has brought together people throughout the city. The Deep, Hull City Council, Yorkshire Wildlife Trust and Butterfly Conservation, the Plant a Tree Foundation, community allotment groups, community orchards and Hull and East Yorkshire woods group, which is responsible for delivering the northern forest in our area, have pledged to include 2,000 buckthorns in their planting over the winter. Even Highways England has got involved, having agreed to include the tree in its work on the A63 at Castle Street.

For the public planting—the launch is on Saturday 23 November—Mires Beck Nursery, a registered charity that employs and trains people with learning disabilities, is providing more than 1,000 plants, which will be available free to members of the public, schools and other interest groups, from local community growing organisations such as Pickering Road community orchard and Down2Earth. Recent research shows that a mixture of tree species can store up to twice as much carbon as single-species planting. By adding buckthorn to the mix of trees in Hull and the surrounding area, we can greatly increase the amount of carbon captured.

Those 3,000 plantings will, however, still leave us a long way short of the target of a carbon-neutral way of life, or indeed the reversal of the dramatic decline in

insect numbers across Europe. As immensely proud as I am of the response that the project has received from all areas of the community in Hull, the biggest challenge lies at the feet of Government. The market alone cannot and will not solve the challenges of CO₂-driven climate change. The international community is crying out for leadership on climate change, and the implementation of Labour’s green industrial revolution would provide just that. To quote Greta Thunberg,

“We cannot solve a crisis without treating it as a crisis.”

10.30 am

Wera Hobhouse (Bath) (LD): I love the way the hon. Member for Kingston upon Hull West and Hessle (Emma Hardy) promotes what her community does. I am just as proud of my council in Bath and what it is doing.

It is true that we need to harness the energy of everybody. It worries me that we have all been guilty of complacency; we have not done enough. It is not that we are saying that we have done nothing, but we have not done enough. This Government need to step up and to understand that we need to do more than we have done in the past. That is all I am pleading for.

As Liberal Democrats, we believe that at the heart of the transition needs to be a massive transformation of how we do things in the next 10 years. There needs to be a fair transition. We need to set up a fair transition commission—the Government could do that tomorrow—to look at which communities are the most affected by the change, where we will face the most job losses and where industries will collapse, and to provide new jobs and new opportunities. We need to take those communities and the people who are most affected with us, so that the people who can least afford it do not have to pay the highest price. That is very important. The Government could set up a just and fair transition commission tomorrow if they were serious in their thinking about the subject.

Bringing people with us has been talked about a lot, as well as how we are organising citizens’ assemblies. Again, the Government could start that process now. It is not just a matter of informing people about what we want to do; we have to involve people in decision making. Citizens’ assemblies do not take decisions out of Government or Parliament; they allow people to be part of decision making by letting them develop options. Anybody who is serious about taking people with us should look at the way citizens’ assemblies work. They do not just inform people at the bottom from the top; they allow people from the bottom to help us come to good decisions. I trust in people and I believe that we can involve them. Let us set up citizens’ assemblies; we can do that tomorrow.

10.32 am

Jim Shannon (Strangford) (DUP): I thank the hon. Member for Truro and Falmouth (Sarah Newton) for securing the debate and I congratulate the Government on the policies they have. I will suggest some ideas that they may want to take forward.

We need funding models such as the regulated asset base model for large-scale investments, including all new nuclear plants, plus a clear commitment to the funding and delivery of carbon capture, usage and storage at scale. We need to ensure that all new properties

[Jim Shannon]

are zero carbon and have a smart meter, and to build in connection points and ultra-fast charging for electric vehicles. We need to boost energy efficiency through a national energy efficiency programme, and restrict the sale and new tenancy of properties below energy performance certificate band C from 2030. Better targeting of social support and winter fuel payments is needed.

I commend to the Minister the stance that the National Farmers Union has taken and the commitment that farmers have given to achieving carbon zero by 2050. We must farm smarter, focus on improving productivity, encourage carbon capture and boost our production of renewable energy. The climate impact of UK grazing is among the lowest in the world; that should be recognised by the Minister and this Government. At the same time, UK farmland conserves important carbon stocks in England's uplands. The NFU has a strategy to achieve carbon zero by 2050. It is committed to doing that and has said:

"British farmers have an important role to play in tackling climate change and our members are committed to this challenge, alongside fulfilling their responsibility to the public in providing high quality, sustainable and affordable food."

10.33 am

Liam Byrne (Birmingham, Hodge Hill) (Lab): I will be extremely brief, Mr Gray. Labour Members are proud of the Climate Change Act 2008, but we are even prouder of the green new deal that we passed at the Labour party conference, which takes forward the principles of decarbonisation, jobs and justice. That is why we held a citizens' assembly in Birmingham within 24 hours of Parliament declaring a climate emergency. Several ideas emerged from that, which I will touch on.

First, we need green power. We spend £10 billion a year on green power in our region. Some 99% of that spend leaves the region, which is why we need a municipal solar company to turn our rooftops into power plants across the region.

Secondly, we need to decarbonise our transport system. We cannot do that unless we connect transport together. That is why we need powers over bus and rail franchising. Crucially, we need to transform the number of electric vehicle charging points. There are more EV charging points in Westminster than in the whole of the west midlands; that is not acceptable. We need to decarbonise our housing stock, which means we need devolved control of the £175 million of ecofunding that is our entitlement. We need to start building homes to A plus standards.

Finally, we need to make sure that we have a regional investment bank to back the green firms that are creating green jobs.

None of this will change the imagination without a significant investment in nature. At the moment, we need a forest the size of Tunisia to absorb all the carbon that is produced by the west midlands. That will not happen, but we could insist that our airports become carbon neutral and use that investment to replant Shakespeare's great forest of Arden. The citizens in Parliament Square remind us that it is not acceptable for politics to remain frozen while the planet is warming. That is why we need to crack on.

10.35 am

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): I congratulate the hon. Member for Truro and Falmouth (Sarah Newton). She said that everyone in this room is committed to net zero; she is correct about that. She also said that things must go further and faster, and that we must see a strategy and concrete policies from the UK Government. I agree with her on the need for targets, tests and scrutiny, as well as on her points about retrofitting energy efficiency. However, I will be a critical friend during the short time I have to speak and point out areas where things could be done much better by the UK Government.

Spending per head on energy efficiency in Scotland is four times that in England. If it were more, we could do even more in Scotland. The UK Government are falling short on home and business energy efficiency, and they are way behind on carbon capture, utilisation and storage. They need to get on with decarbonisation of the gas grid, which must be accelerated to enable low carbon heating for homes and businesses. They must flatten the pedal on vehicle and tax incentives to promote low carbon choices. VAT must be reduced on energy efficiency improvements. This Government must drop their ideological opposition to renewable onshore wind and stop holding solar power back.

The hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) said that more of the same will not do. The budget needs to cut through to every aspect of climate change, and big, bold investments are required. James Richardson from the National Infrastructure Commission said:

"You need to really push ahead with renewables in the 2020s."

Chris Stark from the Committee on Climate Change said that the choice is between nuclear and CCS; I firmly believe that CCUS is the way forward. Evidence abounds that poor air quality affects productivity. The National Infrastructure Commission has said that the money we need to spend on air quality should not be seen as a cost, but as a benefit to us.

I agree with what the hon. Member for Stirling (Stephen Kerr) said about young people. I will focus on what he said about CCUS. He is correct that we on the Select Committee on Business, Energy and Industrial Strategy were unanimous in expressing huge disappointment about the UK Government's response to CCUS. Scotland has enormous potential in this area. Storage and readiness at St Fergus has the infrastructure, expertise and transferable skills to move with a fast first-mover advantage. It has capacity to store at least 5.7 gigatonnes of carbon dioxide. To put that into perspective, that is 150 times the emissions from Scotland in 2016. That is a massive storage capacity. The UK Government need to get on with doing that. Existing oil and gas infrastructure must be plugged and transferred, or it will be lost.

My hon. Friend the Member for Paisley and Renfrewshire North (Gavin Newlands) talked about the UK's obsession with nuclear power. He outlined the many actions of the Scottish Government and talked about the cross-party support in the Scottish Parliament. He said clearly that we could do more if we had the powers to do so. The UK Government need to step up and allow us to go even further and faster with what we need to do.

The cost of the Hinkley Point C nuclear power plant, already the most expensive single development on the planet, is set to rise by nearly £3 billion. The Government should not be pouring money down the bottomless pit of new nuclear when offshore wind, for example, is much less than half the price for consumers and does not blight the planet with further nuclear legacies. It is important that this Government strip out their nuclear obsession.

The hon. Member for Kingston upon Hull West and Hessle (Emma Hardy) talked about the fantastic opportunity for butterflies and, more important, for trees. Forestry is a critical area where this Government need to up their game dramatically. In 2019, the new Scottish Government forestry strategy and tree planting scheme across Scotland took enormous strides. The industry employs 25,000 people and the trees planted in Scotland make up 84% of all trees planted across the UK. Some 22 million trees were planted in Scotland, while England fell 7 million short of its target. The Government need to get that fixed.

Stephen Kerr: Will the hon. Gentleman give way?

Drew Hendry: I will not take any interventions, because I want the Minister to have time to respond.

The Scottish National party Scottish Government are leading by example, redoubling efforts to end Scotland's contribution to climate change by 2045. The Secretary-General of the United Nations described Scotland's holistic approach to tackling climate change as "a qualified success," and called on the UK Government to follow. The UK Government should use their reserved powers to help Scotland to achieve its climate change ambitions, not hinder us with opposition to renewables and inaction on energy efficiency.

We welcome the UK's joint bid with Italy to host the UN framework convention on climate change COP 26 in Glasgow. That should be a progressive and inclusive event, and the Minister here today should absolutely disagree with the Prime Minister, who said at the Tory conference that the First Minister of Scotland should be banned from attending. That comment was puerile, ignorant and has been roundly condemned across Scotland; I hope the Minister will do the same today.

10.41 am

Dr Alan Whitehead (Southampton, Test) (Lab): I congratulate the hon. Member for Truro and Falmouth (Sarah Newton) on obtaining today's debate. It is truly important, but should not have been obtained by a Back-Bencher. It should have been scheduled in Government time, on one day, as I called for a few months ago when we passed the Climate Change Act 2008 (2050 Target Amendment) Order 2019, amending the Climate Change Act 2008 to move to net zero. That was a 90-minute debate on an amendment, and this is our next debate on the matter.

In the words of my hon. Friend the Member for Plymouth, Sutton and Devonport (Luke Pollard), it is not good enough. We need urgently to debate this matter properly. An indication of why that is so important is the tremendous turnout of hon. Members today, and the informed and thoughtful contributions from around the Chamber that hon. Members have had to gabble through on a two-minute time limit because there is no opportunity to debate the topic properly, on the Floor

of the House, in Government time. The first thing I ask the Minister is whether he is willing to ensure that a debate is obtained at the earliest possible opportunity, to discuss this important series of events properly and do it justice on the Floor of the House.

We might ask ourselves why it is that a debate has not been scheduled. Is it that:

"Overall, actions to date have fallen short of what is needed for the previous targets and well short of those required for the net-zero target"?

Maybe that is why this issue does not seem fit for a debate. Is it because:

"The Government's own projections demonstrate that its policies and plans are insufficient to meet the fourth or fifth carbon budgets...This policy gap has widened in the last year as an increase in the projection of future emissions outweighed the impact of new policies"?

Is it because the Government:

"has been too slow in developing plans for carbon capture and storage"?

Is it because:

"The 'Road to Zero' ambition for a phase-out of petrol and diesel cars by 2040 is too late"?

Is it because:

"Policies are not in place to deliver the Government's ambitions on energy efficiency"?

None of those words are mine; they are all the words of the Committee on Climate Change's 2019 report to Parliament, which set out a coruscating catalogue of things that should have happened and have not as far as policy development is concerned. That underlines a theme that has been part of our debate this morning. It is not that nothing has been done since 2008, when the Climate Change Act was passed; it is just that nothing much has been done, and that ambitions for doing things next fall woefully short of what is needed, given the climate change emergency that we have declared and that we know is underlined by the people now demonstrating outside Parliament.

It is not that nothing has been done on climate change in particular areas, but, as the Committee on Climate Change itself indicates, the only area where any significant progress in reducing carbon emissions has happened since 2008 is in the power sector—not even the energy sector as a whole, because nothing much has happened on heat. The power sector has been responsible for 75% of emission reductions overall since 2008. Every single other sector has been level or increasing—in transport, housing and industrial sectors, emissions are level or going up. Those are areas where we can go further than saying that nothing much has happened: nothing has happened in those areas over the period.

It is the Government's responsibility to ensure that those things happen, and they are woefully failing to set policies that can really shift those numbers on climate change, given the 12 years that were set out by the IPCC as the time available to achieve measures that move us toward the zero-carbon economy. We have set ourselves that target, but we have no policies in place to achieve it. We have 12 years to get those policies, not only on paper, but in place in reality on the ground.

Anna McMorris (Cardiff North) (Lab): Does my hon. Friend agree that we need to look seriously at how we live in the homes we already have and the energy

[Anna McMorris]

efficiency needed in our homes, not only in Wales, in Cardiff North where I am, but across the whole UK, as well as ensuring that the new homes we are building are built to a very high sustainable standard?

Dr Whitehead: My hon. Friend has read my mind, because I was just about to come on to that. She is absolutely right, and it is one element of the difference between the ambition we should have for the extent of the changes we need to make, and what we see before us in terms of the existing clean growth plan, which, as I have emphasised, is not meeting its own targets even on the old emissions levels, and is certainly not addressing what we need to do with our new targets. We need a comprehensive, country-wide, house-by-house energy refit, and it must be done urgently—in stark contrast with the pick-and-mix approach that has been taken so far on energy efficiency management, with the occasional person getting a refit.

There are a whole series of other areas where the numbers that we need to achieve bear no relation to the ambitions currently in Government policy. To achieve our energy ambitions, we urgently need to increase our offshore capacity sevenfold over the next few years. We need to increase solar provision threefold over the next 10 years. As the hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) mentioned, we need to really get going on carbon capture and storage, not just with a few projects but comprehensively across industry across the country.

We need trees, as has been mentioned, but we do not need to put a few trees in here and there, important though that is. In order to replace the forest cover lost in this country over the years, which is absolutely central to capturing and maintaining carbon stores, we need to plant 2.4 billion trees over the next 10 to 20 years—30,000 hectares per annum of new forest cover—to get us anywhere near the sort of levels we need to achieve our ambitions. That is solely lacking in the Government's actions at the moment.

I will just draw attention to one little thing that came out recently.

James Gray (in the Chair): Very briefly.

Dr Whitehead: Very briefly. The 2019 spending review came out with the fabulous figure for decarbonisation of £30 million. To get some scale on that—

James Gray (in the Chair): Let's not get some scale on that; let's wind up.

Dr Whitehead: Indeed; I am about to wind up, Mr Gray. For scale, "Paddington 2", the movie, had a budget of £32 million.

James Gray (in the Chair): I am grateful to the hon. Gentleman. It is time for the Minister.

10.51 am

The Minister for Business, Energy and Clean Growth (Kwasi Kwarteng): Thank you very much, Mr Gray. I have to say that this has been an excellent debate, and I sincerely commend my hon. Friend the Member for

Truro and Falmouth (Sarah Newton) for securing it. I hope that we can have more time in the House of Commons to discuss these important issues.

One thing that struck me in the debate was the level of consensus. There were one or two examples of political point scoring here and there, and we can accept that, but I was delighted to see so many MPs sing the praises of their local councils and of the fact that local communities are making great strides. In one of the few agreements I have ever had with the hon. Member for Kingston upon Hull West and Hessle (Emma Hardy), I completely agree that the Government have to be involved in this. No one in this House has praised the free market as extensively as I have over the years, but even I, as an energy Minister, realise that, as she clearly said, private enterprise and the free market economy will not deliver this target on their own. That is very clear. As a Government Minister, I am absolutely committed to the target.

We can argue about how quickly we are reaching the target, and I happen to think that we have done a great deal as a country. The hon. Member for Southampton, Test (Dr Whitehead) said, "Oh well, you've done okay in the power sector", but the power sector is huge. Looking at the history of this country, at what the industrial revolution meant and at industrialisation across the world, power is absolutely at the heart of it. For a country that for 300 years was powered by coal burning and fossil fuels, taking coal off the system entirely in 2025, in terms of power generation, is an achievement.

I do not want to rest on my laurels. I do not want to be accused of complacency—there is still a hell of a lot to do. However, to face the future, we have to recognise where we have come from. I pay tribute to the last Labour Government for passing the Climate Change Act 2008. I do not think we need to play childish, point-scoring games on that. It was a significant piece of legislation, and I am happy to say that. I think that what we did in amending that Act in 2019 was also significant and bold and showed leadership.

As the new Minister—I have been in post for two months—I have seen a number of my counterparts across the world, and all have said that the United Kingdom is a leader in this area. That does not mean that we have solved everything. I think it is impressive that we have reduced our carbon emissions by 42% since 1990 while growing our economy by two thirds, but I fully recognise that we need to do more on energy efficiency and insulating homes, which is why we are spending a large amount of money dealing with fuel poverty. We have put in bids for the Budget; it would be inappropriate for me to say exactly what those bids are, but we are looking at this. Our officials and Ministers are very focused on the idea that fuel poverty is a real problem.

We have also committed ourselves to offshore wind. Ten years ago, many people thought that offshore wind was a crackers and slightly bizarre idea. An energy specialist was telling me that the reduction in the costs of offshore wind is the biggest story of the decade. We were looking at costs of £150 per megawatt-hour at the beginning of the decade. The first auction came in at £119. Only two weeks ago, the price was £39 per megawatt-hour. That is a significant achievement. Nobody was saying that these targets were in any way achievable, and while I fully appreciate that Opposition Members say that we should move further and faster, and I fully

understand that we are not exactly where we should be, we have to recognise that there have been big achievements in this.

On the forward view, we can dwell on the past and say that we got the right legislation, but my right hon. Friend the Member for East Hampshire (Damian Hinds) and my hon. Friend the Member for Truro and Falmouth are absolutely right that we can all say a date. It can trip off the tongue—net zero by 2050 or 2030—but how do we actually get there? That is exactly what the Government are trying to set out. My team is looking at pathways to net zero, and it is clear to me that the best way, in terms of energy security and also cost, is to have a balanced approach. The question of an entirely renewable economy was raised, but the problem with that is that we would need huge amounts of capacity because of the intermittent nature of that power.

Drew Hendry: On that balanced economy, the CBI, while acknowledging the offshore wind success story, said that investment in onshore wind and solar has stalled for political reasons, and urges this UK Tory Government to take politics off the table for onshore wind. Will they do that?

Kwasi Kwarteng: The hon. Gentleman will recognise that the target has changed. The Climate Change Act 2008 set an 80% reduction, but this year we have set a net zero carbon target. There is absolutely a wider debate about how we move on—[*Interruption.*] The hon. Gentleman is trying to put words into my mouth, but I am just saying that there is a broader debate.

Anna McMorris: Will the Minister give way?

Kwasi Kwarteng: I am not going to give way any more; I have to sum up.

It is absolutely right that we should debate these subjects. There has been considerable progress with a bipartisan approach. I will not stand here and say that everything that Labour did was terrible and that everything we have done is brilliant. That is a childish approach—[*Interruption.*] For the avoidance of any doubt, I am not saying that Opposition Members are saying that. I

am just saying that we have to have a bipartisan approach, because as an hon. Member suggested, that is the only way that businesses will be able to invest in this sector and work with the Government.

Lastly, I will talk about COP 26. Hosting it in Glasgow will be a great opportunity for the United Kingdom to show its strengths and to show the progress we have made in this area. People from around the world are looking forward to this event. They say that Britain seems to have cross-party consensus. They look at our politics in other areas, such as Brexit, and think it is very disunited, but on this particular issue, people say that, across the board, from the Conservative party to the Labour party, the Scottish National party and the Liberal Democrats, there is a degree of consensus, which we should build on and encourage. In that spirit, I will take a very quick intervention.

Anna McMorris: I thank the Minister for giving way; he is very kind. What is the ambition for COP 26 next year? What is his ambition going forward? Will it be harder, faster targets than 2050, which is what we need?

Kwasi Kwarteng: First, we need to get other countries to sign up to the net zero carbon target. They have not done that. This is one thing that will absolutely be at the top of our agenda at COP 26. That is exactly how we are showing leadership. The Chinese Energy Minister says that they do not want to pollute their country and want a cleaner energy approach, and that they are looking to countries such as Britain to help them. That is where the leadership comes in, and that is what we will apply at COP 26.

10.59 am

Sarah Newton: In the very few seconds I have left, I thank everyone here. Can I take it that I can add their names to an application for a Backbench Business debate in the Chamber, so that we can carry on this really important debate? [HON. MEMBERS: “Hear, hear.”] I will do that.

Question put and agreed to.

Resolved,

That this House has considered the Government plan to reach net zero by 2050.

Transport: North East Bedfordshire

11 am

James Gray (in the Chair): Would those hon. Members who took part in the previous debate leave the Chamber swiftly and quietly, please? *[Interruption.]* Fewer conversations on the way out might be helpful. If Members who are leaving would please do so—*[Interruption.]* Order. Will Members please leave the Chamber quietly? You are delaying this debate. It is thoroughly bad manners.

11.1 am

Alistair Burt (North East Bedfordshire) (Ind): I beg to move,

That this House has considered transport infrastructure in North East Bedfordshire.

It is a pleasure to serve under your chairmanship, Mr Gray, and, as always, it is a great pleasure to see my hon. Friend the Minister in his place, with his Parliamentary Private Secretary, my hon. Friend the Member for Lewes (Maria Caulfield).

North East Bedfordshire is conveniently located north of London and squarely in the new Economic Heartland area, which has a population of 3.7 million and had a growth rate between 1997 and 2015 of 25%, which compares with a national average of 15%. Attention is focused on the broad Oxford-to-Cambridge corridor, with the new expressway, East West Rail and up to 1 million new houses expected by 2050. However, although addressing east-west connectivity has been a regular UK pastime for decades and people welcome what is proposed, the reality for many of my constituents is that north-south travel is still of more importance. The increased population in recent years has meant steadily increasing numbers on main road and rail routes in and out of London. Rail journeys in the east of England, for example, rose by some 139% between 1995 and 2018. We are struggling to ensure that passenger journeys remain bearable. I therefore want to focus on train services to and from London and on the A1.

My constituents use Thameslink services from Bedford, the Great Northern service from Sandy, Biggleswade and Arlesey into King's Cross, and East Midlands Railway, which used to be run by Stagecoach but is newly franchised to Abellio. The trains there offer a faster service than Thameslink from the north, via Bedford, into St Pancras. I do not want to focus on those today, but I ask the Minister to note previous correspondence on the reduction in peak-time services, and many passengers' desire for some reinstatement of lost services north and south.

My principal concerns today are focused on the two Govia services: Thameslink and Great Northern. Context is vital. First, let me acknowledge the efforts made to improve rolling stock and services over the years. The cross-London network bears little relation to what there was in the past. Passengers played their part by accepting significant alterations in services and closures of stations while works were being carried out over a lengthy period. Secondly, as I have noted, more passengers makes ensuring quality of service genuinely difficult at times. However, passengers are entitled in return to

some stability, not least for the increasing fares, which are as expensive as anything in Europe, but that has not been the case.

Let me focus on the period since May 2018. In my experience, the timetable chaos of that and the following months was unique. In 32 years as an MP, I never had the reaction from constituents that I had then, to what must have been the outstanding example of transport incompetence of our times. Whatever was responsible initially, the length of the disruption made matters worse. That scale of misery is over, but the maladies linger on.

The first is the skipping of stations: Sandy, Biggleswade and particularly Arlesey. The system is so full that if a delay to a train occurs, further disruption must be prevented; and to correct late running, stations on subsequent services are skipped to make up time. The overriding theory is seemingly that for the good of the many, the few stations must take a hit again and again. On one route that serves my constituency, figures show that those three stations are the most skipped north of London. For the year from August 2018 to September 2019, Arlesey faced 187 skips, Sandy 174 and Biggleswade 169—and to that must be added cancellations.

Some protected-status trains run regardless of wider disruption, but the impact of failure to stop at Arlesey is high, because of the lack of other options. There have been promises of making alternative transport available at Hitchin when Arlesey is skip-stopped, but we have regular reports of constituents arriving at night, with nothing available, and having to make their own way home and then fight to reclaim taxi fares, or just not being given advice on what to do and not being told until they get to Hitchin that Arlesey will be skipped.

We asked GTR—Govia Thameslink Railway—to place some limit on the process. A formal review was set up to monitor the impact on the entire network, but following the review, GTR advised that it was not possible to put a limit on the number of times that a station was skip-stopped without creating more disruption for the wider network—so bad luck, Arlesey.

What does this mean in practice? One constituent wrote to me—I have heard from plenty of others—and said:

“I don't think they really understand the impact of skip-stopping Arlesey. Passengers arrive at a station in good time to catch a specific train—particularly when there is only one train every 30 minutes. You get to the station and that train has been cancelled. Then you wait half an hour to find the next one has decided not to stop at Arlesey. So you wait for another 30 minutes to hope that that one will stop. If, best case scenario, they have protected that train and it is running, you have ‘only’ waited for one hour at the station. Who has an hour to waste sitting at a station? How many people are just on their way home from work with nothing else to do? We have appointments, delicate childcare arrangements etc. And it isn't like this only happens once every now and then. It happens regularly.”

I cannot tell the House how heartbreaking some of the comments that we have received are. They are about mums not being able to pick up children and people missing hospital appointments. I met a London Transport worker whose professionalism has been questioned because she cannot guarantee arriving at work on time. I have seen constituents give up their jobs because they cannot be sure of getting a train on time. This simply is not good enough.

Then there is the issue of staffing levels. I am aware that the biggest expense of any business is human, and transport is no different, but I understand that staffing is so tight that there is nothing spare in the system. Train services have to rely on voluntary overtime, which is difficult during holidays or big events—the champions league final this summer was quite a big issue. Since the disaster of May 2018, staff training has been the regular reason given for shortages, but as that has now been completed, we should not be hearing it as an excuse again. Can the company manage its rosters sufficiently well that we do not hear “driver unavailability” as an excuse again? It is an excuse, with the innuendo not missed by staff that it is the drivers’ fault rather than the company’s.

Then there is the issue of train technical problems. On 9 August, a failure in the national grid caused a power outage, one consequence of which was major paralysis of the train system. A principal reason for that was that the new 700-series trains apparently cannot restart promptly if they have been stopped because of a reduction in voltage. The trains were at the time of the outage situated around the London area. That they could not restart meant that significant sections of the network were blocked, hence the paralysis.

I accept that that incident was very unusual and that cause of power failure may be a once-in-many-years event, but the vulnerability of the new trains to electrical failures is a matter of concern, because evacuations of passengers have had to take place, and some of them in the dark. I am grateful to Steve White, chief operating officer of GTR, for a letter that deals with those matters and I will make it available to constituents, but the reliability of the whole service surrounding those trains must be improved. Whatever the varied causes of delays and cancellations, they are not the passenger’s fault.

We have trouble getting information during disruption. We constantly raise this issue with the company, and it keeps saying that it is doing more, but more could always be done.

Then there is the core routes issue. Thameslink changes over the years have been designed to offer many more routes through a crowded London rail space. My constituents applaud the vision of those changes, but they are very concerned that the ambition outstrips the ability to run them. Problems elsewhere on the route—south of London—are affecting those in Bedfordshire. Although GTR believes that the benefits of the routes outweigh the problems, rail user groups are adamant that the through-routes are the cause of the issues, in that GTR cannot adequately staff the routes or maintain service during any sort of disruption. Plenty of them agree that GTR should accept route failure and amend the plans. The Minister may wish to raise the matter with the company, but I would prefer the answer to be ensuring adequate staffing and service rather than losing the advantages of the new routes.

Mentioning my rail user groups allows me to pay tribute to them, particularly Arlesey Commuters, which has kept me and the company informed and engaged over many months. I am grateful that several of its members have been completely unselfish with their time to work on behalf of many others; I am indebted to them. I also pay what some, although I hope not those who know me, might regard as an unusual tribute to my Labour opponent in the 2017 election, Julian Vaughan.

Julian is a rail union official and has been of great and genuine help with user groups, particularly in assisting those of us who campaigned for better disability access at Biggleswade station—a campaign that reached a successful conclusion. I will not be seeing him on the campaign trail next time, but I thank him as a constituent and community activist and wish him well for the future.

I need to move on to road issues, so time prevents me from saying much more about trains. Suffice it to mention that station improvements are needed at my constituency stations, which now qualify for grants from GTR because they were so disrupted by past events—a dubious honour, but perhaps the Minister can ensure that the company follows through on it. I should say that I have found the company always willing to engage with me and constituents; I do not fault it on that, but I have to say in some frustration that good contact is no substitute for remedying the problems, which seem as far away from being solved as ever. I know that they do not all lie at GTR’s door, but frankly my constituents do not care and nor do I.

Is it the breakdown of function? Is it the franchise? Are the components of privatisation working? The Minister will know that I have little interest in ideology. If the trains would be better off under another system, I am all for it. I am not convinced by unicorns, so I do not immediately fall for renationalisation, but if the Government cannot fix my constituents’ rail problems when their patience and good nature has been stretched beyond breaking point, they may well find someone who can. And do not put up the fares—they have had enough.

Let me turn to the A1. I hazard a guess that it is the best-known road in the UK. It is our longest numbered road—a road that I first represented 37 years ago as local councillor for Archway ward on Haringey Council—but its romanticism masks its current serious problems. While upgrades to motorway status have occurred throughout its length, the neglect in Bedfordshire is now impossible to justify. For example, there are few roundabouts anywhere on the A1—roundabouts slow traffic, add to pollution, and are increasingly inappropriate on major routes—but we have four out of the five on its total length from London to Edinburgh: Biggleswade South, Biggleswade North, Sandy and of course the famous Black Cat, which has its own website.

The Black Cat is shortly to be the focus of a £1.4 billion scheme, but that typifies our problem. The scheme will form part of work to improve east-west connectivity, with a new stretch of road through Cambridgeshire to link with the A14 to Harwich and Felixstowe; the Black Cat will be the key link between north and south and between east and west in southern England, which is great. However, there is motorway to our immediate north, there is motorway to the south, and there will be a major upgrade east-west, yet through Bedfordshire there is a dual carriageway, which is increasingly used and congested at peak times. Some communities live very close to it, and some are actually on it.

The town of Sandy is particularly affected. I am grateful to the town council and to local residents’ groups such as the SG19 Road Safety Group for their persistence in making a case to the Department for Transport and the Highways Agency—now Highways England—for changes that would make a difference. Over the years, I have written many letters and held meetings in London and the constituency with Ministers

[Alistair Burt]

and officials, seeking some of the changes and investment that would make a difference, but effectively nothing has happened. It is time to change that.

I will come onto the larger strategic issue in a moment, but for the record and for the Minister's attention, let me set out some of the improvements that are sought locally at a smaller scale.

First, the implementation of an average speed camera scheme throughout the Sandy to Biggleswade stretch was agreed by the Department and the Highways Agency back in 2016, but three years later it has still not happened. Most recently, it was turned down on grounds of cost—the costs seem to have accelerated significantly since the scheme was first suggested and agreed. Why is it not happening? Will the Minister tackle it, as an immediate priority, to demonstrate some concern for those who live close by and for all who use the road?

Secondly, there should be improved signage along the A1. Thirdly, there needs to be renewed consideration of the New Road junction and the Beeston crossover. The crossover's design—or lack of it—poses a serious hazard, and sooner or later there will be a terrible accident. Personally, I would close it; the knock-on effect on traffic in the town makes it very hard for the town council and Central Bedfordshire Council to contemplate that, but there must be a better answer than what is there at present.

Fourthly, and above all, the road should be re-lined and rerouted to take it away from Sandy. In 2018, a study by the World Health Organisation showed that fine particle air pollution in Sandy is at 12 micrograms per cubic metre, making it one of 31 sites in the UK with levels above the recommended 10 micrograms per cubic metre. The sites in Sandy were those close to the kerbside of the A1, where people are living. As a petition from Sandy that I recently presented to the Secretary of State makes clear, a possible re-lining of the A1 was considered carefully back in 1994. It was turned down then, but in 2014 a new strategic study looked at the A1 in the east of England. In 2016, when of course all decisions were on hold, the study reported that options for a new line or local improvement were further to be considered, but hopes for that have now also been dashed.

A recent letter from my noble Friend Baroness Vere of Norbiton rather sums it up:

"The study focused on the non-motorway section between junctions 10-14"—

my constituency—

"where issues on the route are most acute. This work found there is a value for money challenge for improvements on this stretch."

That is the first time that I have come across the phrase "value for money challenge"—it is a cracker. What I think it means is that the Government are not spending any money on the route where the problems are most acute. I am puzzled about why they are getting away with that.

The major strategic problem, however, appears to be that several major projects have been considered almost simultaneously, but there has been no transparency about the sequencing, despite many requests from me and local authorities to agree that to enable effective local planning. Progress on the A1 has been the most

expendable casualty of the lack of strategic decision making. The route of a new section of the A428 from Caxton Gibbet to the Black Cat occupied the Government for some years. That has now been fixed and decided, as I mentioned, but decisions are still outstanding on the line of route of east-west rail from Bedford to Cambridge, which will cross the A1 near Sandy. Exactly where it will cross has an impact on local decisions about the housing expansion needed for central Beds to fulfil its housing targets. The decision is anticipated next year, but it has been in the pipeline since early 2016.

Decisions on housing are also pertinent to where a new line of the A1 might be. As far as I can tell, everyone in government seems to be waiting for everyone else: Transport is waiting for housing decisions, Housing is waiting for transport decisions, and the urgent need to face up to change on the A1 is just getting lost. No more!

First, Minister, do something immediate to show good will about the average speed cameras. Then attend to the smaller improvements sought by residents and the town council, reinstate the need for the A1 re-lining proposals to come before Government again as a matter of urgency, and demand that some of the money that the Chancellor recently found for investment heads to the A1 in Bedfordshire.

11.17 am

The Minister of State, Department for Transport (George Freeman): It is a great pleasure to serve under your chairmanship for the first time, Mr Gray. I congratulate my right hon. Friend the Member for North East Bedfordshire (Alistair Burt) on securing the debate. May I say how nice it is to have the chance to respond to him, knowing that he is one of the most assiduous representatives of his constituency and is highly respected across the parties? It is a shame that no Opposition Members are present.

I am pleased to respond to the debate as the new Minister for the future of transport, with a new mission from the Prime Minister to focus on the challenges of disconnection, decarbonisation and digitalisation, and bring a new urgency to the Department's focus on place-based solutions that put the people and places we serve before the convenience of infrastructure providers. As my right hon. Friend said, we need to ensure that services are working for the people who rely on them and are ultimately paying the bills.

As we all know, well-planned transport infrastructure is critical to the health, wealth and wellbeing of our communities. Bedfordshire is an historic county and an important one in strategic transport terms, with key roads such as the A1, the A5 and the M1 running through it, along with a number of key rail routes; it is also home to Luton's international airport. Across the transport modes, the Government are making several key investments to help to drive sustainable economic growth. Before I come to them, however, let me deal with my right hon. Friend's specific points.

On rail, I absolutely understand the concerns that have been raised. I would like to offer some explanation for the performance issues that are affecting my right hon. Friend's constituents. I know that the railway stations in the towns of Sandy, Biggleswade and Arlesey are vital pieces of public infrastructure. Whether people

use rail services to commute to work, to visit family or for any other reason, it is crucial that they can rely on receiving a service that is reliable and frequent. That is why, since joining the Department for Transport, my right hon. Friend the Secretary of State, my other ministerial colleagues and I have made the bread-and-butter issue of the reliability of rail services our No.1 priority.

Let me be very blunt: recent performance on the Great Northern line has not been good enough. Over the past year, we have seen 8% of services on average being cancelled or delayed by 30 minutes or more. That figure is a lot worse than that for the vast majority of other train-operating companies, and the situation has been exacerbated in recent weeks by a series of significant infrastructure issues, including issues with overhead wires, track failures, falling trees and a broken-down train on the key Thameslink route near Blackfriars last week.

I absolutely understand the frustration that passengers must feel when these issues arise; as a rail user, I share it, as does the Secretary of State. That is why he recently met the chief executives of GTR and Network Rail to make it clear to them that improving the reliability of services in this area is vital. Although this does not excuse poor performance, I am pleased to note that GTR held an event at St Pancras last night, allowing passengers to speak directly with the company management, and I will put on the record here that I look forward to hearing the outcome of that meeting.

Notwithstanding those incidents and the urgent need for them to be tackled, I do think that we are seeing some positive signs more generally on the franchise. I know that many of my right hon. Friend's constituents use the Thameslink service from Bedford, where we have seen significant improvements generally to performance over recent years. Over the past 12 months, about 85% of Thameslink services arrived within five minutes of the schedule. The year before, the percentage was 83% and the year before that it was 79%, so the service is getting better. However, I acknowledge that incidents such as the impact of the May 2018 fiasco and the August power cuts have impacted passenger trust, and we have to sort out this situation to restore that trust.

My right hon. Friend mentioned stop-skipping, and it is without a doubt hugely frustrating for passengers to see the train that they were supposed to board go past without stopping, or for the train that they are on to go past the station at which they had planned to get off. For this reason, the decision to miss out a call is not one that operators should take lightly; it should not be routine.

Skipping stations is one method that operators can use to allow the rail network to recover from disruption. Operational staff take the decision to miss out a stop by balancing the impact on those passengers who are directly affected against the wider impact of allowing the service to continue. Skipping stops helps operators to avoid the knock-on impact that delayed services can have on other services, but if it is not managed proactively, delays can spread quickly across the network and affect hundreds more passengers. There is sometimes a misconception that operators take the decision to miss out stops to manipulate their performance scores. That is not, and absolutely should not be, the case. Any service that misses out a stop is counted as a part-cancellation for the purposes of the performance benchmark

that the Department uses to hold operators to account. If train companies exceed that benchmark, they will be subject to financial penalties. Personally, I would like to see more of that money going to the passengers who are affected, but that debate is for another day.

What is absolutely crucial in these situations is the attention that is paid to the poor passengers whose journeys have been disrupted, and communication is vital. We should not have situations where, as my right hon. Friend highlighted, passengers are stuck for long periods with no information about the options to complete their journey. Part of my portfolio is dealing with disconnection, and that is an example of disconnection between the train-operating company and its passengers, who have paid for a service, and one that is completely unacceptable, particularly in a digital age, when communication should be so much easier. I completely understand the frustration of passengers about such situations and I continue to press the rail industry to improve their processes, to make sure that we get this right, and I will pick it up following this debate.

Going forward, and notwithstanding those concerns, we should also speak about some of the positive things that we are seeing on the railways in my right hon. Friend's area. The Thameslink service from Sandy, Arlesey and Biggleswade, which was introduced last year, now provides weekday passengers with two direct trains per hour to the heart of London. I am pleased that, from December onwards, the current Saturday service to King's Cross will transfer to this route, providing passengers with a much wider range of direct destinations.

Those constituents of my right hon. Friend who use Bedford station will obviously see service improvements. From December 2020, two East Midlands Railway services per hour will call at all stations between Corby and London St Pancras, providing a big capacity uplift. This, combined with the increased capacity of trains serving the London commuter route, will result in a significant increase in the number of seats, particularly during peak periods, and should release capacity on inter-city services, which will also improve access to and from Luton airport.

Furthermore, I know that my right hon. Friend campaigned passionately for Biggleswade station to receive Access for All funding. Earlier this year, Biggleswade was confirmed as a successful applicant and I congratulate him personally on his leadership in that campaign. Improving accessibility to our railway network is something that both he and I care passionately about. I understand that the plans for Biggleswade are at an early stage, but when the scheme is delivered it will provide an accessible route into the station and between the platforms.

I am sure that my right hon. Friend warmly welcomed the recent housing infrastructure fund award of nearly £70 million for the transformational growth in Biggleswade project, something that he has championed. The funding will provide a new transport interchange at the train station and a replacement bridge over the east coast main line. This is an excellent example—dare I say it, decades late but none the less excellent—of Government funding for transport infrastructure in North East Bedfordshire, which has the potential to help to deliver up to 3,000 new homes. In addition, GTR is also delivering a £15 million passenger benefit fund, which

[George Freeman]

will deliver £80,000 of improvements at Arlesey, Sandy and Biggleswade stations respectively, as well as at Bedford station.

I am conscious of the time, so I will turn now to the strategic road network. We absolutely recognise the importance of the A1 and its impact on my right hon. Friend's constituents. That is why, as part of the first road investment strategy, we committed to examining the case for improvements to the A1 between the M25 and Peterborough. Anyone who has driven on that road, as I have, knows the problems on it. Following an initial study, our focus has been on the sections between junctions 10 and 14, where we recognise that the challenges on the route are most acute. Initial work has shown that improvements—including some new alignment, or bypassing—would offer poor value for money on current metrics.

Substantial future local growth, which is coming, could and should change that assessment. Therefore, we expect there will be opportunities to re-examine the case for potential improvements to this section, particularly as proposals for the Oxford-to-Cambridge arc, which I am responsible for, are developed. In the meantime, however, we understand that local partners are taking forward some study work to look at the feasibility of improvements to the A1 in the short term. In addition, in February we also announced a preferred route for the A428 Black Cat to Caxton Gibbet scheme. As my right hon. Friend knows, this is a new dual carriageway link between the junction of the A1 and A421, and between the junction of the A428 and A1198.

My right hon. Friend raised the important issue of speed cameras on the A1, and I can reassure him that both the Department and Highways England take the issue of speeding very seriously. I share his disappointment that it was not possible to deliver the previous scheme. I have checked with and am chasing Highways England to ensure that it investigates the possibility of a camera system on this section of the A1, explains to me why the costs have spiralled as they have, and makes sure that it looks seriously to see whether such a camera system is possible. I think that it must be possible to find a way to do it and I will raise this issue with Highways England again following this debate.

I will also raise the issue of congestion on the local road network. My right hon. Friend and I both take congestion very seriously. We do not want to see strategic road work driving up congestion in neighbouring towns and villages, which is why we have made a number of investments for local transport infrastructure projects within wider Bedfordshire. These include providing £2.5 million towards a new Bedford western bypass and £11 million towards the regeneration of Bedford town centre. We are also providing funding towards the A421 dualling scheme that is being led by Central Bedfordshire Council. That is a £22 million investment, which will

ease congestion from Fen Farm up to junction 13 of the M1. I understand that Central Bedfordshire Council is also taking forward proposals for a link between the M1 and the A6, with funding from the local growth fund.

Future funding for major transport infrastructure is absolutely key to the Government's new emphasis on integrating housing and transport, as recent statements by my right hon. Friend the Secretary of State for Housing, Communities and Local Government have made clear. Crucial to that in the south of England is the east-west corridor, which, as I have said, I am now responsible for. It will provide better east-west connectivity across the arc, including in North East Bedfordshire. I will shortly be signing off on the rail routing decision, and I will also push to make sure that, as we build that line, we also consider strategic ways to capture land value and ensure that we are putting money into transport infrastructure, including the strategic roads, so that we have a genuinely integrated approach to road, rail and housing.

I hope that I can reassure my right hon. Friend the Member for North East Bedfordshire that considerable investment is being made in transport infrastructure in his area as part of this Government's major infrastructure programme. I absolutely hear him on the issues with the railway line, which we are actively pursuing. He made a very good point about rail staffing, which I will pick up on following this debate, and he also made good points on stop-skipping and on speed cameras on the A1.

Alistair Burt: I think we have just 30 seconds left, so I am very grateful to the Minister for giving way. I thank him very much for his responses. However, because we have heard many of these responses before, particularly from Highways England—responses about things that will happen, only for everything to get held up because of decisions made elsewhere—can he make sure this time that some of these improvements are made? If they are not made and we have to keep waiting for others' decisions, once again nothing will happen.

George Freeman: I am delighted to give my right hon. Friend that reassurance. This is my first appearance in Westminster Hall in this capacity and I look forward to picking up on the issues that he has raised. If we cannot show our constituents that we are putting people and place before the convenience of providers, we will not carry their trust with us. This strategic junction in the UK network—A1, east-west, rail and road—is vital and I will happily give him that undertaking.

Question put and agreed to.

Resolved,

That this House has considered transport infrastructure in North East Bedfordshire.

11.29 am

Sitting suspended.

Procedure for Appointing Judges

[MR VIRENDRA SHARMA *in the Chair*]

2.30 pm

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): I beg to move,

That this House has considered the procedure for appointing judges.

It is a pleasure to serve under your chairmanship, Mr Sharma. I look forward to a positive and perhaps consensual debate on the procedure for appointing judges and the importance of those procedures being consistent with the independence of the judiciary, the separation of powers and the rule of law.

I sought this debate because I was concerned about certain headlines that appeared in the press in the days following the Supreme Court judgment in the Cherry and Miller cases. I pay tribute to my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) for her work on the Cherry case, as well as the legal team, which did such great work. I was pleased to be one of the MPs party to that case. The headlines I was concerned about came in response to a decision that the Government did not particularly like. They were perfectly entitled not to like the decision, but they were not entitled to consider changing the system for appointing the Supreme Court judges.

For example, a headline in the *Daily Mail* read:

“Geoffrey Cox suggests UK could move to US-style political vetting of judge appointments in the wake of the Supreme Court’s prorogation ruling”.

The Daily Telegraph ran the headline:

“Supreme Court justices could be appointed by MPs in wake of Brexit ruling, Geoffrey Cox says”.

In a slightly more understated fashion, *The Law Society Gazette* headed its report with certain exchanges in the Commons Chamber with the headline:

“Supreme Court appointments may need MPs’ approval—attorney general”.

In fairness to the Attorney General, it took a degree of journalistic licence to get from what he said in the Chamber to what was reported. Those headlines arose from exchanges in the Chamber during an urgent question tabled by my hon. and learned Friend the Member for Edinburgh South West.

John Howell (Henley) (Con): Does the hon. Gentleman agree that the independence of our judiciary and the way in which we appoint them is admired right across the world, and that that fits in with our role in the Council of Europe, which is there to uphold the rule of law?

Stuart C. McDonald: I agree with the hon. Gentleman wholeheartedly. I will return to that point later. The exchanges that sparked those headlines came when the Attorney General was asked by one of his Back Benchers whether it was time for MPs to get involved in approving appointments at the Supreme Court level. The Attorney General responded:

“I do think that we are going to have to look again at our constitutional arrangements...there may very well need to be parliamentary scrutiny of judicial appointments in some manner.”—[*Official Report*, 25 September 2019; Vol. 664, c. 666.]

As I said, I think the subsequent headlines required considerable journalistic licence. It would be useful if the same headline writers would publish the subsequent remarks that the Attorney General made during Attorney General’s questions last week, when he said that

“certainly US-style hearings—would be a regrettable step for us in our constitutional arrangements.”—[*Official Report*, 3 October 2019; Vol. 664, c. 1360.]

Similarly, I welcome the Lord Chancellor’s words this morning at Justice questions in defence of judicial independence and against any notion of political appointments.

With impeccable timing, as soon as I received notification that I had secured this debate, I received a written answer from the Minister—I welcome him to his place—confirming that there were no plans to change the judicial appointments processes. The answer continued:

“Our judges are selected following a rigorous, independent, merit based process which is key to maintaining the quality, integrity and independence of our world class judiciary.”

That answer echoed the point made by the hon. Member for Henley (John Howell).

In the light of all those assurances, I wondered whether it was worth proceeding with this debate, but I think it is. I am grateful to hon. Members for staying to take part. It is still relevant to proceed because, despite the words of the Minister, the Attorney General and the Lord Chancellor, one fairly significant member of the Government does not seem to be singing from quite the same hymn sheet—perhaps not for the first time. Between the Attorney General’s original comments and his clarification, when the Prime Minister was asked about the consequences of the Supreme Court judgment by *The Sunday Telegraph*, he said:

“It will take a while to be worked through. But I think, if judges are to pronounce on political questions in this way, then there is at least an argument that there should be some form of accountability.

The lessons of America are relevant.”

Whether the Prime Minister was thinking about putting the UK on the path to a US-style system, under which Supreme Court judges are overtly political appointees, as *The Sunday Telegraph* interpreted it, only he knows—I very much hope not.

The pot was stirred even more firmly by a former Conservative leader who told *The Times* at the end of last week that

“more and more people are beginning to ask, with some legitimacy, whether it might be time to hold hearings as they do in America to find out what their political views are and what we can expect. We need to know more about these people.”

I could not disagree more strongly with that statement. A better response to the Prime Minister’s comments came from a former Cabinet colleague of his in an article for *The Sunday Times* this weekend:

“If he means we should learn from the weaknesses of the US system, he is absolutely right. If he means we should copy that system, he is wrong. It involves far too much political interference in the appointment of judges and also too much judicial law-making.”

My ambition in this debate is, therefore, quite modest: to achieve as broad a consensus as possible, saying clearly and loudly that we believe in the rule of law, the separation of powers and the independence of the judiciary; that our appointments processes must always respect that; and, specifically, that we reject the politicisation of the judiciary, in particular through

[*Stuart C. McDonald*]

US-style appointments processes. The Prime Minister and some of the less sensible members of the Conservative party should stop stirring that pot.

I am not saying that the appointments processes in the UK are absolutely perfect, whether through the Judicial Appointments Commission of England and Wales, through its Northern Ireland equivalent, through the Judicial Appointments Board for Scotland or through the appointments commissions that are convened for the purposes of selecting Supreme Court justices. No system is perfect, and they have all been criticised. It is absolutely right that we should keep those systems under review and scrutinise them to ensure that they deliver the appointment of the best judges.

Other hon. Members may want to make suggestions about how we can improve each of those systems, including to better protect judicial independence or to improve the scrutiny and accountability of judges through ombudsman and complaints processes. I have no doubt that more can be done to improve diversity on the bench, for example.

Keith Vaz (Leicester East) (Lab): I congratulate the hon. Gentleman on securing this important debate, and I join him in congratulating the hon. and learned Member for Edinburgh South West (Joanna Cherry) on the stunning cases that she brought over the past two weeks. Regarding diversity, the old system required the Lord Chancellor to make all the appointments of the judiciary on the advice of civil servants. Does the hon. Gentleman think that the new system, with the Judicial Appointments Commission, has gone far enough in reflecting the diversity of the community at large? Obviously, gender diversity has increased, because we have a woman President of the Supreme Court, but what about ethnic minority diversity?

Stuart C. McDonald: I do not have a ready answer to that. The numbers show that it may not have gone far enough. I agree that there is more to be done to ensure that we have a bench that reflects the society that it serves, but I am not sure what the means and mechanisms for that should be.

My key point is that we should never consider or undertake the politicisation of the appointments processes, because the arguments that have been put forward in support of political interference in the appointments process are flimsy and, I would say, misguided. There is an assertion that because judges have suddenly got involved in matters that are deemed to be political, their political judgment should be open to scrutiny by parliamentarians before they are allowed to sit, but to take that view is to misunderstand the role of judges completely. Although what they decide has important political consequences, the decisions they make are not political, but legal. Therefore, a candidate's legal abilities alone need to be assessed and compared to those of their peers.

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): I congratulate the hon. Gentleman on securing the debate, and I agree with much of what he has said. I support the separation of powers and the independence of the judiciary. Many judges—particularly those with academic backgrounds—may, although they were

appointed through an independent process, have expressed views in the past that could be considered political; in some cases, those may be historical political views. That may lead some people to be concerned about the politicising of the judiciary and the potential for judges' views to influence their decisions. How would the hon. Gentleman address the perceived concerns of political bias on the part of some judges because of views they have expressed in the past as academic lecturers or in other forums?

Stuart C. McDonald: I welcome that intervention, and the hon. Gentleman raises an interesting question. There are a couple of things I would say. First, we will never have a judicial bench that does not have political opinions. Just because we do not necessarily know what those opinions are does not mean that members of the judiciary are not normal human beings who have political views. Secondly, all we can do is to ensure that candidates are assessed, like all others, by an independent judicial appointments board to ensure that appointments are made on the basis of their ability to do the job as independent judges. It may be that certain individuals have expressed views such that that is called into question, but we have independent panels in place that are designed to filter out any suggestion that candidates are making decisions for political reasons, rather than simply on the merits of a particular case.

As Sir David Edward, a former judge in both the European Court of Justice and the Court of Session, put it in a recent *Scottish Legal News* article:

"Many judicial decisions have political consequences but it is a quite different thing to say judges have made decisions for political reasons."

He argued that if there is a lesson to be learned from America, it is the

"malign effect of a system dependent on political or doctrinaire allegiance".

There is nothing new about judges making decisions that have political implications or cause political controversy—although given some of the recent commentary, people might think otherwise.

It is worth noting that one of the key reasons why judges' decisions frequently have significant political implications is precisely because this Parliament has required that of them. The Human Rights Act 1998, for example, requires judges to look at whether Acts of Parliament are compatible with the European Convention on human rights. Acts of the Scottish Parliament can be literally struck down, not just under the Human Rights Act, but if the Scottish Parliament is found to have strayed beyond its competence under the Scotland Act 1998. The acts of Ministers here and in devolved Administrations are subject to judicial scrutiny. European Union law has also been a ground for challenges. That links with the growth in the use of secondary legislation—legislation that in my view is often not scrutinised particularly well here—which at least has the fallback and safeguard of judicial review.

Increasingly, judges have been asked by this Parliament to take decisions that have political ramifications, but they make those decisions on legal grounds alone, and we should not forget that. Ultimately, the key point is that the different branches of government should provide checks and balances against each other. The judiciary provides a key check against Executive overreach. To my mind, the cases of Cherry and Miller are brilliant

examples of that, though perfectly reasonable people can disagree. The point is this: what sort of check does the judiciary provide if it is stuffed with Government or political appointees? It is either a check that is ineffectual in reality, or one that is perceived to be ineffectual, and both matter for the rule of law.

I will finish with a quote from the vice-president of the Law Society, Stephanie Boyce. In responding to the recent controversies, she told *The Law Society Gazette*:

“An independent judiciary is fundamental to our democracy. The notion of vetting judges for their political opinions is at odds with the whole construction of British justice.”

I very much hope that is something we can all agree on.

2.42 pm

Robert Neill (Bromley and Chislehurst) (Con): It is a pleasure to serve under your chairmanship, Mr Sharma.

I warmly congratulate the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) on securing this debate. I agreed with virtually every word he said, and I hope we can establish a consensus in Westminster Hall. Like him, I was heartened to hear the very clear statement of the Government's position from the Lord Chancellor in Justice questions today. The hon. Gentleman is right to say that were we to embark on an American-style system of political selection for our Supreme Court or any other court, we would indeed be the poorer for it. Anyone who has seen the farrago that passes for confirmation hearings before the Senate in the United States—a process that diminishes the quality of law and, frankly, if anything, undermines the integrity of its judiciary—would never wish to see that in the United Kingdom. I think the debate is useful, because it perhaps enables us to put a hare that has been set running by one or two people firmly to rest, where it belongs and where it should stay.

John Howell: Would my hon. Friend make a distinction between the sort of confirmation hearings that we hold as members of the Select Committee on Justice and those in the United States? The ones we hold are very much part of the establishment and are a way of looking at the process, rather than being a way of generating political attacks on the individual.

Robert Neill: My hon. Friend is right. There are two misnomers in this sense. Confirmation, in the strict sense of the word, is not really what we are doing. We are scrutinising the integrity of the appointments process, which is an altogether different matter and entirely consistent with our tradition. In the same way, I wonder, were the legislation for the Supreme Court being drafted now, would we call it a Supreme Court, as opposed to a Court of Final Appeal? That has rather unfortunate implications, but that is really what it is. It is not quite like the Supreme Court in the United States, and the name sometimes gives people the wrong idea about its function.

The hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East is absolutely right to say that in the recent cases that have attracted press attention, the courts—both at first instance the High Court or the Court of Session and then the Supreme Court—were asked to answer legal questions, and they gave legal answers. It is as simple as that. The judges did their job as lawyers. The attacks on our senior judiciary by some of the press are an outright disgrace and a shame upon this country.

They should be called out for what they are: gutter journalism. Would to God that we had a press in this country that had anything like the quality and integrity of our judiciary. We would be the better place for it.

We are fortunate in the quality of our judiciary in all parts of the United Kingdom. We have a rigorous selection process. I am particularly aware of the work of the Judicial Appointments Commission in England and Wales, but I am cognisant of the like work that is done in Scotland and Northern Ireland by their appointments boards. I pay tribute to the work of Lord Kakkar and his colleagues on the Judicial Appointments Commission for England and Wales. The Justice Committee has had the opportunity to observe and scrutinise its work, and it is accountable to us and to Parliament for the process it engages in. Recently it published its report for the year just gone; it is a substantial document that clearly sets out the methodology by which it works and the consequences.

Keith Vaz: I am most grateful to the Chair of the Select Committee for giving way. May I declare my interest, which I forgot to do earlier, as a non-practising barrister? My wife is a part-time judge. I put this to the hon. Gentleman: with the system we have now—as opposed to the old system, where the Lord Chancellor made the decision himself, and it was only men who were Lord Chancellor in those days—what does he think about laypersons being able to appoint judges to the highest judicial offices when they themselves are not legally qualified? I think the system is working well, apart from the diversity angle, but what does he think, not only as Chair of the Committee but as a lawyer, about people who are not legally qualified being able to opine on giving posts to those who are the most legally qualified?

Robert Neill: The right hon. Gentleman reminds me to refer Members to my entries in the Register of Members' Financial Interests. I think I would approach the matter he raises in this way: for transparency and because the judiciary needs the confidence not only of the profession but of the wider population and the society it serves, there is a proper role for a lay element in the selection process. The set-up we have in England and Wales with the Judicial Appointments Commission, which has lay members together with experienced practitioners and members of the judiciary, is probably a pretty fair balance as far as that is concerned.

Keith Vaz: I am most grateful to the hon. Gentleman for giving way for a second time and enabling me to tempt him a little further. The cut-off age has deprived us of some pretty distinguished judges. Does he think we should go that step further and raise the limit from 70 to 75? Can I tempt him down that road?

Robert Neill: The right hon. Gentleman tempts me and I fall into the trap willingly: I entirely agree with him. It is a great shame that we have seen the retirement recently of very distinguished and able judges simply by effluxion of time. Lord Thomas of Cwmgiedd, Sir Brian Leveson, Lady Hallett—I was delighted to see her gain a peerage—and others still have much to offer the bench. When we have real difficulty with the recruitment and retention of the highest quality judges, it seems absurd to me to set 70, which most of us would regard as the new 50—certainly those of us who are getting

[Robert Neill]

nearer to it—as the limit. We are cutting people off at the height of their professional powers. They have much more to offer and, interestingly, will very often be found, perfectly legitimately and properly, exercising their skills as arbitrators or mediators in commercial jurisdictions, when they would be very happy to continue exercising those skills in high public office as members of the judiciary.

I earnestly hope that one message the Minister takes back to the Lord Chancellor, who I know is apprised of the matter, is that if we have a legislative opportunity in the new Session, we should tack on a clause to increase the judicial retirement age to 75. That would be warmly welcomed. There is more that we need to do at the other end in terms of diversity. There have been improvements, but the right hon. Member for Leicester East (Keith Vaz) is right that we need in particular to improve black, Asian and minority ethnic representation in the judiciary. There are signs of improvement, but there is much more to do.

We have made improvements in relation to gender diversity, but ethnic diversity is something that we still need to work on, as well as perhaps social background more generally. As a member of the Bar, I recognise the potential value of recruiting solicitor judges in broadening the social background base of the profession. There are now some very good and able solicitor judges, and I hope that we can encourage that too.

In a short speech, I wanted to reinforce what the Lord Chancellor, who is admirably playing his role in defending the independence of the judiciary, has said, and to recognise the point fairly made by my hon. Friend the Member for Henley (John Howell) that the independence of the judiciary is not just important in terms of the checks and balances of our own constitution, which are critical, but wholly consistent with our international obligations. My hon. Friend serves as a distinguished member of the Parliamentary Assembly of the Council of Europe, which is something that I have had the pleasure of doing, as have you, Mr Sharma. We all know that Britain is looked up to by our colleagues because of the independence of our judiciary. How would we be able to exercise restraint on some of the emerging democracies in eastern and central Europe, where such independence is not always to be found, were we to do anything that diluted our judicial independence?

It is important that we maintain judicial independence to meet our obligations under article 6 of the European convention, never mind article 14 of the international covenant on civil and political rights and, of course, the UN basic principles on the independence of the judiciary. If we want Britain to remain a world leader in high esteem, maintaining the independence of the judiciary is critical. I hope that the debate will enable us to send a message to all at large that we recognise the checks and balances that are implicit in, and that underpin, our constitution, and that the separation of powers, the independence of the judiciary, and the acceptance of its independence by all, whether we agree with an individual decision or not, are crucial to our national wellbeing.

2.52 pm

Joanna Cherry (Edinburgh South West) (SNP): It is a pleasure to serve under your chairpersonship, Mr Sharma. I congratulate my hon. Friend the Member for

Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) on securing this important debate. What a pleasure it is to speak after the Chair of the Justice Committee, the hon. Member for Bromley and Chislehurst (Robert Neill).

I will begin by declaring a few interests. Not surprisingly, most of us speaking in the debate are lawyers, and I am a non-practising member of the Scottish Bar. I am also vice-chair of the all-party parliamentary group on the rule of law and, as has been kindly mentioned by others today, I was the lead petitioner in the case that came to be known as the Cherry case, because that is my surname, which went to the Supreme Court. I am also involved in litigation currently proceeding in Scotland under the name of Dale Vince. I declare my interest, having been supported by the Good Law Project and the generosity of Mr Vince, who is a green energy entrepreneur.

Today's debate has come about because of comments prompted by ill-informed fallout from the decision of the Supreme Court on Prorogation. My hon. Friend the Member for Cumbernauld, Kilsyth and Kirkintilloch East laid out the circumstances in which that happened. It is a particular matter of regret that on 11 September Downing Street sources briefed *The Sun* that

“legal activists choose the Scottish courts for a reason”.

Well, I chose the Scottish courts because I live in Scotland. The implication that the Scottish courts are somehow politicised is offensive as well as ignorant. There is, however, a tradition in Scotland going back to the declaration of Arbroath and the claim of right that neither the monarch nor the Government are above the law. I was very proud to see that tradition followed by the Scottish courts.

It was also great to hear Lady Hale, the President of the Supreme Court, remind us that it is also part of the English tradition, when she said that

“the courts have exercised a supervisory jurisdiction”

over the lawfulness of acts of the Government “for centuries”. As long ago as 1611, the court held that the King, who was effectively the Government, had

“no prerogative, but that which the law of the land allows him”.

I join others in particularly deprecating not so much the press, of which we have come to expect very little, but Government sources—particularly unnamed Downing Street sources, who seem to be cropping up all over the place at the moment—for the anti-judicial and anti-Scottish sentiment that they tried to stir up.

It was also a matter of some regret that a Government Minister, the right hon. Member for Spelthorne (Kwasi Kwarteng), went on television and said:

“The extent to which lawyers and judges are interfering in politics is something that concerns many people.”

He went on to say that

“many people...are saying that the judges are biased”.

He specifically claimed that

“many leave voters...are beginning to question the partiality of the judges”,

while going on to state that he personally believed that the judges were impartial.

Dr Poulter: As I was sitting here, it occurred to me that a former colleague of ours, albeit from before our time in the House, Humfrey Malins, who was the hon. Member for Woking, was, while he was a sitting MP,

a practising barrister and, I believe, a recorder. I do not believe that anybody called into question his impartiality when he was overseeing cases in that role, or indeed subsequently when he stood down from the House, even though he is a committed Conservative. I wonder whether the hon. and learned Lady would like to reflect on that, in the context of what she was just saying.

Joanna Cherry: I was not aware of that. Certainly my party, the Scottish National party, believes that MPs should devote themselves full time to that job. That is why I have been a non-practising member of the Scottish Bar from the moment that I was elected. I would find it rather curious if a Member of Parliament were, in the modern age, sitting in a judicial capacity. I think that would rather interfere with the separation of powers, whereby legislature, Executive and judiciary should be separate. However, I was not aware of those circumstances, so perhaps I should not say any more about them.

Returning to the comments made on television by the right hon. Member for Spelthorne, although it has been good to hear the Lord Chancellor repeatedly assert the independence of the judiciary, including today at Justice questions, it is reprehensible for Government Ministers to attempt to stir up anti-judicial sentiment as in this situation. I totally believe in freedom of speech, and am on the record as being somebody on the left who is very much in favour of it. Sometimes the champions of freedom of speech are to be found very much on the right, but there are some of us on the left, and I would never question anyone's right to say that they disagree with a decision. However, if a Government Minister or unnamed sources call into question the independence or impartiality of the judiciary, such comments can serve to normalise a crude scepticism that ignores the legally complex and personally demanding work that judges have to perform. That is why we politicians have to be careful what we say. Many decisions in the past have not pleased me, and I have certainly criticised them, but I have not tried to suggest that they were made because the judges were of a different political persuasion to me.

We can do no better than look at one of England's most respected jurists, Lord Bingham, who said in the *Belmarsh* case in 2004 that it is wrong to argue that judges are somehow undemocratic simply because they are unelected, or because they are asked to assess the legality of the Government's decisions. He said that, on the contrary,

"the function of independent judges charged to interpret and apply the law is universally recognised as a cardinal feature of the modern democratic state, a cornerstone of the rule of law itself."

I think what Lord Bingham was really saying is that the very concept of a modern democracy envisages an important role for the courts.

It is particularly important to remember that the decision that was made by the Supreme Court justices was not a political decision; as Lady Hale was at pains to underline, it was a decision on the law. In Scotland's Court of Session, Lord Drummond Young said in relation to the case:

"The courts cannot subject the actings of the executive to political scrutiny, but they can and should ensure that the body charged with performing that task, Parliament, is able to do so."

That is what the case was about: restoring to Parliament its function of politically scrutinising the Executive. Those on the right of British politics outside this room who do not like what happened in the Supreme Court should ask themselves how they would feel if a left-wing Prime Minister sitting at the apex of a minority Government prorogued Parliament because it was getting in his or her way. It cuts both ways, and that is why this is a principle of law and democracy rather than a political decision.

My hon. Friend the Member for Cumbernauld, Kilsyth and Kirkintilloch East has already quoted some pertinent comments made by Sir David Edward, former judge of the European Court of Justice. I will also quote Lord Hope of Craighead, former Deputy President of the Supreme Court and a former Lord President of the Court of Session, who said that the suggestion—initially made by the Attorney General—that there might need to be some parliamentary scrutiny of judicial appointments was "wholly misguided". He said:

"The Supreme Court justices were careful to explain in their judgment"

in the *Prorogation* case

"that they were not pronouncing on political questions. The issues with which they were dealing, as is the case with all the other issues that come before them, were issues of law."

He went on to say that vetting judges

"would risk politicising the office which they hold, in the minds of the public"

and would be

"contrary to the fact that political opinion plays no part in the work that they do."

He finished by saying:

"The guiding principle is that they decide cases according to the laws and usages of this country, and not according to such political views, if any that they might happen to hold."

Very trenchantly, he added:

"We have nothing to learn on this issue from what happens in the United States."

Somebody pointed out earlier that there will be some judges in position who have, in a previous life, expressed political views. Of course, in Scotland we no longer have a tradition of political appointments for the Law Officers—they are apolitical appointments—but in the past, we did. Frequently, the Lord Advocate in Scotland would go on to sit on the bench, and he—it was always a "he" in those days—would have been from either a Labour or a Conservative background. However, the crucial thing was that when he took his seat, he took the judicial oath of impartiality, and put aside the politics he had had before to enable him to make impartial decisions on the law. I do not think the ability to do that is confined to men. Thankfully, there are at last plenty of women coming through in the judiciary, both north and south of the border. We would all like to see more, but it has been very important to see a female English judge at the apex of the United Kingdom's Supreme Court. As others have said, there is still much work to be done to ensure that the diversity of all our communities across Scotland and England is represented on the bench.

I will finish with a quote from almost 15 years ago, when Professor Anthony Bradley was advising the House of Lords Constitution Committee. I am pleased to say that Professor Bradley was my tutor when I was an undergraduate at the University of Edinburgh, 30 years ago;

[Joanna Cherry]

he was then, and is now, a very respected authority on constitutional law in the United Kingdom. Back in December 2005, he told that Committee:

“It is more important than ever that the courts should be able to do justice in an even-handed and impartial manner. Ministers and the Government in general should not seek to blame the judges when the courts make decisions that are adverse to the wishes or policies of the Government.”

All of us who are politicians should aspire to follow that advice. His message is just as important now as it was then, given the fallout we have had from the recent, landmark constitutional cases.

3.4 pm

Yasmin Qureshi (Bolton South East) (Lab): It is a pleasure to serve under your chairmanship, Mr Sharma. I congratulate the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) on securing this debate.

It is fair to say that in the wake of the Supreme Court's recent ruling, some Government Members and even Ministers began to call for the reformation of the judicial appointments system. That tells us that some of those people—often those with very hard Brexiteer points of view—are not interested in parliamentary sovereignty or judicial independence, and they do not respect our traditions or our democracy. As the Chair of the Select Committee on Justice, the hon. Member for Bromley and Chislehurst (Robert Neill) said earlier, the attack on the judiciary by the media was disgraceful, but, sadly, so were some of the words used and the comments made by Members of this House.

It should be said repeatedly and clearly that the selection hearings of the US system have no place in our democracy, and nor do the highly political workings of the US justices. In the immediate aftermath of the Supreme Court's ruling, the Attorney General seemed to suggest that Parliament would need to look at a judicial appointments system, although I am pleased to hear that he has rowed back on those comments since making them. Those calling for an American-style process rather than a Supreme Court-style one have little interest in the constitutional frameworks that have been essential to government in this country for centuries.

Although these arguments will not be new to anyone, they perhaps deserve reiteration. The US system is beset with practical problems. It allows the President to nominate judges on an explicitly political basis, and even if we accept that idea—which we do not—the power to nominate is not equally distributed. Instead, the make-up of the US Supreme Court is determined by whoever is President when judges become unable to continue in their role. The make-up of the most powerful court in the land is political and dangerously random, and the result is neither stable nor fair. That holds especially true when an Executive like the USA's current one chooses not to respect conventions or tradition. As the Chair of the Justice Committee also said eloquently, we have only recently seen the unedifying spectacle of a USA-style confirmation hearing.

There is a great deal to be proud of in our judiciary. Our commercial courts are widely recognised as some of the best in the world; every year, a huge number of international litigators choose to come to the UK because

they know they can rely on fair treatment. Last year, our legal sector alone contributed around £26 billion of trade to the UK. Even in our tragically undervalued criminal courts, on the back of yet another week of courts being unnecessarily shut, the judiciary is soldiering on impressively.

I admire the durability and professionalism of our judges, along with the rest of the court staff. They deserve significant credit for propping up a system that I am afraid the Government have done little to support, as shown by those court closures. Only recently, I have received emails from some judges—especially recorders—who say that they are expected to attend different courts in the UK at the last minute. They sometimes cannot do so because of their own work commitments, but they are effectively told that if they do not, their chances of being confirmed as judges may well be impacted. There is evidence, even from the Ministry of Justice's figures, that the time it takes for court cases to come to trial has recently grown longer, while courtrooms are sitting empty and shut. Despite that, our judges, recorders and magistrates continue to work really hard to support our system, and I commend and thank them for all their efforts.

Despite attempts by some people to find political intent in the recent Supreme Court ruling, the decision was a powerful demonstration of the vital power of a genuinely independent, apolitical judiciary. It ruled without fear or favour, and in doing so it protected our democracy. The judiciary in this country has a long and noble tradition, and it is best that we respect that.

Balanced, learned and direct, Baroness Hale is in many ways the best of that British tradition, but the barriers that she has faced are illustrative of how uneven our justice system still is. For far too long, justices have been predominantly people of privilege with wealthy backgrounds, predominantly men and predominantly educated at private schools. Baroness Hale was only the second woman to be appointed to the Court of Appeal. She is the first female Lord of Appeal in Ordinary and the first female President of the Supreme Court. It should worry us all that women still have to break the glass ceiling. A century on from the Sex Disqualification (Removal) Act 1919, we are still yet to achieve real proportional equality in our public bodies and institutions. The Law Society also agrees that our current system for the appointment of judges should be maintained and not changed.

I hope we can all agree that the US system is clearly a bad one, but perhaps today is an opportunity to focus the debate on how we can alter our judicial appointments system not to make it political, but perhaps to make it more representative. As a young barrister, I saw many hugely talented people who did not fit the accepted demographic of a judge. Some struggled their way to the top; too many did not. There have been encouraging steps as the number of female judges has risen. However, it is important that we do not fall into the trap that many businesses do and focus exclusively on comparing numbers without looking at seniority. Although it is heartening to know that the percentage of female tribunal judges is nearing 50%, that falls to 32% for court judges, and for high court judges the figure is well under 30%.

The issue is even more glaring in the case of black and ethnic minority members of the judiciary. Reading through the judicial diversity statistics this year, I see

that the Ministry of Justice reports that 11% of new judges in the court were BAME, compared with 6% of those leaving. That is a paltry rate of change that will leave our judiciary disproportionately unrepresentative. The judicial mentoring scheme and the pre-application judicial education programme are good initiatives, but they are nowhere near enough. In a judiciary that continues to display systemic problems, well-intentioned mentoring schemes are unlikely to go far enough.

Worryingly, a metric seems to have crept in that rarely appears in official Government documents in any other Department. For several years in a row, the annual judicial diversity statistics have qualified their admission that the number of BAME judges remained low by comparing the ratio of BAME judges with the ratio of people within a certain age bracket. We are told that

“BAME representation among tribunal judges was similar or higher than that of the general population at all age bands from 40 and over.”

That might seem reasonable at first reading, but it deserves further attention. Where else in Government documents are disparities justified by cherry-picking age groups for comparison? That is done to match proportions that are decades out of date. Our judiciary should not be representative of people over 50, or even 40; it should be representative of our nation as a whole at every stage. Everyone who passes through our justice system should feel that it genuinely represents them. Between 2014 and 2019, the proportion of BAME court judges increased by 2%, which takes us to 7% of court judges. The Government need to move faster.

In the Lammy review, my right hon. Friend the Member for Tottenham (Mr Lammy) stated:

“The government should set a clear, national target to achieve a representative judiciary and magistracy by 2025. It should then report to Parliament with progress against this target biennially.”

It was a bold aspiration with an ambitious deadline. It was an opportunity to facilitate a change, but the Government have missed the opportunity. Despite some positive noises, we have not seen any real changes, and that leads us to the inevitable conclusion that a wealth of talent in the BAME community is ignored.

The fact that more than half of those currently held within the youth estate are BAME shows that there is something fundamentally wrong with our criminal justice system. Although improving judicial diversity is not a panacea for the wide variety of self-inflicted ills that harm our justice system, it would certainly be a significant step. Our judges should be representative of our country and should be diverse in terms of gender, ethnicity and, crucially, socio-economic background. We should also provide more support for those who are not barristers moving into the judiciary. Solicitors continue to form a small minority of judges, closing the profession off from other highly talented practitioners.

The Law Society has suggested some practical steps to ensure representation of solicitor judges: for example, ensuring that solicitors' experience is given the same due weight as barristers applying for the Bar; ensuring that solicitor judges are involved in the selection process; considering the development of judicial career paths; promoting cross-deployment of judges from tribunals to court; and providing access to shadowing and mentoring opportunities for existing judges. That could apply to women, to members of the BAME community and to

those from poor financial backgrounds; children from working-class backgrounds are very under-represented in our system.

Far too often, the Government treat representation as a cosmetic issue that can be changed with minor tinkering. They fail to recognise that the disparities come from histories of inequality that require fundamental reform to remedy. Rather than simply analysing data retrospectively, the Ministry of Justice should set clear deadlines and put plans in place. The public have a right to a judiciary that represents them in all their diversity.

With that in mind, will the Government accept that their judicial appointments system is not sufficient and adopt the approach laid out by the Lammy review? Will the Minister clarify what moneys will be set aside to ensure that judicial diversity is a central objective, rather than just a buzzword? That is essential not only on a moral basis, but on a practical one. A judiciary that is not perceived as representative will have difficulty in maintaining its legitimacy in the long term, particularly for communities who do not see themselves reflected at the most senior level of our justice system. We can fix the problem. It will require funding, long-term commitment and clearer strategic planning, which the Government appear not to offer at the moment. The Government need to go beyond expressing sympathy and set proper deadlines. I hope that when the Minister responds, he will be able to give us some deadlines and suggestions for what they can achieve.

Finally, I want to emphasise that my observations about the representation of ethnic minorities, women and working-class people have no bearing on my belief that our judiciary is the best in the world. No one should ever attack its credibility. Our judges are the best in the world, and they decide things on law, not on politics. The press and Members in this House should appreciate that.

3.19 pm

The Parliamentary Under-Secretary of State for Justice (Chris Philp): It is a great pleasure to serve under your chairmanship, Mr Sharma, in my first appearance as Minister in a Westminster Hall debate. I add my congratulations and thanks to those that other Members have offered to the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald), who secured this timely debate.

I will begin by directly addressing the hon. Gentleman's question about the independence of the process we have adopted to appoint members of the judiciary. I and the Government as a whole fully support the position articulated by the Lord Chancellor, that judicial appointments should be wholly independent and separate from any interference by politicians of any kind, including any form of parliamentary oversight. Speakers in the debate, including, of course, the Chair of the Select Committee on Justice, my hon. Friend the Member for Bromley and Chislehurst (Robert Neill), have powerfully and eloquently made the case for that approach. If judges are to act impartially as interpreters of the law that Parliament enacts, they cannot be subject to any form of political interference, including at the moment of their appointment. I join the Lord Chancellor and other Members who have spoken in stating clearly that the American system of Supreme Court confirmation

[Chris Philp]

hearings, and even elections for some judicial positions, would be wholly inappropriate in this country. It would undermine the principle of judicial impartiality that has prevailed in all four corners of the United Kingdom for so long. I hope that straight away I can give Members reassurance on the critical question in the debate.

The Lord Chancellor has been extremely clear in his comments, both those he made by the modern means of communication, Twitter, in the immediate aftermath of the various judgments that we have discussed, and those he made on the opening of the English and Welsh legal year last Tuesday. I attended that event in Westminster Hall, a few feet from where we are, and in his opening remarks the Lord Chancellor made it clear to the entire assembled judiciary that he would stand in defence of their independence and impartiality. That message was heard loud and clear. As the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East has acknowledged, a couple of hours ago in the main Chamber, in response to a question from the Chair of the Justice Committee, the Lord Chancellor reiterated his and the Government's unequivocal support for the principle of judicial independence and the independence of the judicial appointments process.

That process was established and put on a statutory footing in the Constitutional Reform Act 2005. As has been said, prior to that the Lord Chancellor exercised the power on advice from civil servants, but since the Act was passed the Judicial Appointments Commission has made recommendations, which the Lord Chancellor and the Lord Chief Justice and Senior President of Tribunals approve. However, the Judicial Appointments Commission is essentially the body that makes the recommendations and whose voice is decisive. I join the Chair of the Justice Committee in thanking Lord Kakkar, the commission chairman, for his work and that of his fellow commissioners—both lay and lawyers.

On at least two occasions in recent years the work of the Judicial Appointments Commission has been examined. A House of Lords Committee scrutinised the process in 2012, and during the passage of the Crime and Courts Act 2013 a great deal of work was done, looking at the process by which the judiciary are appointed. Recommendations were made and they were enacted in the 2013 Act, which amended the Constitutional Reform Act 2005. They included transferring responsibility for the selection of deputy High Court judges to the JAC. JAC lay commissioners were also allowed greater involvement in more senior judicial appointments above the High Court, including chairmanship of the panel to select the Lord Chief Justice and the President of the Supreme Court. The latter is done in rotation with their counterparts in Scotland and Northern Ireland, the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East and the hon. and learned Member for Edinburgh South West (Joanna Cherry) will be pleased to hear. The process under which the JAC currently operates is a good and effective one. It received significant scrutiny in 2012 and 2013 and I can confirm that the Government have no intention of altering the process.

The shadow Minister, the hon. Member for Bolton South East (Yasmin Qureshi), drew attention to the fact that England and Wales is an international jurisdiction

of choice for many litigants whose cases do not directly relate to the United Kingdom. I know less about Scotland in that respect, and would be happy to hear about it. Such litigants choose to use our courts because of their reputation for impartiality, effectiveness and sound decision making. There could be no greater vote of confidence in our courts system than the fact that so many people from around the world choose it. I add my thanks to those that the hon. Lady expressed to all the judiciary, from the magistracy to the Supreme Court, for the work they do to uphold the rule of law and for being a beacon of impartiality and sound judgment around the world.

Some hon. Members raised the topic of the composition of the judiciary, including the retirement age. That is currently 70, but it was older in the past. The Chair of the Justice Committee drew attention to the fact that many capable members of the bench, at all levels, retire while still exercising their functions at a high level and with the benefit of many years' experience. I saw that at my local Crown court in Croydon. The chairman of the bench there had retired at the age of 70 a year or so ago—in his prime, I would say. The Government and the Ministry of Justice have heard the message from several quarters this afternoon and have listened carefully. We are considering the comments carefully and I suspect that we will consult on the matter before too long.

Robert Neill: I welcome what the Minister says, which gives me the opportunity to pay a personal tribute to His Honour Judge Warwick McKinnon, an old professional and personal friend who retired as resident judge at Croydon. I am also glad that the Minister mentioned the magistracy. Constituents of mine who were fine, experienced bench chairs had to retire at 70 when they still had much to offer.

Chris Philp: I concur with both comments. I would also like to thank Judge McKinnon, who is a constituent of mine as well as a former chair of the bench. I agree that my comments on age apply as much to the magistracy as to the judiciary more generally—the court judges. As I said, I think my hon. Friend can look forward to a consultation on the topic before too long.

Several hon. Members raised the matter of the gender balance and ethnic composition of the bench, and I entirely understand why those points were raised. The proportion of newly appointed court judges from BME backgrounds is 11%, which compares to slightly over 15% of the population as a whole. Currently 7% of court judges and 11% of tribunal judges are, as the hon. Member for Bolton South East said, from BME backgrounds.

As for gender balance, as the hon. Lady said, 27% of High Court judges are female, and that figure rises to 32% across the courts more generally and 46% in tribunals. Also 56% of the magistracy are female and about 50% of court judges under 50 are female; that is an encouraging sign. Qualifying those remarks, I would say that we rightly expect more senior court judges to have decades of experience at the Bar, so appointments today reflect the Bar 30 or 40 years ago, when diversity was not what we would like, and there is a measure of unavoidable time lag. That does not mean that we should not take proactive and active steps—we should. We should encourage the JAC and work generally to improve diversity in the magistracy and the courts. The figures are moving in

the right direction and improving, but I am sure we can do more. As a newly appointed Minister I will certainly consider what active steps can be taken in that area.

I am grateful for the opportunity to respond to this debate, to the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East for securing it, and to other hon. Members for attending. Those include the now very famous hon. and learned Member for Edinburgh South West—

Joanna Cherry: Infamous.

Chris Philp: Let me be generous and say famous! It gives me, the Lord Chancellor, and the Government as a whole great pleasure to reconfirm our commitment to independent, non-political appointments to the bench at all levels. That is the foundation on which the rule of law is built, and that should not change.

3.30 pm

Stuart C. McDonald: This has been a worthwhile debate with cross-party strong and unequivocal support for the principle of judicial independence, and the idea that that must be at the centre of our judicial appointment processes. We have heard interesting points about diversity on the bench and retirement ages, and received a sympathetic response from the Minister. We will obviously scrutinise and debate these issues further in future. I therefore thank hon. Members for their excellent contributions, and the Minister for his response.

Question put and agreed to.

Resolved,

That this House has considered the procedure for appointing judges.

3.31 pm

Sitting suspended.

Tata Steelworks: Newport

4 pm

Jessica Morden (Newport East) (Lab): I beg to move,

That this House has considered the future of Tata's Cogent Power steelworks in Newport.

I am immensely grateful to have the opportunity to speak on behalf of the dedicated workforce at Tata's Cogent Power plant, the Orb works in Newport, representatives of which are in the Public Gallery. They are most welcome.

The need is urgent. This is a steelworks threatened with closure by Tata and it is due to close at the worst possible time, just before Christmas. It is unique, as it is the only steelworks in the UK making electrical steel.

Nick Smith (Blaenau Gwent) (Lab): Losing the Orb plant would be devastating for our economy in south Wales. It would also be a huge missed opportunity. Does my hon. Friend agree that there is still massive potential for the plant?

Jessica Morden: My hon. Friend represents a steel community, too, and I completely agree with his point, as I will make clear in my speech.

With the investment and support it needs—there is a plan, which I will come to later—the plant could and should have a bright future, especially at a time when, due to the growth of electric vehicles and electrification generally, demand for this type of steel is only going to grow. It would be a travesty if we were to lose the plant, and my ask of Ministers—I welcome the Wales Minister here today—is that the Government do all they can with Tata to protect this national asset.

Nick Thomas-Symonds (Torfaen) (Lab): I should declare that my father worked in the steelworks throughout his working life and is a British Steel pensioner. As we speak about the future of our automotive sector and moving to electric cars, does my hon. Friend agree that it is simply short-sighted to be losing Orb at this moment?

Jessica Morden: I absolutely agree, and I will make that point later.

Tata announced that it would be closing Cogent Orb steelworks on 2 September, with the loss of 380 jobs. This has come as devastating news for a dedicated, highly skilled workforce and their families, and for the city of Newport as a whole, where Orb has been part of the landscape since 1898. I pay tribute to Community, Unite and other unions for the support they have given and continue to give to the workforce, and for their general fight to save our steel industry.

Nic Dakin (Scunthorpe) (Lab): I congratulate my hon. Friend on securing this very timely debate. I represent a steel community in Scunthorpe, and we know exactly what it is like as a steel community to have these things happen. We stand side by side with the steel community in Newport. Does she think that the work the Community union and others have done through the Syndex report gives a possible way forward for the plant?

Jessica Morden: My hon. Friend is indeed a doughty and fantastic champion of his steel community, and the thoughts of our steel community are very much with his

[Jessica Morden]

community and the difficulties it has had recently. I will talk about the Syndex report, because it is very important.

The attendance of my hon. Friends from Wales and fellow members of the all-party parliamentary group on steel and metal related industries represents the importance of the steel industry to us all. As my hon. Friend the Member for Torfaen (Nick Thomas-Symonds) said, many of us have a constituency interest but also a very personal interest. My parents met in the steel industry in Ebbw Vale, and my hon. Friends have close family who have worked in the industry, including my hon. Friend the Member for Cardiff West (Kevin Brennan).

Fewer work places are more ingrained into the life of Newport than Orb. Our iconic transporter bridge was originally built to carry Orb workers over the River Usk. There are street names in Newport such as Dudley, Walsall, Bilston, and Handsworth, and even the Wolverhampton Wanderers-based colours chosen for Newport County AFC commemorate the west midlands migration to Gwent initiated by the Lysaghts family moving their sheet steel production to Newport at the end of the 19th century. Orb played an important role in Newport in both world wars and, from the late 1960s onwards, its activities moved towards cold rolled and electrical steels, a field that became the site's speciality, as it remains today.

Losing Orb would mean losing the electrical steels skills base that has been built up since the era of Harold Wilson's "white heat" of technology, and at a time when electrical steels will be more in demand than ever before. Tata's decision to close Orb, citing losses and wider challenges in the sector, will hit many people in our communities extremely hard. They include recent recruits such as an electrician who joined the company two days before the announcement and is one of 70 new starters over the last two years, and a long-time worker who says, "Orb works has been a part of my family for nearly 60 years. Between my father and brothers we have over 100 years' combined service. The Orb paid for everything when I was a child and is now supporting my three children."

Another man's family came from Tipton; his great-grandfather, grandfather and father all worked there, and their names are on the works' cenotaph. Mickey, who started work as a 16-year-old messenger boy and ended up as section manager, said, "To allow over 100 years of electrical steelmaking skills simply to disappear is a crime against everyone who contributed to Orb's history, and the knock-on effect on the Newport community's economy will be devastating, as these jobs are of high value."

Ruth Jones (Newport West) (Lab): I thank my hon. Friend and neighbour from Newport East for giving way, and for her powerful speech. This is an issue of importance to people in Newport West, Newport East and across south Wales, and it is a pleasure to hear her speaking about it. The potential closure of Orb in Newport will mean that hundreds of jobs are put at risk, and our people and communities need certainty. I reassure my hon. Friend of my commitment to work with her to save jobs in Newport. Does she agree that

we need a level playing field for UK steel producers by addressing the energy price disparity, preventing steel dumping and investing in research and development, so that the British steel sector can compete and thrive globally?

Jessica Morden: My hon. Friend and neighbour is absolutely right, and those are many of the asks for which the all-party steel group in Parliament has been calling for many years. It is something on which the Government need to take more action.

Mickey is absolutely right. Although it is important to emphasise Orb's proud heritage, this debate is not about nostalgia, but about the future. It is about calling on Tata and the Government to ensure a future for a plant with enormous potential at a time when demand for the type of steel Orb could and should produce is set only to grow. Orb is important not just to our community, but to the whole of the UK, because the works is the only plant in the UK with the potential, with investment, to produce the electrical steel needed for electric vehicle motors. The Government, too, say it is important.

Chris Evans (Islwyn) (Lab/Co-op): Since they first got into power in 2010, the Government have been banging on about how they would be the greenest Government in history. Is it not time that the Government put their money where their mouth is and invest in Orb to bring about the electrical steel that we need and to start reinvigorating the electrical vehicle industry in this country?

Jessica Morden: My hon. Friend is absolutely right. The Government have said the electric vehicle industry is important to them, and they say it is a priority. In his first speech to the Commons after moving into No. 10, the Prime Minister spoke about his vision for the UK as the "home of electric vehicles," something he also touched on regularly during his leadership campaign. In a recent response to a question I asked, the Prime Minister also stated his commitment to use UK steel in the supply chain for electric vehicles, but we need electrical steel to create an end-to-end supply chain for those vehicles. If the Prime Minister is serious about the UK being the home of electric vehicles, we must, as Community's Roy Rickhuss has said, consider the Orb a national asset and step in to protect it.

Jo Stevens (Cardiff Central) (Lab): My hon. Friend is making a really powerful speech. What she said about looking at history and the future is so important, and the dedicated workforce and plant have been so successful because they have encouraged innovation over the years. They have been strategic and looked forward. That is what the Government now need to help the plant do with electrical steel.

Jessica Morden: My hon. Friend is exactly right, and we need that investment to do it.

Attention has been given to electric car battery production—the Prime Minister mentioned the gigafactories needed to produce high volumes of battery products in his conference speech—but electric motors are an equally important part of the supply chain. They are built from the high-quality, non-oriented electrical steels that could be produced at Orb, and the demand for this type of steel is expected to increase tenfold by 2030.

The number of electric cars on our roads will grow and grow over the next decade. The UK Government are providing millions of pounds to support the roll-out of charging infrastructure, and it is imperative that we use UK steel in all this. The Government have awarded Jaguar Land Rover, which is owned by Tata, a £500 million loan guarantee to help the company sell electric vehicles. In this context, with the Government's stated support for the electric vehicle industry, I ask what the Government can do for all. Electric cars need electric motors. Why should we have to import them? We have a site here in the UK that, with support, could be part of the supply chain.

We need UK steel every step of the way, and electrical steel is part of that. As members of the all-party group and the unions have long said, the industry can be a key part of building the infrastructure we need to green our economy in the future.

At Labour's conference, we pledged to accelerate the electric vehicle revolution with 2.5 million interest-free loans for the purchase of electric vehicles, a new requirement for the Government car fleet to be 100% electric by 2025, and action on a private fleet. Labour is determined to ensure that the right conditions are in place for this revolution, and the Government should be, too. If the Orb works is not kept open, the potential to build a supply chain will be squandered. It is not an overstatement to say that the UK could lose its capacity to be a global leader in electric car manufacturing.

Developing a supply chain for electric vehicles will be hugely important for the national balance of trade. Across the UK, 10,000 workers are making internal combustion engines, and Community has emphasised that a failure to develop the supply chain will result in a loss in the export value of those engines. It will be replaced by the import cost of electric motors, which equates to £1.2 billion for every 1 million electric cars. That is why Community has called Orb a

"strategically important business underpinning this vital industry of the future."

Tata has publicly confirmed that, with investment, the Orb works can produce the steels required for the future production of electric vehicles. Community's steel consultant, Syndex, has researched and concluded that with a new strategy and some public support, there could be a sustainable future for the business. So what is the plan? The new strategy for Orb would mean transitioning to a new model and producing non-oriented steels, in addition to grain-oriented steels, based on a new Wales-only supply chain and using coil from Port Talbot. To fund the necessary capex, the profits from the sale of Cogent Power Inc—another part of the business, which is wholly owned by the Orb—would be reinvested into the business, along with the money set aside to finance a closure.

Stephen Kinnock (Aberavon) (Lab): My hon. Friend is making a very powerful speech. The Government often criticise us for critiquing their failure to support the steel industry without proposing a constructive plan, but she has just outlined an absolutely compelling and viable plan. One of the vital parts of it is that we would be relocating the supply chain for hot rolled coil from IJmuiden to Port Talbot. Surely if the Government are talking about backing British business, they should back the Syndex plan.

Jessica Morden: My hon. Friend is exactly right. It is a very important and well-thought-out plan, and I hope Ministers are listening to it. The 2018 memorandum of understanding agreed with Tata in advance of the failed joint venture contained a commitment to reinvest the proceeds of the sale of any UK-owned assets back into the UK. Tata should honour the spirit of that agreement. That would leave a shortfall of just £30 million, and we could look to central and devolved Government to contribute to the new strategy. Given the role that Orb can play as a strategic business of the future, enabling the Government to deliver on their climate commitments, there is a compelling case for Government support.

The strategy advocated by Syndex includes three key aspects: a new annealing line at Orb, investment in automation to make Orb's grain-oriented products more competitive, and relocation of the hot rolled coil supply chain from IJmuiden to Port Talbot.

I want to put forward a series of asks to the Government. First, will the Minister ask the Secretary of State to call a UK steel council urgently, with Orb at the top of the agenda? We have not had one since June 2018, and the need is urgent. Will Ministers commit to meet urgently with trade unions and local politicians to look at what can be done to support Orb and its workers at this time? Community has requested meetings with the Welsh and UK Governments to present the Syndex plan directly to them. Will the Minister and the Department for Business, Energy and Industrial Strategy agree to meet it?

The Prime Minister committed last month to ensure that UK steel forms part of the supply chain for electric vehicles. Will Ministers ensure that that actually happens? While I am on that subject, we now more than ever need a sector deal for steel—something we have been asking for for a long time.

This Saturday, hon. Members will be joining Community, Unite and other unions in a march through Newport to save Orb steel. We are fighting for it, and I hope everyone will join us. Orb is a site that could be underpinning a dynamic UK automotive industry, and could be at the cutting edge of new steel technologies. Newport, Wales and the UK would be worse off if the Government fail to work with Tata to grasp its enormous potential before it is too late. If the Government are serious about an industrial strategy, will they back up their words with proactive action?

I am calling on the Government to prioritise our industrial policy and to support our steel industry, including electrical steels, and building an electric vehicle industry. The Prime Minister says he wants to do that. I say yes, and so do the Welsh Government. Who else needs to say yes to save the Orb plant? I ask Tata to say yes too. Together, let us save Orb and build a new electrical steel economy in the UK.

4.15 pm

The Parliamentary Under-Secretary of State for Wales (Kevin Foster): It is a pleasure to serve under your chairmanship, Mr Hanson. I congratulate the hon. Member for Newport East (Jessica Morden) on securing this debate, which has given us the opportunity to come together to discuss a topic that is important not just for Newport but for the whole of Wales. She has always been, and was today, an energetic and passionate advocate for her constituents and those affected by the potential closure of Tata's Cogent Orb plant.

[Kevin Foster]

It is clear that there is a shared understanding of the important role the steel sector plays in communities and its critical place as a foundation industry in the national economy, especially in Wales. That is evidenced by the number of Members attending this debate. I have heard their comments and the request to meet the unions. I understand that the Secretary of State for Wales has already been in contact with them, and I am more than happy to facilitate meetings. I will pass on the request for a meeting of the steel council. That is something we are always happy to do, and certainly if hon. Members request it. Those who have dealt with me previously know that I am only too happy to meet Members, particularly if it relates to matters in their constituencies that are this important. I would be happy to facilitate that.

Kevin Brennan (Cardiff West) (Lab): Is the Minister saying that he will go back to his colleagues and recommend that the UK steel council meets, as my hon. Friend the Member for Newport East (Jessica Morden) has requested?

Kevin Foster: I will pass on the strong demand that the hon. Member for Newport East has made for the council to meet. In terms of what I can offer, and the direct request for meetings with Ministers about the Orb plant, I am more than happy to arrange to do that. That was the second part of her request.

Although there are considerable challenges, we believe there remain great opportunities for the industry to secure a successful, sustainable future at the centre of British manufacturing. The announcement on 2 September 2019 that Tata is to close its Orb Electrical Steels plant in Newport has understandably been a huge blow for employees, their families, contractors, suppliers and customers. I am grateful to the hon. Lady for her commitment to working with Government and other stakeholders, including the Community union, to help secure the future of the business, both in her role as MP for Newport East and as an officer for the all-party parliamentary group on steel and metal-related industries, many of whose members are in the Chamber.

The Government have worked with Tata to seek possible solutions to the financial challenges facing the company. We have also met with the unions to discuss the concerns of the workers and their families. This was a commercial decision by Tata Steel Europe. The Orb Electrical Steels plant has been on sale for two years, but sadly Tata was unable to find a buyer. We are open to considering plans that would deliver a long-term, sustainable future, based on a clear business plan, but as I am sure hon. Members realise, that cannot just be based on an ongoing subsidy or on merely hoping that business will come forward. We have sought and had reassurance from Tata that every effort will be made to mitigate the impact on affected employees. It is offering alternative employment opportunities where possible at other Tata Steel sites. The UK Government are committed to working with Tata to avoid job losses as a result of any closure of the Orb steel plant, as Tata is one of the most important employers in Wales. We will keep all options open to support a sustainable future for that plant and for Tata elsewhere in Wales.

Nick Smith: The Minister says that the Government have met Tata, but what has he been able to offer it to help keep Orb open and keep steel going in south Wales? Can he be clear about what the Government are willing to put on the table?

Kevin Foster: The Government are clear that if a sustainable, long-term business plan can be produced, we will consider support packages, but the key part is that it must be sustainable for the long term, and it must be based on a clear business plan.

Nic Dakin: We have heard today about the Syndex report, which places a way forward on the table. Will the Government meet the unions, Syndex and Tata to see how that could be turned into the sort of plan that would deliver not only for this workforce and industry, but for UK plc?

Kevin Foster: We are more than happy to meet. Obviously we cannot guarantee that a third party would wish to be involved in those meetings, but certainly from the perspective of the Government and the Wales Office, we would be more than happy to arrange a meeting with the unions and Syndex to see how their plan could be taken further. The key part has to be whether it can provide a long-term sustainable future, and we note that the plant has been for sale for two years with no purchaser having come forward. Certainly, UK Government Ministers are more than happy to meet interested parties to discuss what we could do.

In the context of the wider steel industry, the Government have made up to £800 million of funding available to support decarbonisation and innovation in the industry. We remain committed to supporting the Welsh steel sector in accessing this funding and ensuring that it is able to compete with the best in the world. Recent and ongoing work to support the steel sector includes establishing the £250 million clean steel fund, which was announced in August and will support the sector's transition to lower-carbon iron and steel production through new technologies and processes. It will also maximise longevity and resilience in the UK steel sector by building on longstanding expertise and skills and harnessing clean growth opportunities.

Our industrial energy transformation fund is a £315 million fund supporting short-term projects in both energy efficiency and decarbonisation for businesses with high energy use. The fund will help businesses with high energy use, including steel companies, to cut their bills and transition UK industry to a low carbon future.

The industrial decarbonisation challenge is a £170 million fund aimed at the UK's industrial carbon emissions clusters. South Wales has been identified as one of six clusters in the UK that will benefit from that fund, which supports our grand challenge mission to develop a net zero emissions cluster by 2040 through the development of innovative low-carbon solutions. It will provide long-term support to the industry, ensuring Britain's long term sustainable future.

Ruth Jones: The Minister is making some laudable points about laudable plans for the future of the steel industry, but does he not agree that closing the only electrical steel plant in the UK makes absolutely no sense in terms of future planning? That is not joined-up thinking at all.

Kevin Foster: This is a commercial decision by the company and the plant has been for sale for two years, but as I have already said, we are more than happy to meet stakeholders to see if the Government can provide some support. That support would have to be based on a sustainable long-term business plan for the future.

We are also providing up to £66 million through the industrial strategy challenge fund to help steel and other foundation industries develop radical new technologies and establish innovation centres of excellence in those sectors. This challenge will create a pilot facility to demonstrate new technologies, and develop a cross-sectoral approach for research, innovation and skills. To date, the UK Government have provided more than £312 million in compensation to the steel sector since 2013 to make energy costs more competitive, including over £53 million during 2018.

Stephen Kinnock: The Minister talks about this being a commercial decision, but it is absolutely clear that the underlying conditions on the British steel industry are completely undermined by the energy price disparity. Is he aware of the fact that it costs £50 per MWh in the UK, compared with £31 per MWh in Germany, a disparity of 62%? The disparity with French energy costs is 80%. The Minister cannot claim that this is a purely commercial decision; it is a commercial decision based on the utter failure of the British Government to deal with this energy price disparity.

Kevin Foster: As has been mentioned, to make energy costs more competitive, we have made £312 million in compensation available to the steel sector since 2013, including £53 million in 2018 alone.

We have commissioned independent research to identify high-value market opportunities for UK steel producers that will be worth up to £3.8 billion a year by 2030. The UK is a supplier of steel for a range of high-value applications and is a strategic part of the supply chain for the automotive, aerospace, construction, defence and oil and gas sectors. We are successfully working with the steel industry to introduce steel procurement guidance that will ensure that Government and the wider public sector take into account social and environmental benefits when procuring and designing their major projects.

Jessica Morden: Will the Minister give way?

Kevin Foster: I have to conclude, as I am starting to get close to time.

We have also signed up to the UK steel charter, acknowledging and supporting that initiative from industry. We continue to press for the introduction of trade defence instruments to protect UK steel producers from unfair steel dumping. Tata has confirmed the closures are not linked to Brexit; instead competition from much larger players in China and Japan is understood to be the key reason.

Kevin Brennan: On a point of order, Mr Hanson, this kind of debate is supposed to be a conversation between the Minister and the Member who secured it. There are five minutes left in the debate; surely it would be appropriate for the Minister to give way to the person who secured the debate.

David Hanson (in the Chair): As you well know, Mr Brennan, it is for the Minister to decide whether he wishes to give way. Clearly at the moment he does not wish to do so.

Kevin Foster: Thank you, Mr Hanson. I will take another intervention as I come nearer to the end of my speech, but I have not been ungenerous in taking interventions from Opposition Members so far.

The UK Government are stepping up their efforts to ensure businesses are ready to leave the EU on 31 October via their national communication and engagement campaign. We are also urgently identifying and delivering actions to support businesses in improving readiness. The Government will take economic measures to mitigate any short-run disruption, to support the economy through the transition and to boost the long-term potential of the UK economy, taking advantage of the opportunities outside the EU. As I said, the Government are prepared to look at and discuss any plans that present a long-term, sustainable option for the plant.

Jessica Morden: I appreciate the Minister responding today, but members of the all-party parliamentary group on steel have not yet had a real opportunity in a debate to question the new steel Minister. I ask the Minister to convey to the new steel Minister the urgency of the situation, because if we lose Orb, we lose the opportunity of an end-to-end supply chain for electric vehicles before Christmas.

Kevin Foster: I will certainly convey the hon. Lady's message to the steel Minister. I have to say, looking at the many Opposition Members here and given my knowledge of their determination to stand up for the communities they represent, that I have a feeling that the steel Minister will get a number of opportunities in the very near future to discuss steel on the Floor of the House, if not in a debate in this Chamber. Certainly as a Minister, I would be badly mistaken to think I can ignore some of the people on the Opposition Benches.

However, it is worth reflecting on the fact that there are currently 46 trade defence measures in place to protect UK steel products from unfair steel dumping. As we operate an independent trade policy, the UK will continue to champion free trade and take a proportionate approach to trade remedies, with a view to continuing the defence of our industry where necessary. The steel industry is an important industry in Wales, as reflected by today's turnout among Members representing Welsh constituencies. The UK Government are committed to supporting companies, such as Tata, that have contributed to the local economy in Wales for decades, and we will continue to work with the sector, the unions and the devolved Administration to support the UK's steel sector in developing a long-term, viable solution for that industry.

In closing, I thank all hon. Members who have contributed to today's debate, and the hon. Member for Newport East for having secured it. I know that she will continue to be a strong advocate for those she represents and will ensure that the Government hear loud and clear their views and what she believes the options to be. I would certainly be more than happy to have a longer discussion with her about some of the proposals that are being put forward; I look forward to the opportunity

[Kevin Foster]

to do so. However, as I say, those proposals must be based on providing a long-term, sustainable future for the plant, not just subsidy with a hope of something coming along.

Question put and agreed to.

Prison Officers: Pension Age

4.30 pm

Gordon Henderson (Sittingbourne and Sheppey) (Con): I beg to move,

That this House has considered the pension age of prison officers.

Police officers, firefighters and prison officers are all classified as emergency workers. They all do an extremely important job, and their work is physically demanding and often involves an element of risk and danger. Because of that, police officers and firefighters, quite rightly, are allowed to retire at 60 years of age. However, prison officers, who work in an equally stressful operational environment, have been told that they must wait until they are 68. That is not right. In fact, it is patently unfair and deeply resented by the hard-working prison officers in the three prisons in my constituency. I am not surprised by that, because the prospect of having to work until almost 70 years of age adds to the stress of what is already a stressful job.

From the point of view of health and safety at work, there is a clear argument for reducing the retirement age of prison officers, but I believe there is another equally good reason to bring their pensions into line with those of their colleagues in the police and fire and rescue services. Last week, at the Conservative party conference, the Home Secretary made an excellent speech in which she made it clear that Government would crack down on serious crime. That commitment resonates with the public, particularly those who have been victims of such crime, because they want tough action. However, inevitably, such a crackdown will lead to more criminals being sent to prison.

Also last week, the Justice Secretary made a speech in which he made clear his determination to ensure that those who have been convicted of serious crimes will have to serve two thirds of their sentence, rather than the half that they currently serve. Although both initiatives are highly commendable, they will put pressure on already-stretched prison places. That is likely to mean that more prisons will have to be built. If that happens, I have a couple of suggestions. First, finding a suitable location for a new prison is always difficult, because few communities like the idea of having a prison in their backyard. Those of us who live on the beautiful Isle of Sheppey understand the benefits of having a prison, and particularly the work involved. As I mentioned, we have three prisons and plenty of room for more, so we will have another prison if the Government want to build one on the island, subject to improvements to the road that leads to them.

My second suggestion is offered more in hope than with any great expectation that it will be taken up. The Government should abandon their support for private prisons and ensure that any new prisons be run by the public sector. Do not get me wrong—I am a free-market Tory who believes that there is a place for the private sector in the prison service, for instance in catering, education, training and rehabilitation.

I have a couple of examples of the positive involvement of the private sector in the latter of those fields. A private construction company has set up a workshop in HMP Elmley, in my constituency, to train inmates how to install drywalls in buildings. The company guarantees

that everyone who completes the course will be offered an interview when they leave prison. Obviously, that does not automatically mean a job, but an interview is the first step. I visited the workshop as part of the Prison Service parliamentary scheme, of which I am a member. I was impressed by the positive attitude of the inmates who were being trained. One of them told me that the training had turned his life around. Also in my constituency is HMP Standford Hill, an open prison where more than 250 inmates are allowed out every day, to do either voluntary work in the community with charities or paid work in one of the local companies that have agreed to employ them.

Those are just two ways in which the private and third sectors can help to rehabilitate prisoners. There are many other examples, but I do not have time to mention them all. Despite those excellent examples of involvement by the private sector, the supervision and care of prisoners should be the sole responsibility of the public sector, for two reasons.

Helen Goodman (Bishop Auckland) (Lab): I congratulate the hon. Gentleman on securing this important debate. I also have a prison in my constituency, since Deerbolt was upgraded from a young offenders institution to a prison. I agree that a lot of positive work goes on in prisons, but is he not concerned by the increase in violent attacks against prison officers in recent years? Does he not agree that that is another reason why 68 is too late?

Gordon Henderson: The hon. Lady must have been listening to Justice questions this morning, when I said exactly that. Since she has a prison in her constituency, I urge her to join the Prison Service parliamentary scheme. If she will bear with me, I will come to the issue of violence in prisons later.

My first reason is that the state has a duty to protect the public. That is why it is the state that prosecutes those suspected of committing a crime, and the state—only the state—that locks up those who are found guilty. That being the case, I do not believe that the state can subcontract the incarceration of those prisoners to the private sector. That leads me to my second reason—

Jo Stevens (Cardiff Central) (Lab): Will the hon. Gentleman give way?

Gordon Henderson: I will just give my second reason, which is that allowing private companies to make a profit out of the incarceration of human beings is simply immoral.

David Hanson (in the Chair): Before the hon. Lady's intervention, I remind hon. Members that the debate is tightly focused on the pension age of prison officers, and I hope that interventions and contributions will focus just on that.

Jo Stevens: Thank you, Mr Hanson; I will do a quick swerve. On the point about private prisons and the influence of private companies, does the hon. Gentleman agree that privatising probation—the state's care for people on probation—was the wrong thing to do?

Gordon Henderson: No, I do not. They are two entirely different issues. When people are on probation, they have either completed their sentence or they have not yet—[*Interruption.*] We will have to disagree on that.

If new prisons are built, the Government will have to recruit many more prison officers to staff them. In my area, it has often proven difficult to recruit enough prison officers. I am sure that that applies to many other areas, particularly in south-east England. There are a number of reasons for that difficulty, including the relatively poor salary offered to prison officers, their working conditions, their retirement age and the rising level of violence in our prisons.

The average salary of a prison officer is £23,530 per annum. The problem in my constituency is that people can earn more than that working in one or other of the two supermarket regional warehouses that operate there. There are also plenty of other well-paid jobs in the pipeline locally, and people can commute to London. Those available jobs are more attractive because they provide better working conditions than those of a prison officer.

What are those working conditions? For a start, prison staff are almost as much prisoners as the inmates they look after. Day and night, they work inside buildings surrounded by fences and high-security walls. In addition, prison officers spend their days dealing with inmates who do not want to be where they are. Unsurprisingly, that can make them unco-operative, aggressive and sometimes violent. To add to the problem, an increasing number of inmates have mental health problems.

All in all, that does not make for a happy work environment, and the situation in prisons is getting worse, with ever increasing violence. On average, 30 members of prison staff are assaulted every day. Last year, 1,000 of those assaults were classified by the Government as serious. I know what serious means, because I have seen at first hand the results of some of those assaults, including broken bones, dreadful facial injuries and fingers that have been bitten off.

To try to cut out those assaults, the Prison Officers Association has called repeatedly for frontline prison officers to be equipped with PAVA spray and rigid police-style handcuffs to protect themselves. Last year, the Prison Service ran a pilot in which PAVA spray was issued to staff in four prisons. That pilot was successful, and the Government promised to roll out PAVA across the prison estate. However, that promise has not yet been delivered; indeed, the roll-out has come to a juddering halt. I suspect the reason for that is complaints from the usual suspects, including the Prison Reform Trust, which claimed that prison officers would use PAVA indiscriminately and that its use would breach the human rights of prisoners.

The first of those claims is a shocking slur on the integrity of hard-working professional prison officers, and the second is simply utter rubbish. If the use of PAVA spray breaches a criminal's human rights, why do police officers carry PAVA as part of their standard equipment? If it is okay for police to carry PAVA, why is it not for prison officers? Section 8 of the Prison Act 1952 states that prison officers

“shall have...the powers, authority, protection and privileges”

of police constables. PAVA offers protection for police and prison officers alike.

That leads me nicely to my last point. What reward do prison officers get for being treated like second-class emergency workers? What reward do they get for dedicating their working lives to the Prison Service in return for a

[Gordon Henderson]

pitiful salary, for working without complaint in a sometimes hostile and dangerous environment, and for risking life and limb on a daily basis? To be made to work eight years longer than their counterparts in the police and fire service, that's what.

Finally, let me return to the Home Secretary's speech last week. She said:

"And as well as giving the police the kit and powers they need, we must do more to recognise their commitment, their bravery, and their professionalism.

I have been humbled by the officers I have met and the experiences they have shared with me. This is why I have personally accelerated work to establish the Police Covenant.

This is a pledge to do more as a nation to help those who serve our country.

To recognise the bravery, the commitment and the sacrifices of serving and former officers.

And we will enshrine this into law.

We will also ensure that anyone who assaults a police officer receives a sentence that truly fits the crime, to make the thugs who would attack an officer, think twice."

Prison officers are equally committed, equally brave and equally professional—they, too, serve our country and make sacrifices to protect the public—so I would like to make my own pledge to the prison officers who work in HMP Swaleside, HMP Elmley and HMP Standford Hill, and their colleagues in prisons across the country, that I will continue to represent them to the best of my ability. I will press the Government to introduce a Prison Service covenant, and I will press for prison staff to receive the same protection from assaults as the police. I want to ensure that those who attack prison staff are given stiff sentences, not a simple slap on the wrist, as has happened so often in the past.

In addition, I assure prison officers that I will support their campaign against prison privatisation, I will support their campaign for better conditions of work, including pay, and I will support their campaign for action to reduce violence in our prisons and for officers to be issued with the equipment they need to protect themselves from attack. Finally, I want them to know that I understand it is wrong that they have been forced into a position where retirement is becoming ever more out of reach and, for some people, potentially unachievable.

As I mentioned, the law is clear that prison officers are entitled to the same powers, authority, protection and privileges as the police. It is time to deliver on the 1952 Act and treat prison officers the same as police officers. As the hon. Member for Bishop Auckland (Helen Goodman) said, and as I said this morning, 68 is too late, which is why I also support the POA campaign for a lower pension age. I urge the Minister to listen to the concerns of our fantastic prison officers and let them retire at 60.

4.45 pm

Grahame Morris (Easington) (Lab): I declare an interest as a member of the Justice Unions Parliamentary Group, which includes the Prison Officers Association.

I congratulate the hon. Member for Sittingbourne and Sheppey (Gordon Henderson) on securing this important debate. Unusually, given the nature of the debate, I agreed with 95% of what he said, and I was

very impressed by the way he delivered it. I did a bit of research and noticed some interesting comments by him on *KentOnline* about being willing to go to prison for Brexit so, come November, he could bring a unique perspective to debates on this subject. I hope it does not come to that.

I agree with the hon. Gentleman's strapline: 68 is too late. We should not expect a prison officer approaching 70 to deal with violent and dangerous criminals in their 20s, 30s and 40s. He mentioned some of the challenges prison officers face. Of course, another challenge is the availability of drugs in prisons and their effect.

Mike Hill (Hartlepool) (Ind): As my hon. Friend knows, Holme House Prison near my constituency has recently seen a rise in the abuse of Spice. That has caused dangers in itself, but it has also led the local mental health trust to withdraw services from the prison. Does he agree that that shows how dangerous the situation is for prison officers these days?

Grahame Morris: I completely agree. The conditions in many of our prisons are explosive. Holme House Prison is quite close to my constituency too, and I have visited it on a number of occasions. It is not just prison officers who are subjected to assaults; support staff are, too, and they need to be protected.

The debate is really serious. It is about life and death. Assaults against prison officers have almost quadrupled since 2010. As we heard this morning at Justice questions, there are more than 10,000 assaults a year, 1,000 of which are very serious. That works out at more than 28 a day on average—the same as the number of assaults experienced by the whole of our police service, which is a much bigger force. I am not justifying assaults on any emergency workers, but that is the scale of the problem.

I read through some newspaper headlines, which are really quite disturbing. I will mention a selection of them. One paper reported that a court was told how an inmate used a

"sock filled with pool balls to smash windows"

and injure prison officers. Another reported that a prison officer was stabbed in the head by an inmate in a "savage UK jail attack". One story read:

"Teenage thugs injure 20 prison officers in riot at young offenders' institute...One officer suffered a broken nose and another was concussed after being repeatedly punched."

Other headlines included "Prison officer seriously hurt after being ambushed in cell" and "Prison officer has 'throat cut' by inmate at HMP Nottingham". Conditions are difficult for new prison officers in our violent and dangerous prisons.

Mary Glendon (North Tyneside) (Lab): Prison officers need to be fit enough to protect not just themselves but prisoners from violence. Someone elderly, who does not have the same reflexes or strength as a younger person, cannot protect themselves or the people they are there to guard.

Grahame Morris: I completely agree with my hon. Friend's analysis. We heard the Minister talking this morning about the recruitment of an additional 4,500 prison officers, but from the information provided by the POA it seems that substantial numbers of newly trained prison officers—at least 72 trainee prison officers—are

leaving the service each month. That must be due, at least in part, to the terrible conditions they face. Again, that is placing great strain on older officers who are expected to take up the slack.

Sir George Howarth (Knowsley) (Lab): My hon. Friend is making a powerful case, as did the hon. Member for Sittingbourne and Sheppey (Gordon Henderson). Is it not the case that beyond a certain point some jobs are difficult to do? In the past, that could have included construction workers, working on cold, tough building sites in the dead of winter. This is another example of people reaching a point in life when it is no longer tenable for them to be expected to carry out these duties.

Grahame Morris: It is no longer tenable, Mr Hanson. We have reached tipping point, if I might quote a couple of quiz shows. The fact that prison officers are expected to work until the age of 68 disregards basic health and safety; in the opinion of many, it is a complete failure by the Ministry of Justice in its duty of care, under legislation, to prison officers.

I and many Members of the House believe that our uniformed emergency services deserve pension protection. Police officers and firefighters are able to retire at 60,

“to reflect the unique nature of their work”,

to quote Lord Hutton. A prison officer’s unique nature of work has been recognised as being the same as that of a police officer. Section 8 of the Prison Act 1952 gives prison officers

“all the powers, authority, protection and privileges”

of police officers. So the Hutton pension test—

“to reflect the unique nature of their work”—

applies equally to prison officers, police officers and firefighters. Sixty-eight is too late. How many Members of this House would be able to serve on prison landings at 68? There are few who would be able to serve for a week, or even a day, in such violent and dangerous prisons.

Jo Stevens: My hon. Friend is being generous with his time. He has talked about staff morale being at rock bottom, the soaring violence and the cuts to prison officer numbers. Does he agree that the prospect of having to work as a prison officer until the age of 68 is fuelling the record number of resignations from the Prison Service? We are in a cycle that we cannot get out of unless the pension age is changed and lowered.

Grahame Morris: I agree with my hon. Friend. There are many pressures and causes, but the pension age is a significant one. There are a number of remedies that need to be applied, as outlined by the hon. Member for Sittingbourne and Sheppey.

If it is not presumptuous, I wonder whether the Minister might consider inviting the right hon. Lord Hutton of Furness, who I understand is aged 64, to work in a prison and be part of a team being confronted by inmates with socks filled with pool balls, with razor blades and improvised knives, or surrounded by a group of youths, many of whom seem to have access to Spice and illegal substances, who are only too willing to attack prison officers. Setting prison officers’ pension age at 68 must have been an oversight. If the Government

seriously and knowingly took that decision, it is a cruel and callous one, and risks the lives of prison officers working in physically demanding and often violent workplaces.

I urge the Minister to take two actions. First, to acknowledge that 68 is too late to expect a prison officer to work in an unsafe workplace. Secondly, to commit to bringing forward in the next Parliament—next week—the legislation and regulations required to align the pension age of prison officers with their colleagues in other uniformed emergency services.

Prison officers have heard the excuses in parliamentary responses; we heard some of them this morning in Justice questions. The offer that the Government previously made, to reduce the retirement age to 65, is simply a bad deal. Prison officers want pension age parity with their uniformed colleagues. The previous offer was attached to a derisory three-year pay deal and excluded many uniformed staff, who would still have to continue to work until they were 68.

I ask the Minister and everyone listening to the debate to watch the latest videos published by the POA and look at the horrific injuries suffered by prison officers. We should feel ashamed that they are doing a public service, protecting the public, while Parliament stands idle, forcing them to work in terrible conditions that are neither healthy nor safe. We should feel ashamed that we outsource our prison service and system, and that the safety and security of prison officers is left in the hands of companies such as Serco and G4S, whose first and foremost interest is shareholders and profits. We should feel ashamed that we want to put prison officers approaching the age of 70 into such terrible and dangerous situations.

Our prisons are unsafe and understaffed. Prison officers are unappreciated and underpaid. The Minister should set out a comprehensive package to recruit and retain prison officers through improved pay, pensions and conditions. I ask the Minister to do more than give empty platitudes and hollow promises to prison officers. Please accept that 68 is too late and lower prison officers’ pension age to 60. No ifs, no buts; stand up today, make the promise and bring forward the necessary legislation next week—and I guarantee the Minister will get my vote for that legislation.

4.57 pm

Marion Fellows (Motherwell and Wishaw) (SNP): It is a pleasure to serve under your chairmanship, Mr Hanson. I congratulate the hon. Member for Sittingbourne and Sheppey (Gordon Henderson) for securing this important debate.

Prison officers are another group in a long line of people in the UK that this Government have let down. They deal with some of the most threatening and disruptive people in society, and their retirement age should recognise this. On average, eight prison staff are assaulted every day. The severity of the attacks and the nature of the injuries result in long periods of sick absence, which can only increase with the link to normal pension age and state pension age.

This policy is another blow to the morale of frontline prison staff, which we have already heard is at an all-time low because of the numerous changes being imposed by Government on the working conditions in

[*Marion Fellows*]

prisons. The perpetual call for efficiency savings and cuts demanded by Government is creating a thoroughly demoralised and underfunded essential service. I should point out, Mr Hanson, that prisons in Scotland are administered by the Scottish Government but pensions are reserved to Westminster. So, Scottish prisons and English prisons are administered differently.

In recent years budget cuts have seen the Prison Service impose an almost total recruitment freeze, alongside pay freezes, leading to a return to a long-hours culture as prison staff are forced to work excessive hours, leading to staff becoming burnt out. The UK Government have still not provided any evidence that frontline prison staff can work in an operational role above the age of 65. When will we see that, if the Minister does not accede to the requests of everyone in the Chamber regarding the pension age of prison officers?

Have the UK Government conducted an impact assessment on raising the retirement age for prison officers above 65? The savings that the Government expect to make from increasing the pension age of frontline uniformed staff will be negated through an increase in payments for temporary injury benefit awards, medical inefficiency payments and medical retirements, along with permanent injury benefits.

Is the Minister's Government confident that people over the age of 55 would pass the stringent fitness test for a frontline member of the Prison Service? They have to do annual tests. The Ministry of Justice, in its submission to the Cabinet Office on the proposed changes to the pensions, also believed that it was not acceptable for frontline prison staff to retire at the standard pension age.

In April this year, I invited the then Chancellor of the Duchy of Lancaster, the right hon. Member for Aylesbury (Sir David Lidington), to accompany me and my hon. Friend the Member for Airdrie and Shotts (Neil Gray) to Her Majesty's Prison Shotts, which is a maximum security prison that holds the most dangerous prisoners in Scotland, to see how well the right hon. Gentleman, who at that point was aged 62, could manage to do the job there. Unfortunately, he declined my invitation, but I am happy to extend it to all Ministers and the Minister for the Cabinet Office, because until people see the work that these people do on the ground, it is impossible for them to imagine what a day in a prison, working as a prison officer, can be like.

One requirement for prison officers is the ability to complete mandatory annual control and restraint training. Under the UK Government's policy, that would require a 65-year-old—previously a 68-year-old—to physically restrain, potentially on their own, a violent person at the peak of their fitness. I must say that I saw prisoners in Shotts Prison who spent day in, day out in the prison gym, and they were terrifying. If those young, often fit men—they are all men in Shotts Prison—decided to turn on a prison officer, the officer would have no chance. The whole visit was quite scary, to be fair. Clearly, according to the UK Government's policy, the Minister firmly believes that prison officers aged 65 fulfil their role properly and safely. So, again, I say to her: "Come and visit Shotts, and tell me what you think afterwards."

The UK Government's policy on prison officer pensions reflects its policy on pensions in general. It is not just prison officers who cannot be expected to work until 68,

but millions of workers across Scotland and the rest of the UK. People are being expected to work until they drop. It is easy for members of the Cabinet and the wealthy to retire whenever they like, since they own their home and have plenty in savings and a massive pension pot, but most people in my Motherwell and Wishaw constituency work hard all their days, sometimes on low wages, to receive a pension that is one of the lowest in western Europe. The UK Government are allowing that. Working people deserve to earn a decent wage and expect a fair pension at a reasonable age.

Under section 8 of the Prison Act 1952, as has already been mentioned, prison officers,

"while acting as such shall have all the powers, authority, protection and privileges of a constable."

If police officers retire at 60, it is only right that the men and women who work on the frontline of the Prison Service are afforded the same right by the public and Government that they protect.

The SNP commends the bravery, commitment and dedication shown by prison officers who face challenging, dangerous and physically demanding working conditions on a daily basis. We believe that the Prison Service must be treated as a uniformed service alongside the police service, fire service and armed forces. We call on the Government to lower the retirement age for prison officers in line with other frontline officers.

In December 2016, the UK Government presented a proposal to reduce the retirement age from 68 to 65 for some prison officer grades in England and Wales. That proposal was not extended to Scottish prison officers. So, if this Government see sense and propose to reduce the prison officer retirement age, the proposal must be made for all countries in the UK. I look forward to the Minister's response.

5.4 pm

Imran Hussain (Bradford East) (Lab): It is a pleasure to serve under your chairmanship, Mr Hanson. In the brief time I have, I will start by thanking the hon. Member for Sittingbourne and Sheppey (Gordon Henderson) for securing such an important debate. I think the whole House can agree that he made a powerful speech, much of which hon. Members across the House will agree with. I have to say that I disagree with him on the points he made about the privatisation of probation, but that is a debate for another day; I will park that for today.

My hon. Friend the Member for Easington (Grahame Morris) also made a powerful speech. In particular, he gave accounts of some horrific assaults and attacks against our hard-working prison officers. Many other hon. Members contributed through interventions. The theme of much of the debate was that 68 is too late, and I will come to that shortly.

I thank our prison officers for the hard work that they do, often unseen and behind the scenes, to keep us safe. The job that they do on a daily basis is one of the most difficult, and in one of the most dangerous settings imaginable. Yet rather than treating them with the respect and dignity they deserve, for almost a decade this Government have treated them with anything but. Instead of overseeing a highly motivated and trained workforce on the frontline of reforming offenders, the Government have overseen years of declining morale, declining working

conditions and declining numbers among our prison officer workforce. The raising of a prison officer's retirement age is one part of that. It is an important one, but it is not the whole picture.

Last week, in a debate secured by the Select Committee on Justice, we heard how the Ministry of Justice budget has been savaged in the name of the Government's ideological austerity agenda. Thousands of prison officers and tens of thousands of years of irreplaceable experience have been lost as a result. Between 2010 and 2015, close to 7,000 frontline prison officers were lost. Despite a recruitment drive once the Government realised the terrible damage they were causing to the prison system, we are still well short of 2010 numbers.

Mr Jim Cunningham (Coventry South) (Lab): It is very interesting that the Government have now decided to replace the numbers of police officers that they lost over the eight or nine-year period, but they cannot do the same for prison officers. I agree with the hon. Member for Motherwell and Wishaw (Marion Fellows) that a prison officer's job is just as dangerous in some ways as that of a policeman or a fireman, but there is this disparity. Does my hon. Friend agree that public services over the last eight or nine years have been the recipients of some of the most vicious cuts that have been implemented by this Government?

Imran Hussain: I absolutely agree. Given the frontline work that our hard-working prison officers do, they should be an emergency service—a frontline uniformed service—as our other services are, and they should be rewarded and treated exactly the same. I have made that point before.

Like many other public sector professionals on the frontline of vital services, prison officers were also subject to the Government's harsh pay freeze and public sector pay cap for many years. Even though the pay cap has now been lifted, prison officers are unfairly disadvantaged when compared with their public sector counterparts. For too many prison officers, it is too late. They still feel inadequately rewarded for the important work that they do.

Safety for prison officers has also declined dramatically, with a quadrupling of assaults against prison officers since 2010 and an alarming number of serious injuries, as found in the recent response to my written question, rising from 160 in 2010 to 850 last year. A number of examples have been given by hon. Members; time not permitting, I cannot go through them all, but the reality is that prison officers now go to work fearing for their safety—expecting to be assaulted, beaten or abused. It is truly horrific that they feel that way while this Government do little to address the underlying issues. Those are not the actions of a Government who respect prison officers or treat them with the dignity that they deserve, and nor is raising the retirement age of prison officers to 68.

The job of a prison officer is physically demanding and requires the satisfactory completion of a demanding fitness test. It requires fully fit personnel who are able to perform control and restraint techniques, exercise strength, maintain their fitness and stamina over long periods and react with agility in demanding and quickly changing environments, as alluded to by several Members. The public would not expect anything less from those who keep them safe—and neither, it seems, would the Ministry

of Justice, which stated in its submission to the Cabinet Office that the changes were unacceptable. However, the Government have ignored serious concerns about prison officers' ability to carry out their roles effectively as they get older, despite the Ministry of Justice's own admissions.

The Government have repeatedly refused to engage with the Prison Officers Association and the prison officers that it represents. Instead of getting around the table to work with the POA to seek a solution, and to look for ways to resolve prison officers' serious concerns about the retirement age, the Government have sought to pin the blame on it. I am deeply disappointed that Ministers—I appreciate that this Minister is new in her role and is not the Minister responsible for prisons and probation—have failed, quite frankly, to show the leadership needed. They have put the health and safety of prison staff at risk and made it clear that the Government see prison officers not as a vital workforce worthy of investment and support, but as a dispensable commodity.

Because of the way they have been treated by the Government, and with horrendous and dangerous conditions on the balconies and in the wings, many prison officers no longer see their role as a long-term career. It is little wonder that prison officers—both those who have served for years and those in their first year of service—are leaving at such a pronounced rate, creating a retention crisis and worsening the huge problems in our prison system that are of the Government's making. That is why the next Labour Government will address this issue, and we will work with the POA and prison officers to make sure that they are properly trained and rewarded, and that they are physically capable of doing their jobs. Only then can we deliver a prison system that provides us with security and rehabilitation.

5.12 pm

The Parliamentary Under-Secretary of State for Justice (Wendy Morton): It is an honour to serve under your chairmanship, Mr Hanson. I understand that your chairing the debate is quite fitting, given that you still have a special interest in prisons and all things justice-related.

I start by thanking my hon. Friend the Member for Sittingbourne and Sheppey (Gordon Henderson)—the beautiful Isle of Sheppey, as he referred to it—for securing the debate on this important subject. He clearly demonstrated an ongoing commitment to raising awareness of the issues around the three prisons in his constituency, the prison officers and their families. I thank other hon. Members for their contributions. In the time I have, I will endeavour to answer as many as possible of the questions that were put to me.

Let me begin by providing a little of the history of prison officer pensions, for those who may not be aware of the retirement ages for prison officers and how they have changed since 2007. Pensions are, by their very nature, complex, but I will try to be brief. Prison officers are members of the civil service pension scheme, the policy and rules of which are owned by the Cabinet Office. Prior to 2007, the retirement age for those covered by that scheme was 60. Following an annual review by the Government Actuary's Department, a new career average pension was brought in, with a pension age of 65 for new entrants from July 2007.

[Wendy Morton]

The demands of the prison officer role were considered at that time, and it was decided that when compared with other civil servants in the scheme who had demanding roles, such as seamen on Royal Fleet Auxiliary ships, a special exception could not be made. The Prison Officers Association signed up to the 2007 scheme, which introduced a pension age of 65. In 2015, a new scheme was introduced that regularised the position for most staff and changed the pension age to 65, or to a staff member's state pension age, which for many is 68.

It is important to be clear that the Government are alive to the issue and the views of staff and trade unions on retirement age. Efforts have been made twice—in 2013 and again in 2017—to provide a route to lowering the retirement age. The 2013 package offered prison officers the ability to purchase a lower pension age of 65 through the payment of heavily subsidised additional contributions into the scheme, with the additional option to pay further contributions to purchase a pension age of 60. A similar offer was made to prison officers in 2017, but there was no cost to the individual member of staff to purchase a lower pension age of 65. Both offers were rejected by the POA membership.

A comparison has been made today with firefighter and police pensions. Staff in those schemes have a retirement age of 60. Although it is true that work in those roles has some similarities to the work of prison officers, as was raised by my hon. Friend the Member for Sittingbourne and Sheppey, because of the higher physical demands consistently placed on firefighters and the higher potential for serious injury and fatality in both roles, the Government felt that the role of a prison officer was not analogous to those in the emergency services.

Putting that assessment to one side, it is crucial to understand that that lower retirement age is supported by pension contributions by staff of up to 14%—almost 10% higher than the average 5.45% contribution rate in the civil service. It is not, therefore, a like-for-like comparison. Should a change in retirement age be contemplated again in the future, it would involve a significant increase to the staff contribution to the scheme.

Grahame Morris: Will the Minister give way?

Wendy Morton: I am going to make some progress. I am really trying to get through these points in the time that I have.

The role of prison officer is a diverse, interesting and critical one, parts of which can be physically demanding. All prison officers who joined the service after April 2001 must pass an annual fitness test in order to remain prison officers. We do not discriminate on the basis of someone's age; many factors determine a person's ability to pass a fitness test. Staff who do not meet the annual fitness test standard are provided with advice and support by a fitness assessor on achieving and maintaining the required fitness level.

The Prison Service recruits staff to work up to the normal pension age of 65, and it has employed new prison officers in their 60s who have passed the fitness test and are performing their roles effectively. In addition, many staff who have the right to retire at 60 choose to

work beyond their retirement age. It is therefore not true to say that it is inappropriate or unsafe for prison officers to work over a certain age.

My hon. Friend the Member for Sittingbourne and Sheppey is right when he says that we must recognise the commitment, bravery and hard work of our prison officers.

Mr Jonathan Lord (Woking) (Con): Will the Minister give way?

Wendy Morton: Let me see if I can make some more progress, and then, if time allows, I will give way.

The Prison Service and Ministry of Justice already recognise and reward excellent staff work through a range of awards and honours, such as the Prison Service long service and good conduct medal, the prison officer of the year award and the Butler Trust awards. We are also proposing to the honours, decorations and medals committee the introduction of a new Queen's Prison Service medal. The concept of a covenant has been raised, and I assure my hon. Friend that we are already considering whether such a covenant for prison staff would be beneficial.

The Government seek pay recommendations from the independent Prison Service pay review body. We recently accepted in full its recommendations for 2019-20, which resulted in the highest increase for prison staff in more than 10 years, with band 3 prison officers—the largest group of staff—receiving a headline increase of 3%.

On the Isle of Sheppey, recognising the competitive labour market, we implemented a market supplement to support the recruitment and retention of staff. This means that the current starting salary for a prison officer at the Sheppey prisons, as well as a number of other sites in the south-east, is £27,293. After an officer has gained four years' experience, that salary increases to just shy of £30,000.

HMPPS takes very seriously, as I think we all do, the health and safety of all staff working in prisons, whatever their age. Staff have access to on-site care teams and to an employee assistance programme that includes confidential 24-hour support, 365 days a year. They are covered by a wide range of occupational health services provided by specialist healthcare professionals. HMPPS has invested in nearly 6,000 body-worn video cameras and has started to implement the national roll-out of PAVA, which is a synthetic pepper spray. We are also introducing rigid bar handcuffs for use by prison officers as part of our continuing focus on improving safety and reducing violence.

We take attacks on our prison officers seriously. Under the Assaults on Emergency Workers (Offences) Act 2018, they are treated equally in law with assaults on the police and other emergency service workers. HMPPS has been working closely with the police and the Crown Prosecution Service to ensure that they understand the impact of crimes committed in prison. In May, we published the new crime in prison referral agreement between HMPPS, the police and the CPS to provide a more consistent approach to dealing with these matters. In addition, as part of a crackdown on crime behind bars, the Government are investing £100 million through the introduction of airport-style security measures, cutting-edge technology to detect

and block mobile phones, and new funding to tackle corruption. Coupled with the 4,700 additional staff recruited since 2016, that investment should have a major impact on crime behind bars.

The Government are investing £2.5 billion in 10,000 new, modern prison places and will also spend an extra £156 million next year on maintaining our existing jails. That will give us space to absorb any rise in prison population created by the increase in police officers on our streets, along with tougher sentencing for the most serious offenders. Our ambition is to create a decent, safe and secure estate that is sustainable into the future.

Mr Lord: I welcome much of what the Minister says, but does it not underline the point that if we are to have a police officer covenant, a prison officer covenant would also be a good idea? It would be a way of recognising prison officers and ensuring that we treat them in the right way, both during and after their service.

Wendy Morton: I am grateful for my hon. Friend's intervention. I think I have already addressed his point in my speech, but it is clearly a point that he is interested in.

The first new prison will be built on land adjacent to the existing well-performing maximum security prison at Full Sutton. Along with further building works, it will be subject to Government working through the best value-for-money options. I thank my hon. Friend the Member for Sittingbourne and Sheppey for suggesting the existing cluster of three prisons on the Isle of Sheppey as a location for a further site. *[Interruption.]* I believe he is indicating that he would be happy with a fourth, but I am sure that he will understand that decisions on the location of further sites have not yet been made.

It is again too early to say whether the new prisons will be privately or publicly run, but the Government are committed to maintaining mixed market provision in the custodial sector, with prisons run by both the public and the private sectors. Any decisions on the future management of the new build prisons will be announced in due course.

Grahame Morris: The Minister is setting out the case for financial prudence, but may I point out that private prisons account for 15% of the prison population but almost 25% of the budget? If we are being prudent with the public finances and looking to secure a decent settlement for prison officers, surely we should not be privatising our prison service.

Wendy Morton: As I said, it is too early to say whether the new prisons will be privately or publicly run, but no doubt we will be debating that question for some time to come.

On recruitment and retention, we know that retention of staff will take more than a one-size-fits-all approach, so specific action is being taken where attrition is most acute. Improvements to the recruitment process are ongoing and are aimed at reducing the time and cost of hiring, increasing the diversity of new recruits and ensuring that we attract the right people with the right skills.

Jo Stevens: Will the Minister give way on that point?

Wendy Morton: If the hon. Lady will forgive me, I will press on. I have only five minutes left, and I would like to leave my hon. Friend the Member for Sittingbourne and Sheppey time to wind up.

The hon. Member for Motherwell and Wishaw (Marion Fellows) pointed out that eight prison staff are assaulted every day, and she spoke about morale and impact assessment. As prison officers are part of the wider civil service pension scheme, any impact assessment would consider a range of professions. There is a range of physically demanding roles, and when the pension scheme was introduced an exemption for prison officers was not seen as appropriate. I believe that workforce policy in Scottish prisons is devolved to the Scottish Government.

I thank all hon. Members for their contributions. I particularly thank my hon. Friend the Member for Sittingbourne and Sheppey for bringing this debate to Westminster Hall. Although I understand the concerns of staff and their trade unions about retirement age, there are no plans to consider an exceptional package to allow prison officers a lower pension age than their colleagues across the civil service. I am grateful to my hon. Friend and all hon. Members for their time and for sharing their views with me this afternoon.

5.26 pm

Gordon Henderson: I will make just a few points, if I may. We have had consensus today, but I have to say to the Opposition spokesperson, the hon. Member for Bradford East (Imran Hussain), that the last Labour Government did not cover themselves with glory in the eyes of the POA. Talk to my prison officers: they remember vividly how the Labour party embraced the privatisation of prisons with great enthusiasm. But that was then.

Imran Hussain: Will the hon. Gentleman give way?

Gordon Henderson: I do not have time.

With regard to what the Minister said about the difference between prison officers and police officers, I revert to section 8 of the Prison Act 1952, which states that prison officers

"shall have all the powers, authority, protection and privileges of a constable."

Yet because prison officers happen to be part of the civil service pension scheme, they have to work until they are 68 when the police do not. The Government might have to look at whether prison officers should be part of the civil service, or whether they should be a separate entity again.

The Minister mentioned that staff on Sheppey are getting enhanced pay, and that it is up to £27,000 for new staff. I accept that, but it creates another anomaly in the system: the existing staff do not get that enhancement, so there will be some instances of new staff actually earning more than existing staff. Once again, that is something that we need to look at.

I will end with a little advert. I urge all Members present who have shown an interest in the debate to get involved in the Prison Service parliamentary scheme.

Question put and agreed to.

Resolved,

That this House has considered the pension age of prison officers.

5.28 pm

Sitting adjourned.

Written Statements

Tuesday 8 October 2019

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Energy Council

The Minister for Business, Energy and Clean Growth (Kwasi Kwarteng): The UK did not attend the EU Energy Council in Brussels on 24 September 2019.

The UK Government have decided that from 1 September until exit day, UK Ministers and officials will only attend EU meetings where the UK has a significant national interest in the outcome of the discussions.

[HCWS1854]

Energy Planning Project

The Minister for Business, Energy and Clean Growth (Kwasi Kwarteng): This statement concerns an application made by Orsted Hornsea Project Three (UK) Limited under the Planning Act 2008 for development consent for the construction and operation of the proposed Hornsea Three offshore wind farm and associated offshore and onshore infrastructure in the North Sea and in Norfolk.

Under section 107(1) of the Planning Act 2008, the Secretary of State must make a decision on an application within three months of receipt of the examining authority's report unless exercising the power under section 107(3) to set a new deadline. Where a new deadline is set, the Secretary of State must make a statement to Parliament to announce it. The deadline for the decision on the proposed Hornsea Three offshore wind farm development consent order application was 2 October 2019.

The Secretary of State has set a new deadline for deciding the application of 31 March 2020 to allow further information in respect of offshore environmental effects to be provided and considered. The decision to set the new deadline for the application is without prejudice to the Secretary of State's decision on whether to ultimately grant or refuse development consent.

[HCWS1852]

Competitiveness Council

The Minister for Universities, Science, Research and Innovation (Chris Skidmore): My noble Friend the Parliamentary Under Secretary of State, Lord Duncan of Springbank—has today made the following statement:

The UK did not attend the Competitiveness Council in Brussels on 26 and 27 September 2019

The UK Government have decided that from 1 September until exit day, UK Ministers and officials will only attend EU meetings where the UK has a significant national interest in the outcome of the discussions.

[HCWS1853]

TREASURY

ECOFIN

The Chancellor of the Exchequer (Sajid Javid): A meeting of the Economic and Financial Affairs Council (ECOFIN) will be held in Luxembourg on 10 October 2019. The Council will discuss the following:

Budgetary instrument for convergence and competitiveness for the Euro area.

The European Commission will present the governance framework on the budgetary instrument for convergence and competitiveness for the euro area.

Current financial services legislative proposals.

The Finnish presidency will provide an update on current legislative proposals in the field of financial services.

European Court of Auditors' annual report.

The President of the Court of Auditors will present the auditors' report on the implementation of the budget of the European Union for the 2018 financial year.

The European financial architecture for development.

The chair of the high-level group of wise persons on the European financial architecture for development will present the main findings of their report to the Council. This will be followed by an exchange of views.

Implementation of the anti-money laundering (AML) action plan.

The Council will hold an exchange of views on the progress made in implementing the AML action plan and consider the future strategic priorities in this area.

Anti-money laundering directive: policy towards "high-risk third countries".

The Council will hold an exchange of views on the policy towards AML-related "high-risk third countries".

European semester 2019—lessons learnt.

The Council will hold an exchange of views on lessons learnt from the European semester 2019.

Preparation of the G20 meeting of Finance Ministers and central bank governors and of the IMF annual meetings.

The Council will be invited to approve the EU's G20 terms of reference and international monetary and financial committee statement, ahead of the annual meetings in Washington DC.

Coalition of Finance Ministers for climate action.

The Finnish will present the state of play of the Coalition of Finance Ministers for Climate Action.

Appointment of a member of the executive board of the European Central Bank.

The Council will be invited to adopt a recommendation to the European Council on the appointment of a new member of the executive board of the European Central Bank.

Capital Markets Union.

The Commission will inform the Council on its plans on the capital markets union and the presidency will outline next steps.

Status of the implementation of financial services legislation.

The Council will take stock of the status of the implementation of financial services legislation.

[HCWS1857]

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Agriculture and Fisheries Council

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): Agriculture and Fisheries Council takes place in Luxembourg on 14 and 15 October.

As the provisional agenda stands, the main item for fisheries will be fixing the fishing opportunities in the Baltic Sea for 2020. Member states will also discuss the regulation on the European maritime and fisheries fund (EMFF) for which a preliminary agreement on the proposal, a partial general approach (PGA), is sought in Council. Ministers will also exchange views on the annual EU-Norway consultation for 2020 and on the 22nd annual meeting of the international commission for the conservation of Atlantic tunas (ICCAT), which will be held in Palma de Mallorca on 18-25 November 2019.

In the field of agriculture the main focus will be the state of play on the common agricultural policy (CAP) reform package. Member States will also exchange views on the EU Forest Strategy post-2020 followed by a presentation by the commission and an exchange of views on stepping up EU action to protect and restore the world's forests. The Commission will also brief member states on the market situation.

There are currently five items scheduled under "any other business":

The presidency will brief Ministers on the outcome of the European bioeconomy scene 2019, which was held in Helsinki on 8-10 July;

The Slovenian delegation will brief on the outcome of the Ministerial conference "Strengthening the Generation and Transfer of Knowledge for the Progress of Agriculture and the Rural Areas", which took place in Ptuj, Slovenia on 23 August 2019;

The Italian delegation will provide information on the serious damages caused by the Asian stink bug (*Halyomorpha halys*) to the fruit and vegetables sector;

The commission will give a state of play on African swine fever; and

The commission will provide a state of play on the major issues within food safety.

[HCWS1851]

HEALTH AND SOCIAL CARE

Continuity of Medical Supplies

The Secretary of State for Health and Social Care (Matt Hancock): This statement provides an update on my Department's plans to support the continuity of supply of medicines and medical products into the UK if we leave the EU without a deal on 31 October.

The multi-layered approach put in place by my Department remains essential to help ensure the continuation of medicines and medical supplies across the UK if we leave without a deal. An update on the components are below.

My Department is today writing to pharmaceutical companies, medical device manufacturers and the adult social care sector. As part of working closely with the

devolved Administrations (DAs) and Crown dependencies, communications will also be shared with healthcare providers across the scope of the programme.

Improving trader readiness for new border arrangements.

Companies need to ensure they are "trader ready" for the new customs procedures involved with importing and exporting goods that will come into place if we leave the EU without a deal. To support industry in their preparations, I am today announcing that, following engagement and feedback with trade associations, suppliers and distributors, the Government are establishing a dedicated trader readiness "support unit" to provide assistance to suppliers of medical goods. These teams of specialists will be able to provide traders operating in the health and social care sector with up-to-date advice and practical guidance on the steps they need to take to prepare. Details on how to access the support unit are being communicated to industry today.

Building up buffer stocks.

My Department's approach to buffer stocks remains unchanged from 26 June and involves a range of national measures and asks of industry that are designed to provide contingent measures for medicines, medical devices and clinical consumables, blood and transplants, vaccines and countermeasures, supplies for clinical trials and non-clinical goods and services.

Procuring extra warehousing space for stockpiled medicines.

To help ensure sufficient space to store stockpiled medicines ahead of Brexit on 31 October if we were to leave without a deal, my Department previously agreed contracts for additional warehouse space, including ambient, refrigerated and controlled drug storage. We will continue to provide warehousing capacity.

Securing freight capacity.

The Department for Transport-led cross-government procurement for securing freight capacity by 31 October is progressing as planned. On 20 September, as announced by the Secretary of State for Transport, eight companies were successfully appointed to the freight procurement framework. These include ferry operators Brittany Ferries, DFDS A/S, Irish Ferries, P&O Ferries, Seatruck and Stena, as well as operators from the aviation and rail industries, Air Charter Services and Eurotunnel.

Also, on 20 September, DfT launched two call-off mini-competitions, which set out the Government's freight requirements in preparation for leaving the EU. These provided freight operators on the framework the opportunity to bid for contracts to transport medicines and medical products—and other category one goods—into the UK in a no-deal scenario. The deadline for framework suppliers to submit bids was 1 October. Subject to evaluation, contracts with successful freight operators to provide capacity on specific routes will be agreed shortly. Once known, Government will inform industry of the details as soon as possible. In advance of this, the Department is today inviting suppliers of medicines and medical goods to register to access this freight capacity.

My Department is also leading a procurement for an "express freight service" to provide access to an end-to-end solution for medical products to deliver small parcel consignments and pallets. This is designed to be used only if suppliers' own contingency measures encounter

difficulties or there is an emergency need for specific medical products. The bid response window for this procurement has now closed and we are currently reviewing the bids. Again, my Department is looking to award the contract(s) as soon as possible.

Changing or clarifying regulatory requirements.

So that companies can continue to sell their products in the UK even if we leave without a deal, the Government have made changes to, or clarifications of, certain regulatory requirements. Statutory instruments, covering the regulation of human medicines, medical devices and clinical trials were considered and approved by Parliament.

Strengthening the processes and resources used to deal with shortages.

In addition to the normal shortage management routes, my Department has also put in place legislation to enable Ministers to issue serious shortage protocols that, where appropriate, enables community pharmacies to supply against a protocol, for example, to issue a substitute medication instead of the prescribed medication without going back to the prescriber first.

My Department will again be standing up a national supply disruption response (NSDR). The NSDR processes will monitor the supply situation and co-ordinate actions to address supply disruption incidents that occur after Brexit where normal procedures are unable to provide a resolution.

Message to NHS and the public.

Our message to the NHS, the adult social care sector, patients and the wider public remains unchanged.

My Department, working with partners across Government, industry, the health and social care system, devolved Administrations and Crown dependencies, are putting in place these arrangements to protect medical supplies from any potential disruption if we leave without a deal for the whole of the UK and its Crown dependencies, so that service providers, patients and members of the public do not have to take action themselves. Local or personal stockpiling remains unnecessary and could cause shortages in other areas, which could put patient care at risk. It is important that patients keep taking their medicines and order their repeat prescriptions as normal.

As the NAO's recent report recognised, the scale of the challenge has been unprecedented and the Department, working with pharmaceutical companies and medical device manufacturers, has already achieved a great deal in preparing for leaving the EU, whatever the circumstances. I am confident that the Department is doing everything appropriate to prepare for leaving without a deal on the 31 October.

[HCWS1856]

HOME DEPARTMENT

Terrorism Prevention and Investigation Measures

The Secretary of State for the Home Department (Priti Patel): Section 19(1) of the Terrorism Prevention and Investigation Measures Act 2011—the Act—requires the Secretary of State to report to Parliament as soon as reasonably practicable after the end of every relevant three-month period on the exercise of her TPIM powers under the Act during that period.

The level of information provided will always be subject to slight variations based on operational advice.

TPIM notices in force (as of 31 August 2019)	3
TPIM notices in respect of British citizens (as of 31 August 2019)	3
TPIM notices extended (during the reporting period)	1
TPIM notices revoked (during the reporting period)	0
TPIM notices revived (during the reporting period)	0
Variations made to measures specified in TPIM notices (during the reporting period)	4
Applications to vary measures specified in TPIM notices refused (during the reporting period)	0
The number of current subjects relocated under TPIM legislation (as of 31 August 2019)	1

The TPIM Review Group (TRG) keeps every TPIM notice under regular and formal review. Third quarter TRG meetings took place on 4 and 18 September 2019 and 1 October 2019.

The Section 9 TPIM Act 2011 judicial review of the TPIM against QT was heard at the High Court between 24 and 27 June 2019. The judgment in this review is yet to be handed down by the Court.

[HCWS1855]

INTERNATIONAL TRADE

No-deal Brexit: Temporary Tariff Regime

The Secretary of State for International Trade (Elizabeth Truss): Today I am informing the House about updates to the temporary tariff regime announced in March. This regime would come into effect if the UK leaves the EU without a deal on 31 October 2019.

The temporary tariff would apply equally to all countries where the UK does not have a trade agreement or other preferential agreement in place, this would include the EU.

The policy announced in March, and updated today, is designed with consumers and producers in mind. The majority of imports will be tariff free, with tariffs only applying on a small percentage of UK imports. The Government have listened to the concerns and needs of businesses and consumers since the temporary tariff regime was first announced and has made three specific amendments to the tariff rates published in March.

Lower tariffs on HGVs entering the UK market, striking a better balance between the needs of British producers and the SMEs that make up the UK haulage industry, ensuring that crucial fleet replacement programmes that help to lower carbon emissions can continue.

Adjusted tariffs on bioethanol to retain support for UK producers, as the supply of this fuel is important to critical national infrastructure.

Applied tariffs to additional clothing products to ensure the preferential access to the UK market currently available to developing countries, compared to other countries, is maintained.

These three specific amendments will enable UK supply chains to continue to operate smoothly, keep prices down for consumers and ensure that we are fully prepared to leave the EU on 31 October whatever the circumstances.

In considering adjustments to the temporary tariff, the Government have continued to give regard to the five principles set out in the Taxation (Cross-border Trade) Act 2018:

- the interests of consumers in the UK;
- the interests of producers in the UK;
- the desire to maintain and promote external trade of the UK;

the desire to maintain and promote productivity in the UK;
the extent to which goods are subject to competition.

Throughout the temporary period, the Government will also consider exceptional changes where clear evidence is provided by stakeholders against the criteria set out in the Taxation (Crossborder Trade) Act 2018 and would provide a mechanism to hear business and consumer feedback.

The Government aim, where possible, to minimise any new costs to business and mitigate any price impacts on consumers. For that reason, tariffs will only apply

to 12% of total UK imports but there will need to be tariffs on some imports to make sure certain industries get the support they need.

This remains a temporary policy that would apply for a period of up to 12 months in the event that the UK leaves the EU without a deal on 31 October.

Information on specific tariff rates that would apply under the temporary tariff have been made available through the Government website.

[HCWS1850]

Petition

Tuesday 8 October 2019

OBSERVATIONS

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Windsor Gate Development, High Wycombe

The petition of Residents of Tadros Court, Ercolani Avenue and Roperies in the Windsor Gate development, High Wycombe,

Declares that during the last three years, service charge costs have surged, but services have fallen for the residents of the Windsor Gate development, High Wycombe, a right-to-manage mixed estate comprising of freehold and leasehold blocks built by Bellway in 2006; further that residents are not provided with the services declared; further that the services that are provided are of substandard level or are not needed; further that freeholders are paying for locked and gated private amenity space for flats; further that the estate is run down, with little or no maintenance; further that there is litter, pests and weeds throughout; further that residents pay the same service charge whether they occupy a 1 bed flat or a 3 bed flat, due to mistakes made by the developer; further that increases in charges are not transparent and have been made without property resident input; further that there has been clear degradation of duty with regards to freeholders, with poor correlation between the rents demanded and the works undertaken in maintenance of the surrounding areas; further that resident directors and managing agents responsible for the collection of the service charges are aware residents lack rights and protections under any Act of Parliament; further that there is no process to receive and consider accounts prior to payment, or to be provided with information relating to the charges claimed; further that voting rights of all who are in shared ownership and in social housing have been removed.

The petitioners therefore request that the House of Commons urges the Government to introduce legislation to give greater transparency and accountability for service charges in residential developments; further urges the Government to conduct a full investigation of the “fleecehold” practice as it is causing owners stress, anxiety and distress and in some cases, has required going to court.

And the petitioners remain, etc.—[Presented by Mr Steve Baker, *Official Report*, 9 September 2019; Vol. 664, c. 5P.]

[P002520]

Observations from the Minister for Housing (Ms Esther McVey):

The Government are committed to reforming the leasehold system and announced a package of measures to tackle unfair practices in the leasehold market and promote transparency and fairness for leaseholders and residential freeholders.

As part of these measures, we intend to legislate to ensure freeholders who pay charges for the maintenance of communal areas and facilities on a private or mixed use estate can access equivalent rights as leaseholders to challenge their reasonableness.

We set out our approach to implementing these measures in the Government response to the consultation implementing reforms to the leasehold system in England. We intend to create a new statutory regime for freeholders based on the leaseholder rights contained in the Landlord and Tenant Act 1985 to ensure maintenance charges must be reasonably incurred and services provided are of an acceptable standard. It will also afford freeholders a right to challenge the reasonableness of charges at the property tribunal.

The Government also believe that service charges should be transparent, communicated effectively and that there should be a clear route to challenge or redress if things go wrong.

In October 2018 the Government established a working group of independent experts across the property sector, chaired by Lord Best to advise Government on a new regulatory framework for property agents. The group also considered the use and transparency of service charges and other leaseholder fees and charges.

The working group presented its final report to Government on 18 July. To improve the transparency of service charge information for consumers, the group suggested that the Government should consider consulting on the detail and use of a new mandatory standardised charges form for both leaseholders and freeholders, and should also explore standardising both the information that is presented and the form.

The full report is available at: <https://www.gov.uk/government/publications/regulation-of-property-agents-working-group-report>.

We are considering the report’s recommendations carefully and will announce next steps in due course.

The competition and markets authority (CMA) has also announced an investigation into mis-selling and unfair terms in the leasehold market. This includes exploring potential unfair terms, that is, whether people are having to pay excessive fees due to unfair contract terms. This will include administration, service, and “permission” charges—where homeowners must pay freeholders and managing agents before making home improvements—and ground rents, which in some cases can double every 10 years.

Further details of the CMA investigation: <https://www.gov.uk/cma-cases/leasehold>

The Government look forward to hearing progress on the CMA’s work later this year.

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Tuesday 8 October 2019

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